



# **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, 25 July 2024**

**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 25 July 2024, 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      *As we deliberate on the issues before us,*  
mua i ō mātou aroaro

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

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

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

Ka taea te arahi i roto i te kotahitanga me      *We provide positive leadership in a spirit of*  
te aroha.      *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**

Nil

## 10 PŪRONGO | REPORTS

### 10.1 AMENDMENT TO STANDING ORDERS FOR MEETINGS OF COUNCIL

Kaituhi | Author: **Anna Smith, Acting Team Leader Governance**

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

#### TE PŪTAKE | PURPOSE

- 1 This report asks the Council to consider the adoption of an amended set of Standing Orders with the inclusion for remote participants (attending via audio or audiovisual link) to continue to count towards quorum at Council and Committee Meetings once the Severe Weather and Emergency Recovery Legislation Bill provisions lapse on 30 September 2024.

#### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Schedule 7, clauses 23 – 25B of the Local Government Act 2002 (LGA) provide the legislative parameters for the conduct of Council and Committee meetings and outline what constitutes a quorum for the conduct of meetings. Council's current version of Standing Orders is based on these provisions in the LGA, and the current version of Standing Orders (Standing Orders 11.1, 13.8 and 13.9) provides for remote participants at Council and Committee meetings to be able to participate and vote in meetings but not be counted towards quorum.
- 3 During the COVID-19 pandemic and most recently during the Cyclone Gabrielle response, to enable councils to continue to conduct their business when the ability to meet in person and meet this legislative requirement was restricted, the Government enacted temporary provisions in the LGA to allow for remote participants (via audio or audiovisual link) to also count toward quorum.
- 4 On 30 September 2024 the latest temporary provisions enacted by Government during the Cyclone Gabrielle response will expire. However, an amendment to the LGA was enacted on 30 August 2024, which provides for all participants (in person and remote) to count towards quorum if a territorial authority's Standing Orders allow for it.
- 5 A minor amendment to Standing Orders 11.1, 13.8 and 13.9 is therefore proposed in order to maintain the Council's current practice of holding hybrid meetings and lower the risk of meeting cancellation due to lack of quorum once the temporary provisions enabling this have lapsed.

#### TE TUKU HAEPAHA | DELEGATION

- 6 Under the provisions of schedule 7 clause 27 of the LGA, a local authority must adopt a set of Standing Orders for the conduct of meetings. The adoption of a new or amended set of Standing Orders can only be resolved by the Council and must achieve a vote of not less than 75% of members present (a supermajority).

#### TAUNAKITANGA | RECOMMENDATIONS

- A. That the Council approve the following amendments to Standing Orders (as attached in Appendix 1):
  - A.1 amend Standing Order 11.1 (Council Meetings) to reflect that a quorum is achieved with a majority of members present (in person or via audio/audiovisual link).
  - A.2 amend Standing Order 13.8 (Member's status: Quorum) to reflect that members who attend meetings by electronic link will be counted as present for the purposes of a quorum.
  - A.3 amend Standing Order 13.9 (Member's status: voting) to reflect that quorum is achieved by members present both in person and via audio/audiovisual link.
  - A.4 amend the definition section to state 'present at the meeting to constitute quorum'.

## TŪĀPAPA | BACKGROUND

- 7 Under schedule 7 clause 27 of the LGA, a local authority is required to adopt a set of Standing Orders for the conduct of its meetings. The Council adopted its current version of Standing Orders on 24 November 2022. The Council can only amend its Standing Orders by a vote of not less than 75% of members present (a supermajority).

### **Current Standing Orders**

- 8 The current set of Standing Orders allow for members to attend meetings via electronic (or audio/audiovisual) link provided certain conditions are met. Members who attend meetings by electronic (or audio/audiovisual) link cannot not be counted as present for the purposes of a quorum, but if a quorum has been met by those physically present, then members attending via electronic (or audio/audiovisual) link are able to participate in and vote on any matters raised during the meeting. The current version of Standing Order specifically states:

- 8.1 Standing Order 11.1 – Council meetings:

*“The quorum of a meeting of the council is a majority of the members **physically present**, where the number of members (including vacancies) is odd.”*

- 8.2 Standing Order 13.8 – Member’s status: quorum:

*“Members who attend meeting by **electronic link will not be counted as present** for the purposes of a quorum.”*

- 8.3 Standing Order 13.9 – Member’s status: voting:

*“Where a meeting has a quorum, determine by the number **physically present**, the members attending by electronic link can vote on any matters raised at the meeting.”*

- 9 Further to the above, the definitions section of Standing Orders notes that “Present at the meeting to constitute quorum means the member is to be **physically present** in the room.”

