



# **RĀRANGI TAKE AGENDA**

## **Kaunihera | Council Meeting**

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

**Te Rā | Date: Thursday, 9 May 2024**

**Te Wā | Time: 1.30pm**

**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 9 May 2024, 1.30pm.**

**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

## Te Raupapa Take | Order Of Business

1	<b>Nau Mai   Welcome</b> .....	5
2	<b>Karakia a te Kaunihera   Council Blessing</b> .....	5
3	<b>Whakapāha   Apologies</b> .....	5
4	<b>Te Tauākī o Te Whaitake ki ngā Mea o te Rārangi Take   Declarations of Interest Relating to Items on the Agenda</b> .....	5
5	<b>Te Whakatakoto Petihana   Presentation of Petition</b> .....	5
	Nil	
6	<b>Ngā Whakawā   Hearings</b> .....	5
	Nil	
7	<b>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</b> .....	5
8	<b>Ngā Take a ngā Mema   Members' Business</b> .....	5
9	<b>Te Pūrongo a te Koromatua   Mayor's Report</b> .....	6
	9.1 Mayor's Report - Kenepuru Accident & Medical Clinic After Hours .....	6
10	<b>Pūrongo   Reports</b> .....	8
	10.1 Blue Bluff Slip Decision .....	8
	10.2 Dedicating Local Purpose (Road) reserve as Road.....	17
	10.3 Amendments to Council Delegations to Staff .....	24
	10.4 Reports and Recommendations from Community Boards .....	39
11	<b>Te Whakaū i ngā Āmiki   Confirmation of Minutes</b> .....	43
	11.1 Confirmation of minutes .....	43
12	<b>Purongo Kāore e Wātea ki te Marea   Public Excluded Reports</b> .....	51
	<b>Resolution to Exclude the Public</b> .....	51
13	<b>Closing Karakia</b> .....	52



## 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 *As we deliberate on the issues before us,*

E pono ana mātou ka kaha tonu ki te whakapau mahara huapai mō ngā hapori e mahi nei mātou. *We trust that we will reflect positively on the communities we serve.*

Me kaha hoki mātou katoa kia whaihua, kia tōtika tā mātou mahi, *Let us all seek to be effective and just,*

Ā, mā te māia, te tiro whakamua me te hihiri *So that with courage, vision and energy,*

Ka taea te arahi i roto i te kotahitanga me te aroha. *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 KOROMATUA | MAYOR'S REPORT****9.1 MAYOR'S REPORT - KENEPURU ACCIDENT & MEDICAL CLINIC AFTER HOURS**

**Author:** Janet Holborow, Mayor

**Authoriser:** Darren Edwards, Chief Executive

**HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY**

On 22 April 2024 Mayor Janet Holborow received a letter (Appendix 1) from Hon Barbara Edmonds, MP for Mana, seeking an official motion that the Kāpiti Coast District Council are supportive of Hon Barbara Edmonds' community campaign to keep Kenepuru Accident & Medical Clinic After Hours open.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Letter from Hon Barbara Edmonds, MP for Mana [↓](#)

**Barbara Edmonds**

MP for Mana

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22 April 2024

Kapiti Coast District Council  
175 Rimu Road  
Paraparaumu 5032

To Mayor Janet Holborow

I am writing to you in my capacity as the MP for Mana to seek the official support of the Kapiti Coast District Council for our community campaign to keep Kenepuru Accident & Medical Clinic After Hours open.

I am seeking an official motion that the Council are supportive of Kenepuru Accident & Medical Clinic After Hours staying open for the 80,000 people who reside in the northern region of Wellington.

The catchment contains some of our most vulnerable and lower socioeconomic, and aged population in New Zealand, who would be put at dire risk if the Kenepuru Accident & Medical Clinic After Hours service were discontinued.

We are the fastest growing area in Wellington, and access to health care will only grow in need, not diminish with our population growth.

I am happy to speak to this motion if needed.

Yours faithfully,

**Hon Barbara Edmonds**  
**MP for Mana**

Authorised by Barbara Edmonds  
Parliament Buildings, Wellington

## 10 PŪRONGO | REPORTS

### 10.1 BLUE BLUFF SLIP DECISION

Kaituhi | Author: **Dave Hardy, Manager Project Management Office**

Kaiwhakamana | Authoriser: **Sean Mallon, Group Manager Infrastructure and Asset Management**

### TE PŪTAKE | PURPOSE

- 1 This report seeks Council's approval and direction on one of the proposed five options for the Blue Bluff slip site and associated negotiations with affected landowners, based on the decision made.

### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

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

### TE TUKU HAEPAPA | DELEGATION

- 3 The Council may make a decision under section A.2 of the Kapiti Coast District Council's Governance Structure.

### TAUNAKITANGA | RECOMMENDATIONS

- A. **Agree** to proceed with Option A, Open the Ōtaki Gorge Road by repairing the over and under slips and re-instating the formed road.
- B. **Agree** to undertake further detailed investigations for alternative long-term access via an alternative route such as the swing bridge (Option E).
- C. **Note** that for options A and E some property transactions will be required, with officers to bring back a paper for consideration prior to entering into contract for construction of Option A.
- D. **Note** that any land acquisition costs are included in the overall project cost estimate.

### TŪĀPAPA | BACKGROUND

- 4 The first substantial slip was in December 2015, this over slip was later reinstated in 2016.
- 5 Between 2020 and 2021 there was two more slips resulting in the road being closed.

### HE KŌRERORERO | DISCUSSION

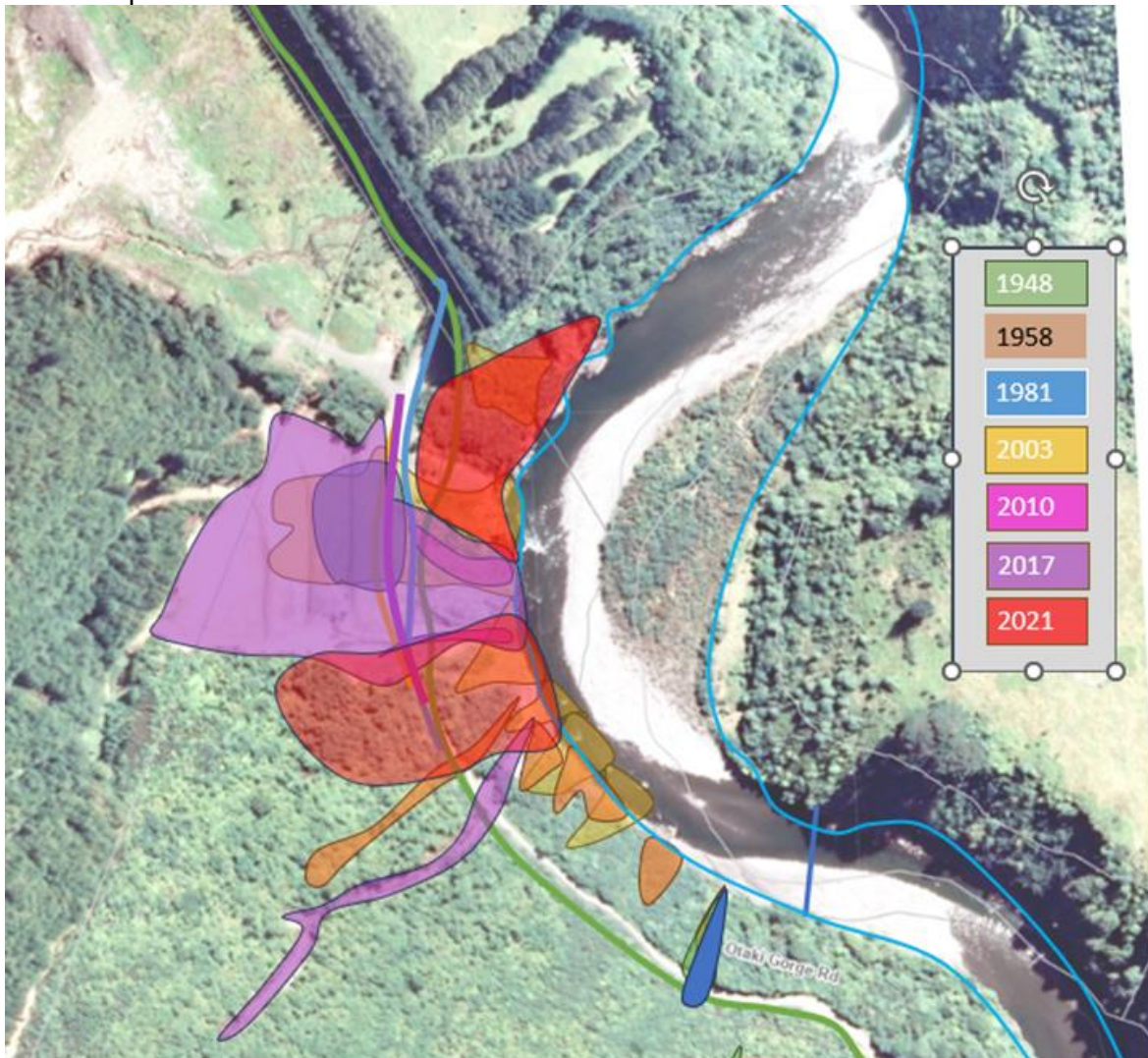
#### Option A – Open the Road

- 6 There are two slips which require repair, the under slip and the over slip.
- 7 Feedback from the community received to date is that vehicle access to the Otaki Forks campground is the most desired option. This provides a level of accessibility for all of the community, especially families, to experience the Tararua Ranges and campground facilities.
- 8 We recently met onsite with representatives from an earthmoving company experienced in working on complex slip faces to discuss constructability, especially with regards to safety. After viewing the site they advised they believe they could complete the earthworks to repair both slips within 4-6 months and did not have any specific concerns regarding safety. Their methodology involves:
  - 8.1 Cutting the northern end of the 2016 bottom bench to allow digger and truck access past the under slip to the northern end of the over slip.



- 8.2 Removing the slip face of the over slip, working up the slip from the road in sections, battering at approx. 1:1 ratio.
- 8.3 After reinstating the road, safety mesh and / or a rockfall catch fence would be installed.
- 8.4 Complete realignment of the road above the under slip, by benching back into the 2016 repairs. This is seen as a straightforward process with little risk.
- 9 This construction methodology for the over slip satisfies Council officers concerns regarding safety as the process minimises risk of slippage and provides an identified escape route for the contractor during construction. It is to be noted the site contains unknowns and at any point the works may need to stop if safety concerns are raised.
- 10 The methodology is also cost effective for Council as it deals with the area with the most uncertainty first, e.g. the over slip and uncertainty regarding the roads existing retaining wall. Using this methodology, we are able to refine the upper limit of expected costs and hold the project should the existing road retaining wall present issues.
- 11 Following repairs to the over slip, and while the under slip road is being realigned, we can complete repairs to the road corridor from just beyond the over slip to the DOC camp site. This includes safety repairs to the Pukeatua bridge barriers (bringing up to code), repair of minor under slip near Pukeatua bridge and replacement of 3 stormwater culverts. Estimated construction is 1-2 months and can be completed any time after the over slip works are completed.
- 12 The immediate vicinity of the over slip site is part of a larger older landslide that has since healed and re-vegetated with no obvious signs from aerial imagery that it deteriorating further upslope of the road to the south. It is unknown when this landslide initially occurred, however available aerial photography indicates it was prior to 1948. The historical landslide site is approximately 97,000m<sup>2</sup> and has since progressed through cycles of small/moderately sized active landslides which form and then heal.
- 13 Around 1981 the Otaki Gorge Road was realigned (assuming this was due to the developing loss of land from underslips at Blue Bluff) with the formation of benches cut on the northern hillslope above the road (excavation method to form a series of horizontal steps – this is to protect workers from cave-ins.) Around 2003 an overslip in the area of blue bluff was cleared and the road realigned again. The 2015 blue bluff slip was cleared and the benches recut in the current formation. The 2020 underslip and 2021 overslip are yet to be resolved.
- 14 No one can predict when the next landslide will occur, however based on historical evidence of 4 significant slips since 1981, we could expect return period of 10 years for similar events into the future.

15 Known slips



- 16 The 2015 slip repair was cut into stable material (fractured greywacke) and is performing well. We would be able to cut a similar formation for the 2020 underslip repair and expect similar performance. It is unlikely that similar material will be found in the 2021 overslip area, however the head of the slope has a good shape and moderate stability should be able to be achieved by removing the overburden.
- 17 The further south we go along the historical slip scar the size of historical slips are smaller and have been able to be managed by general slip removal and retaining walls. While a large event is possible, the return period is expected to be longer.
- 18 Acquisition of private property is required to realign the road, and potentially allow access for construction / earthworks and material disposal.
- 19 **ESTIMATED COST** to Council is **\$2.235m**
- 20 We estimate an ongoing cost to Council for repairs to large slips is potentially \$1,000,000 every ten years, with current Waka Kotahi subsidy levels; plus annual cost of \$75,000 for ongoing maintenance of the road corridor.
- 21 **PROS** access is restored to Kapiti's main entrance to the Tararua's, and DOC's Otaki forks campsite and properties located beyond the slip. Likely the quickest solution.
- 22 **CONS** condition of road retaining wall located under the over slip is unknown, risk of further slips occurring in the future.

**Option B – Close Road (no access)**

- 23 Closing the road will require full consultation in accordance with the Local Government Act 2002 and mitigation of impacts.
- 24 Feedback from the community received to date is this is the least desired option.
- 25 Acquisition of private property would be required to mitigate loss of legal road access to landowners.
- 26 Kapiti's main entrance to the Tararua's is lost.
- 27 Otaki Forks Campsite, run by DOC, has 150 nonpowered campsites and is affordable and popular with Kapiti residents and visitors. This is a high value legacy campsite for the district and will be lost.
- 28 **ESTIMATED COST** to Council **\$1.86m** with no ongoing maintenance costs.
- 29 **PROS** eliminates further costs.
- 30 **CONS** loss of access to Kapiti's main entrance to Tararuas and DOC's Otaki Forks Campsite.

**Option C – Close Road retain pedestrian access via track across slip face**

- 31 Closing the road to vehicle traffic, in any form, requires full consultation and mitigation of impacts.
- 32 Opening a track across an active slip face will present ongoing health and safety risks (and potential liability) for Council.
- 33 The track would need regular monitoring and at time of heavy rainfall require closing.
- 34 Council officers do not have the expertise, resources and funding required for the ongoing monitoring required to ensure the slip track is safe and fit for purpose.
- 35 Acquisition of private property would be required to mitigate loss of legal road access to landowners, and to provide a potential parking area.
- 36 **ESTIMATED COST** to council **\$2.3m** with ongoing maintenance costs of \$120k pa.
- 37 **PROS** maintains limited pedestrian access.
- 38 **CONS** liability risks and monitoring costs to council, risk of further slips.

**Option D – Close Road retain pedestrian access via DOC emergency access track**

- 39 Closing the road to vehicle traffic, in any form, requires full consultation and mitigation of impacts.
- 40 The DOC track is a very steep and slippery track across private property suitable for experienced trampers only.
- 41 Acquisition of private property would be required to mitigate loss of legal road access to landowners and provide potential parking.
- 42 This option has been included as it is very similar to the current situation, therefore it is effectively the "do-min" option. Recreational use of the Otaki Forks area is significantly down and the impact to landowners is onerous. Low numbers of people are using the emergency route, instead some people are disregarding our closure gates and walking across the slip area at their own risk.
- 43 **ESTIMATED COST** to council **\$2.4m** with ongoing maintenance costs of 65k pa.
- 44 **PROS** maintains very limited pedestrian access.
- 45 **CONS** track is not suitable for the general public.

**Option E - Swing Bridges**

- 46 At a briefing with elected members last year an option to explore swing bridges was requested by Councillors.
- 47 This option would involve closing the road to vehicle traffic. This option requires full consultation and mitigation of impacts.
- 48 Staff engaged swing bridge engineers to visit site to discuss possible locations and engineering requirements of two bridges.
- 49 Considerations to the location included allowing enough room for the anchor points of the cables holding the pylons, and that the two landing points were of equal height (required to be within 5 degrees, but preference is level).
- 50 It is proposed for the bridges to allow for pedestrian walking access as well as restricted quad bike access for residents, DOC and emergency services.
- 51 The engineers identified the most suitable locations for the bridges to span across the river; with lengths of approximately 270m and 150m.
- 52 The proposed bridges would span from the road reserve before the slip, across the Otaki river, have a short track in between and come back over the river connecting to the road in-front of 1400 Otaki George Road.
- 53 The proposed location of the bridges would require the acquisition of multiple private properties to mitigate loss of legal road access to landowners, provide access for the swing bridges and provide a potential parking area.
- 54 While efforts to agree potential terms on a willing seller / willing buyer basis have been undertaken, we would currently require compulsory purchase through the Public Works Act (PWA). The PWA process takes approximately 18-24 months, with no result guaranteed.
- 55 Proposed route for swing bridges



- 56 Other locations for the bridges were considered but involved difficult terrain and / or the requirement for purchasing additional private properties to the above route.

- 57 The swing bridges would require stabilisation wires to tie back into the active slip area to restrict movement, especially when windy. Despite stabilisation the bridges would still be subject to movement and may not be accessible for all needs.
- 58 Powelliphanta traversi otakia, a subspecies of New Zealand’s native giant snail, have been identified as present on the bank of the river opposite the blue bluff slips where the first swing bridge would land. The traversi otakia sub species are classified as nationally critical, defined as one level from extinct, and pose challenges to gaining resource consent.
- 59 The bridges require further detailed geological and hydrology assessments to inform foundation design, especially the road reserve for the first bridge, as this is located close to the under slip.
- 60 **ESTIMATED COST** to council **\$3.075m** with ongoing maintenance costs of \$85k pa.
- 61 **PROS** eliminates risk of further slips, and creates a genuine tourist attraction.
- 62 **CONS** consultation required to close the road, requires purchase of private properties (likely) under PWA, engineering is difficult with stabilisation wires tying into the active slip face, unlikely to be accessible to all, and consenting difficulties with the presence of Powelliphanta traversi otakia.

**Economic Assesment**

- 63 Berl has completed an economic cost benefit assessment based on a 25 year period.
- 64 Opening the road to vehicle access has a BCR of 0.96
- 65 Opening the road to Walking and Biking only has a BCR of 1.11
- 66 Single largest benefit of opening the road is to Kapiti Coast residents (69%)

**Property transactions**

- 67 All of the options involve property transactions.
- 68 Any acquisition required as part of the preferred option will follow due diligence acquisition processes and a report will come back to council for consideration..
- 69 Any acquisition costs (including land value) has been estimated in the overall project costs outlined in this report.

**He take | Issues**

**Ngā kōwhiringa | Options**

Refer to Table 1 for the proposed options, benefits and risks associated.

**Table 1**

<b>Kōwhiringa   Options</b>	<b>Hua   Benefits</b>	<b>Tūraru   Risks</b>	<b>Property acquisitions</b>
Option A: Open Road <ul style="list-style-type: none"> <li>• Repair under slip</li> <li>• Repair over slip</li> </ul>	<ul style="list-style-type: none"> <li>• Access restored to Docs Otaki Forks Camp Site and properties located beyond the slip.</li> <li>• Potential to leverage</li> </ul>	<ul style="list-style-type: none"> <li>• Further slips occurring.</li> <li>• The condition of the existing road retaining wall located under the over slip is unknown.</li> </ul>	<ul style="list-style-type: none"> <li>• Acquisition to realign the road, allow access during construction and material disposal may be required.</li> </ul>

<ul style="list-style-type: none"> <li>Repair existing road</li> </ul>	<p>economic benefits by attracting more out of area visitors.</p>		
<p>Option B: Closed Road</p> <ul style="list-style-type: none"> <li>Will result in rigorous consultation with the community and mitigation of loss to stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>Costs of further slips avoided.</li> </ul>	<ul style="list-style-type: none"> <li>Require full consultation.</li> <li>Community against proposal.</li> <li>Loss of access to DOC campsites and the associated economic benefit.</li> </ul>	<ul style="list-style-type: none"> <li>All properties beyond the slip, if requested by the landowners.</li> <li>Potential requirement of private property for road turnaround area.</li> </ul>
<p>Option C: Close Road / Slip Track Access</p> <ul style="list-style-type: none"> <li>Upgrade track over slip face.</li> </ul>	<ul style="list-style-type: none"> <li>Walking access maintained.</li> <li>Economic benefit of having limited access to forks area.</li> </ul>	<ul style="list-style-type: none"> <li>Walking access would be across an active slow moving slip face with further slips occurring.</li> <li>KCDC do not have the expertise to manage track over slip face on ongoing basis.</li> <li>H&amp;S liability.</li> <li>Compensation for no legal road access to properties located beyond the slip.</li> <li>Carpark installation.</li> </ul>	<ul style="list-style-type: none"> <li>All properties beyond the slip, if requested by the landowners.</li> <li>Potential requirement of private property for carparking and road turnaround area.</li> </ul>
<p>Option D: Close Road / DOC Track Access</p> <ul style="list-style-type: none"> <li>Upgrade and potentially realign DOC track.</li> </ul>	<ul style="list-style-type: none"> <li>Costs of further slips avoided while limited walking access maintained.</li> </ul>	<ul style="list-style-type: none"> <li>Walking access is via a longer steeper route and is currently only suitable for experienced trampers.</li> <li>Land purchases required.</li> <li>Compensation for no road access to properties located beyond the slip.</li> <li>Carpark installation.</li> </ul>	<ul style="list-style-type: none"> <li>All properties beyond the slip, if requested by the landowners.</li> <li>Potential requirement of private property for carparking and road turnaround area.</li> </ul>
<p>Option E – Close Road with limited walking (and ATV / 4 Wheel Motorbike access for landowners) access via Swing Bridge Option</p>	<ul style="list-style-type: none"> <li>Risk of further slips eliminated.</li> <li>Potential Economic benefit.</li> <li>Walking access maintained.</li> <li>Access with 4-wheeler motorbike for landowners.</li> </ul>	<ul style="list-style-type: none"> <li>Complexity of construction/engineering.</li> <li>Presence of NZ’s Giant Snail on the verge of extinction which may pose challenges to resource consents.</li> <li>Land Purchases required / Requirement for using private property.</li> <li>Carpark installation.</li> <li>Cost escalation.</li> </ul>	<ul style="list-style-type: none"> <li>All properties beyond the slip, if requested by the landowners.</li> <li>Easement over river.</li> <li>Land where the swing bridge will “land” either purchase or easement.</li> <li>Potential requirement of private property for carparking and road turnaround area.</li> </ul> <p>1</p>

**Mana whenua**

70 The Otaki Forks and Tararua Ranges are considered as taonga.

**Panonitanga Āhuarangi me te Taiao | Climate change and Environment**

71 Climate change is seeing more extreme weather events, which increase the risk of future slips.

**Ahumoni me ngā rawa | Financial and resourcing**

72 Waka Kotahi have indicated funding based on cost share of 51% for first \$1.5m then 71% beyond – subject to final approval.

73 Council's Long-Term Plan currently includes \$1.71m over 2024/25 and 2025/26 financial years. This potential overspend will be mitigated by anticipated underspends in other Capital Expenditure budgets or a reprioritisation from existing projects.

Refer to Table 2 for the estimated costs for each option.

<b>Kōwhiringa   Options</b>	<b>Construction Cost</b>	<b>Ongoing Maintenance Cost</b>
Option A: Open Road	<ul style="list-style-type: none"> <li>\$7.5m</li> <li>Council share \$2.235m</li> </ul>	<ul style="list-style-type: none"> <li>\$75k pa</li> <li>Allow \$1m every 10 years for major slip occurrence</li> </ul>
Option B: Closed Road	<ul style="list-style-type: none"> <li>\$6m</li> <li>Council share \$1.86m</li> </ul>	<ul style="list-style-type: none"> <li>\$35k pa</li> </ul>
Option C: Close Road / Slip Track Access	<ul style="list-style-type: none"> <li>\$7.75m</li> <li>Council share \$2.3m</li> </ul>	<ul style="list-style-type: none"> <li>\$85k pa</li> </ul>
Option D: Close Road / DOC Track Access	<ul style="list-style-type: none"> <li>\$8.15m</li> <li>Council share \$2.4m</li> </ul>	<ul style="list-style-type: none"> <li>\$100k pa</li> </ul>
Option E – Close Road with limited walking (and ATV / 4 Wheel Motorbike access for landowners) access via Swing Bridge Option	<ul style="list-style-type: none"> <li>\$10.75m</li> <li>Council share \$3.1m</li> </ul>	<ul style="list-style-type: none"> <li>\$120k pa</li> </ul>

**Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk**

74 Simpson Grierson and Council's internal legal team have provided guidance on the legal implications for each option.

75 All property transactions will involve a legal review prior to any sale and purchase agreement being signed.

**Ngā pānga ki ngā kaupapa here | Policy impact**

76 There are no policy considerations.

**TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**

77 A Communications and Engagement plan will be drafted based on the option chosen.

78 We will continue to engage with the affected landowners in the area, keeping them up to date on the projects progress.

**Te mahere tūhono | Engagement planning**

- 79 Options B – E would require consultation with the community in accordance with Council’s Significance and Engagement Policy and the decision-making requirements of the Local Government Act 2002.

**Whakatairanga | Publicity**

- 80 Whichever option is chosen we will work with relevant partners to prepare communication material to publicise and explain the decision. Communication channels could include:
- 80.1 update website information
  - 80.2 media engagement
  - 80.3 digital and social media (Everything Kapiti, Facebook, Antenna)
  - 80.4 have Your Say platform (if consultation or feedback sought)
  - 80.5 face to face where required.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

Nil



## 10.2 DEDICATING LOCAL PURPOSE (ROAD) RESERVE AS ROAD

Kaituhi | Author: **Nicky Holden, Corporate Property Manager**

Kaiwhakamana | Authoriser: **Kris Pervan, Group Manager Strategy & Growth**

### TE PŪTAKE | PURPOSE

- 1 To obtain a Council resolution pursuant to section 111 of the Reserves Act 1977 to dedicate a parcel of Local Purpose (Road) Reserve as road, at the end of Buckley Grove, Paraparaumu, described as Lot 29 Deposited Plan 27104.
- 2 The Council resolution is a requirement under section 111 of the Reserves Act 1977.

### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 3 Not Applicable.

### TE TUKU HAEPAPA | DELEGATION

- 4 The Council has the delegation under Section A2 of the Governance Structure and Delegations 2022-2025 Triennium.

### TAUNAKITANGA | RECOMMENDATIONS

That Council:

A. **Approves:**

- A.1 The dedication of Local Purpose (Road) Reserve as road – as shown in Attachment 1 of this ‘Dedicating Local Purpose (Road) Reserve as Road’ report, dated 9 May 2024;
- A.2 Dedicating the Local Purpose (Road) Reserve described as 43 m<sup>2</sup>, being Lot 29 Deposited Plan 27104 under section 111 of the Reserves Act 1977; and

- B. **Authorises** the Chief Executive to take all necessary steps required to give effect to this resolution.

### TŪĀPAPA | BACKGROUND

- 5 In October 2022, a resource consent (RM220274) for a three-lot residential subdivision was submitted for 27 State Highway 1, Paraparaumu – refer **Attachment 2** for scheme plan.
- 6 Consent for the subdivision was granted on 25 September 2023 subject to conditions. One of the conditions of the resource consent is that ‘legal road access’ for proposed Lot 3 from Buckley Grove, Paraparaumu, must be obtained prior to the subdivision being certified.
- 7 Currently the access for proposed Lot 3 is over the ‘Local Purpose (Road) Reserve’ (road reserve) described as 43 m<sup>2</sup>, being Lot 29 Deposited Plan 27104 – refer **Attachment 1** for location. For there to be legal access, the road reserve will need to be dedicated as road, which requires a resolution of Council.
- 8 The dedication of the road reserve as legal road is a straightforward process under section 111 of the Reserves Act 1977 – refer below.

**111 Road reserve may be dedicated as a road**

- (1) Where any land is vested in the Crown or in any local authority for the purposes of a road reserve and the land is required for the purposes of a road, the land may be dedicated as a road by notice under the hand of the Minister or, as the case may be, by resolution of the local authority, and lodged with the Registrar-General of Land.
- (2) For the purposes of this section the term **road** includes any road, street, access way, or service lane; and the expression **road reserve** has a corresponding meaning.

**HE KŌRERORERO | DISCUSSION**

- 9 The vesting of land as road reserve (under the Reserves Act) is a mechanism which transfers land for future road to the Council and allows Council to control when a legal road is provided for a future development.
- 10 Should Council resolve to change the status of this road reserve to legal road, the condition of resource consent relating to provision of legal road access for proposed Lot 3 will be satisfied and the subdivision can proceed.
- 11 Council's resource consent team have assessed the impact of the subdivision on the existing surrounding road network and advised that the impact is less than minor. It was considered that there were no affected parties because of the subdivision and the consent was processed non-notified.
- 12 There are two existing dwellings, a shed and a glasshouse situated on the proposed Lot 3, which use a driveway for access located on the road reserve at the end of Buckley Grove – refer **Attachment 3** for images of existing access. The current address for the dwellings is 31 Buckley Grove, Paraparaumu.
- 13 In this case, the vehicular access to the proposed Lot 3 is an existing situation. There are already two dwellings on the site that use a driveway located on the road reserve for access. The dedication of the road reserve as road will formalise the existing access.
- 14 No building development is proposed as part of this resource consent. Therefore, no noticeable change to the current access situation will be apparent to residents, as this is a technical land status change only - no significant physical changes to the road will be made.
- 15 Although there is no specific notice or consultation requirements under the Reserves Act to dedicate a road reserve as a road, Council is still required to consider the interests of those likely to be affected under section 78 of the Local Government Act as part of our decision-making process.
- 16 Based on the information held for this matter, we do not consider converting a road reserve to a road for the purposes of this subdivision is likely to trigger consultation under the Local Government Act, however, have chosen to consult with all owners / occupiers of all properties in Buckley Grove. Further information on this is in the communications & engagement section below.

**He take | Issues**

- 17 The dedication of the road reserve to road will have no detrimental effect to the purpose of the land but will enhance the adjoining owners' rights to legal road access.
- 18 No physical construction is required to be done by Council as part of this request.

**Ngā kōwhiringa | Options**

- 19 Council could :
  - 19.1 Resolve to dedicate the road reserve as road; or

- 19.2 Resolve not to dedicate the road reserve as road.
- 20 All land parcels should have legal access to a road, whether through direct road frontage or through a legal instrument, such as a right of way easement.
- 21 Should Council resolve not to declare the land as road, the landowner could apply to Council for a right of way over the road reserve; or apply to amend the resource consent application to gain access from the State Highway through a right of way over other lots within the subdivision.
- 22 The latter courses of action are seen as unnecessary cumbersome and puts the applicant and Council to unnecessary expense.
- 23 The preferred option is therefore to dedicate the land as road, as this is the most cost effective and straight-forward option to achieve the desired result.
- 24 The Council is asked to delegate to the Chief Executive Officer to take all necessary steps required to give effect to the resolution. This is likely to be limited to authorising the publication of the resolution in the New Zealand Gazette and lodging the notice with the Registrar-General of Land at Land Information New Zealand (LINZ). Once lodged at LINZ, the land status will change from road reserve to a legal road, and the land will become part of Buckley Grove.

### Mana whenua

- 25 Iwi consultation on the matter being considered by Council, is not considered necessary. This is because the proposed dedication of the land as road is an administrative transaction required to formalise legal access over land which has already been reserved for a future road.

### Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 26 The conclusion in resource consent (RM220274) states that it is not considered that any adjoining properties, the environment, or the wider public would be affected by the proposed subdivision. The assessment shows that there are unlikely to be any adverse effects of the activity (subdivision) on any adjoining properties, the wider public, and any adverse environmental effects will not be more than minor.

### Ahumoni me ngā rawa | Financial and resourcing

- 27 There are no financial costs to Council in relation to the recommendation. All costs associated with the change of status from a road reserve to a legal road will be met by the applicant.

### Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 28 The proposal to convert the parcel of road reserve to legal road has been subject to consultation between the applicant and Council groups with an interest in planning and road matters. No concerns were raised on impact of conversion of the road reserve to a legal road.
- 29 Section 111 of the Reserves Act 1977 provides that where any land is vested in any local authority for the purposes of a road reserve and the land is required for the purposes of a road the land may be dedicated as a road by resolution of the local authority and lodged with the Registrar-General of Land.
- 30 If Council approves the resolution to dedicate the road reserve as road, a notice will be published in the New Zealand Gazette and registered against the land title. On publication and registration of that notice at LINZ, the land status will change from reserve to road. Council has been asked to authorise the Chief Executive to take all necessary steps to give effect to this resolution. This is likely to be limited to authorising the publication of the resolution in the New Zealand Gazette and the registration of the gazette notice against the land title. Council's legal counsel will prepare the necessary documentation.

### Ngā pānga ki ngā kaupapa here | Policy impact

- 31 This paper has no specific impact on Council policy.

**TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**

- 32 The Group Manager of Strategy & Growth, wrote to all owners / occupiers of properties on Buckley Grove, Paraparaumu on 21 March 2024 to advise them on the planned change and seek any feedback they may have by 5 April 2024.
- 33 At the conclusion of the feedback period no objections to the proposed dedication were received. Several concerns were raised by some residents over the impact a future housing development may have on traffic on Buckley Grove. These residents were advised that although not proposed at this time, there is a possibility that Lot 3 could be subdivided further in the future. If this scenario occurred, an assessment will be undertaken to ensure that Buckley Grove and the surrounding roading network is designed sufficiently to accommodate an increase in expected traffic volumes. However, there is no proposal currently to intensify or develop the proposed lots.

**Te mahere tūhono | Engagement planning**

- 34 An engagement plan is not needed to implement this decision. Council will communicate this decision through its established communication channels.

**Whakatairanga | Publicity**

- 35 There are no publicity considerations at this stage of the process.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Location of road reserve [↓](#)
2. Approved scheme plan [↓](#)
3. Existing access on road reserve [↓](#)







### 10.3 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

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

Kaiwhakamana | Authoriser: **Mark de Haast, Group Manager Corporate Services**

#### 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 WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

#### TE TUKU HAEPAPA | DELEGATION

- 3 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

That the Council:

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

#### TŪĀPAPA | BACKGROUND

- 4 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.
- 5 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.
- 6 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.”

- 7 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, section 34A of the Resource Management Act 1991 (RMA) provides local authorities with the power to delegate to an employee any functions, powers, or duties under these Acts however, they prohibit the power to sub-delegate and therefore these delegations must be approved by Council.
- 8 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**

- 9 This report proposes amendments to Council delegations to the Chief Executive and Staff and Resource Management Act 1991 delegations to give effect to recommendations from staff.

**He take | Issues**

**TECHNICAL CHANGES TO DOCUMENTS APPROVED BY COUNCIL**

- 10 In order to assist with ensuring administrative efficiency, staff are recommending an addition to Council Delegations to Staff which allows staff to make technical changes, that have no material effect on decisions made by Council, to documents that have been approved or adopted by Council. Examples of technical amendments would include but not be limited to reference to legislation that has changed, staff title or team amendments and spelling corrections.
- 11 The Chief Executive would have power to authorise technical amendments to adopted documents, on Council’s behalf, with consultation with the Mayor, and Chairperson or in their absence the Deputy Chairperson of the appropriate Committee, and General Legal Counsel. Any amendments would be published in the Elected Members Bulletin and noted and dated on the amended document.
- 12 The additional section is set out in Attachment 1.

**RESOURCE MANAGEMENT ACT 1991 (RMA) DELEGATIONS**

- 13 Amendments are required to Council’s delegations to staff under the RMA, which are set out in the table overleaf. These changes relate to roles that have been affected as part of a *Preparing for the Future* reorganisation and to changes in roles or titles outside the organisational structure change as clarified in the table below.
- 14 The amended RMA delegations and glossary are set out in Attachment 2.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Affected Positions	Amendments to RMA delegations
All Group Managers	Amendment to <b>Note 1</b> delegation to align with new Chief Executive debt write off capabilities.
Advisor Recreational Tracks and Trails	A new title. Position to include sections <b>35, 35A, 330 and 333.</b>

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Affected Positions	Amendments to RMA delegations
Business Analyst – Regulatory Services	Title no longer requires RMA.
Customer Experience Coordinator	Title no longer requires RMA.
District Planning Manager	Position to also include section <b>80C</b> regarding applying for a direction from the responsible Minister to proceed with a streamlined planning process and section <b>182</b> regarding removal of designation.
Group Manager Strategy and Growth	Position to also include section <b>80C</b> regarding applying for a direction from the responsible Minister to proceed with a streamlined planning process and section <b>182</b> regarding removal of designation.
Manager Stormwater and Coastal Assets	Replacement title for <b>Manager Stormwater and Coastal Asset</b> . Position includes sections <b>35, 35A, 330</b> and <b>333</b> .
Programmes Manager Parks and Active Environment	Title no longer required.
Projects Manager Refurbishment and Renewals	A replacement title for <b>Refurbishment and Renewals Projects Manager</b> as part of a <i>Preparing for the Future</i> reorganisation. Position includes sections <b>35, 35A, 330, 332</b> and <b>333</b> .
Senior Engineer – Water Safety and Resilience Programme	Title no longer required.
Specialist Engineer Water and Wastewater	Title no longer required.

### Ngā kōwhiringa | Options

15 The proposed options are set in paragraphs 10 through 14 of this paper.

### Mana whenua

16 Where responsibilities and powers are delegated to staff, staff will be required to seek early input from Council's Iwi Partnerships Group on matters that are likely to impact on mana whenua or mana whenua interests. What is appropriate in view of Council's partnership with mana whenua and legislative provisions will depend on the nature of the delegated responsibility, duty or power. This report does not have direct implications on Council's partnership with mana whenua.

### Panonitanga Āhuarangi me te Taiao | Climate change and Environment

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

### Ahumoni me ngā rawa | Financial and resourcing

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

### Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

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

- 20 The exercise of powers and functions by staff must adhere to legislative requirements. Managers are responsible for ensuring legislative compliance in the exercise of statutory powers in their area and are able to seek legal advice where required.

#### Ngā pānga ki ngā kaupapa here | Policy impact

- 21 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

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

#### Te mahere tūhono | Engagement planning

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

#### Whakatairanga | Publicity

- 24 No publicity is required for these minor amendments.

### NGĀ ĀPITI HANGA | ATTACHMENTS

1. Amendments to Council Delegations to Chief Executive and Staff [↓](#)
2. Amendments to Council to Staff RMA Delegations [↓](#)

























**10.4 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS**

Kaituhi | Author: **Evan Dubisky, Democracy Services Advisor**

Kaiwhakamana | Authoriser: **Mark de Haast, Group Manager Corporate Services**

**TE PŪTAKE | PURPOSE**

- 1 This report presents any reports up and recommendations to Council made by Community Boards from 17 February 2024 to 24 April 2024.

**HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY**

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

**TE TUKU HAEPAPA | DELEGATION**

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

**TAUNAKITANGA | RECOMMENDATIONS**

- A. That Council receives this report.
- B. That Council notes the recommendation from the Waikanae Community Board meeting on 2 April 2024:
- That the Waikanae Community Board recommends to Council to investigate extending the Waikanae Pool opening season to end with Daylight Savings for future years.
- C. That Council notes that Council officers have investigated the feasibility of operating Waikanae Pool until the end of Daylight Saving Time for future years and find they cannot recommend extending the opening season.
- D. That Council resolves not to pursue an extension of the Waikanae Pool opening season at this time.

**TŪĀPAPA | BACKGROUND**

- 4 During the period of 17 February 2024 to 24 April 2024, Community Board meetings took place on the following dates:

Raumati Community Board	Tuesday, 20 February 2024
Waikanae Community Board	Tuesday, 27 February 2024
Ōtaki Community Board	Tuesday, 5 March 2024
Paekākāriki Community Board	Tuesday, 12 March 2024
Raumati Community Board	Tuesday, 19 March 2024
Paraparaumu Community Board	Tuesday, 26 March 2024
Waikanae Community Board	Tuesday, 2 April 2024
Ōtaki Community Board	Tuesday, 9 April 2024

- 5 Items discussed at each of the meetings listed in paragraph 4 are noted below:
- 5.1 On Tuesday, 20 February 2024 the Raumati Community Board met to discuss:
- Submission to Long-term Plan Consultation
  - Consideration of Applications for Funding
- 5.2 On Tuesday, 27 February 2024 the Waikanae Community Board met to discuss:
- Consideration of Applications for Funding
- 5.3 On Tuesday, 5 March 2024 the Ōtaki Community Board met to discuss:
- Ōtaki Growth Infrastructure, Reservoir and Wastewater Update
  - Consideration of Applications for Funding
- 5.4 On Tuesday, 12 March 2024 the Paekākāriki Community Board met to discuss:
- Community Board Members' Activities
- 5.5 On Tuesday, 19 March 2024 the Raumati Community Board met to discuss:
- Raumati Seawall Update
  - Raumati Road Raised Pedestrian Crossing Update
  - Consideration of Applications for Funding
- 5.6 On Tuesday, 26 March 2024 the Paraparaumu Community Board met to discuss:
- Deputation of Coastal Advisory Panel
  - Consideration of Applications for Funding
  - Road Naming – 17 State Highway 1, Paraparaumu
- 5.7 On Tuesday, 2 April 2024 the Waikanae Community Board met to discuss:
- Deputation of Te Horo Community Hall Society
  - Deputation of Coastal Advisory Panel
  - Matter of an Urgent Nature: late Discretionary Grant Application
  - Te Moana Road – Safety and Speed Related Matters Update
  - Consideration of Applications for Funding
- 5.8 On Tuesday, 9 April 2024 the Ōtaki Community Board met to discuss:
- Deputation of Ōtaki Promotions Group
  - Deputation of Coastal Advisory Panel
  - Consideration of Applications for Funding

## HE KŌRERORERO | DISCUSSION

### He take | Issues

- 6 Within the reports and recommendations considered by Community Boards from 17 February 2024 to 24 April 2024, there was one recommendation made to Council.
- 7 The recommendation was made at the Waikanae Community Board meeting on 2 April 2024:
- 7.1 A member of the public spoke in support of extending the opening season of the Waikanae Pool. Steve Millar, in attendance at the meeting as Acting Group Manager



Customer and Community, provided information to the Board as to why the pool season currently ends when it does.

7.2 The Waikanae Community Board resolved to add the matter to their Matters Under Action register and made the following recommendation:

7.2.1 That the Waikanae Community Board recommends to Council to investigate extending the Waikanae Pool opening season to end with Daylight Savings for future years.

7.3 Council officers have since provided the following advice regarding the operation of the pool beyond its current season and find they cannot recommend extending the opening season of Waikanae Pool:

Input	Issue	Outcome	Likely Impact
Staffing We employ approx. 30 Fixed Term staff every summer season.	Waikanae Pool relies on employing seasonal staff, these are secondary and university students, 90% of which have availability from November to mid-February (16-17 weeks).	We already struggle to staff 20 weeks given the demographic of our workforce.	We wouldn't be able to staff the pools.
Demand - Climate	Weeks 19 & 20 of the season have low levels of demand already with inclement weather more frequently steering swimmers to our indoor facilities.	Evidence points to extending the season would likely be with diminishing attendance numbers.	Increase in overheads, reduction in revenue.
Health & Safety	Longer periods of supervising the pool in poor light, cold, and wet conditions for staff.  Would need to look at lighting, staff shelter provisions, and welfare initiatives.	Staff comfort issues, increased illnesses.  Pool Supervision standards at risk.	Staff reporting sick.  Pool Closures.  Higher risk of incidents.  Investment in lighting and amenities to support the operation.
Funding	The season is currently funded for 20 weeks.	Significantly more funding required for the increase in staff, chemical, maintenance, and heating costs.	Diminishing revenue and increasing costs = more ratepayer funding for a minimal improvement in Levels of Service.
Emissions - Climate	The temperature in Waikanae drops from an average of 20 degrees in February to 15 degrees in April.	Our Gas boiler will be working very hard to heat the pools, resulting in increased CO2 emissions.	Increase in CO2 emissions.  Significant increase in energy costs.

**Ngā kōwhiringa | Options**

8 Options are not required for this report.

**Tangata whenua**

9 Mana whenua were not specifically consulted for this report.

**Panonitanga āhuarangi | Climate change**

10 Refer table at 7.3.

**Ahumoni me ngā rawa | Financial and resourcing**

11 Refer table at 7.3.

**Ture me ngā Tūraru | Legal and risk**

12 There are no legal considerations relevant to this report.

**Ngā pānga ki ngā kaupapa here | Policy impact**

13 This report has no current or future impact on Council policies.

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

14 An engagement plan is not required for this report.

**Whakatairanga | Publicity**

15 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:** Anna Smith, Senior Advisor, Democracy Services

**Authoriser:** Mark de Haast, Group Manager Corporate Services

**Taunakitanga | Recommendations**

That the minutes of the Council meeting of 28 March 2024 be accepted as a true and correct record.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Council meeting minutes - 28 March 2024 [↓](#)

















## 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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>13.1 - Zeal Education Trust Youth Development Contract - 2024/25 to 2026/27</b>	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
<b>13.2 - 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 (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 CLOSING KARAKIA

Kia tau ngā manaakitanga ki runga i a  
tātou katoa,

*May blessings be upon us all,*

Kia hua ai te mākihikihi, e kī ana

*And our business be successful.*

Kia toi te kupu

*So that our words endure,*

Kia toi te reo

*And our language endures,*

Kia toi te wairua

*May the spirit be strong,*

Kia tau te mauri

*May mauri be settled and in balance,*

Ki roto i a mātou mahi katoa i tēnei rā

*Among the activities we will do today*

Haumi e! Hui e! Taiki e!

*Join, gather, and unite! Forward together!*