### **Temporary legislative provisions to count remote participants towards quorum**

- 10 During the COVID-19 pandemic, an Epidemic Management – Covid-19 Notice 2020 (the Notice) was in force which made temporary amendments to the Local Government Act 2002 under section 25B to enable councils to hold virtual meetings and count all remote participants towards quorum. The Notice was in force from March 2020 until October 2022.
- 11 The effect of this temporary amendment was to ensure that quorum requirements, which would otherwise require physical attendance by elected members, were met when elected members attended meetings remotely due to adhering to lockdown or isolation requirements set by Government direction. In October 2022, after multiple extensions, the Notice lapsed, which required councils to revert to holding meetings under the standard provisions of the LGA. In practice this meant elected members were required to be present in person at meetings in order to be counted towards quorum. They were still able to attend remotely and vote in these meetings. In March 2023, at the start of the Cyclone Gabrielle response, the Government passed the Severe Weather Emergency Recovery Legislation Bill, which amongst other provisions, brought back the same provisions for councils to allow for remote participants to be counted towards quorum to enable councils to continue to conduct their business when the ability to meet in person was restricted.
- 12 The Council had been holding a combination of in-person and remote meetings (hybrid meetings) to enable Zoom participation if required, but between October 2022 and March 2023 any members deciding to access such meetings remotely were not able to be counted towards quorum.

**Changes to legislation**

- 13 On 30 August 2023, the Local Government Electoral Legislation Bill received royal assent. Amongst changes to the Local Electoral Act 2001, this Bill also sought permanent amendments to the LGA provisions around quorum requirements in the supplementary order paper dated 18 July 2023 in the Explanatory Note section (as attached in Appendix 2). As a result of the Bill, once the provisions enacted by the Severe Weather and Emergency Recovery Legislation Bill lapse, from 1 October 2024, member attendance by audio link or audio-visual link at council and committee meetings will count towards quorum if a territorial authority’s Standing Orders allow for this.
- 14 The LGA enables councils to manage provisions for remote participation through their Standing Orders themselves and makes the changes enabled throughout the COVID-19 pandemic and the Cyclone Gabriell response permanent.

**HE KÖRERORERO | DISCUSSION**

**He take | Issues**

- 15 For the Council to continue to conduct meetings in a hybrid setting and allow for members to attend via audio or audiovisual link and be counted towards quorum from 1 October 2024, Council must amend its Standing Orders to enable this on a permanent basis.
- 16 While there is no legislative requirement for Council to amend its Standing Orders and Council meetings can continue to be conducted in a hybrid setting under the current set of Standing Orders, without an amendment to the relevant Standing Order sections, from 1 October 2024, the Council may risk a lack of quorum and therefore risk a meeting being cancelled in the event that members cannot attend a meeting in person. In the event of an emergency or a force majeure, the Council would not be able to hold fully remote meetings unless the Government passes legislation to allow for this. Considering new legislation is now in place, giving territorial authorities the ability to manage their own provisions, it is considered less likely that Government will pass urgent legislation to enact temporary provisions.

**Ngā kōwhiringa | Options**

- 17 The Council has the option to retain its current set of Standing Orders or amend its Standing Orders with the proposed changes to allow for remote participation to be counted towards quorum. Council officers recommend the adoption of an amended set of Standing Orders to enable the Council to continue with its current practice of holding hybrid meetings as required and mitigate any risks presented by possible emergencies.

Kōwhiringa   Options	Hua   Benefits	Tūraru   Risks
<b>Option A</b> Do not amend Standing Orders (status quo)	Elected members and staff are familiar with the Standing Orders as adopted in November 2022.	From 1 October 2024, elected members joining a meeting remotely will not count as present for the purpose of quorum following the cessation of the temporary provisions enacted during the Cyclone Gabrielle response.  If a quorum is not achieved through physical presence after 1 October 2024, a meeting may need to be cancelled at short notice (e.g. on the day of the meeting).



Kōwhiringa   Options	Hua   Benefits	Tūraru   Risks
		In the event of an emergency, Council would not be able to hold fully remote meetings or hybrid meetings without a quorum achieved through in person attendance unless the Government passes legislation to allow for this. This is considered less likely.
<p><b>Option B (recommended)</b></p> <p>Amend Standing Orders to:</p> <p><i>11.1 Ngā hui kaunihera   Council meetings</i></p> <p>The quorum for a meeting of the council is a majority of the members present, where the number of members (including vacancies) is odd.</p> <p><i>13.8 Te tūnga a te mema: kōrama   Member's status: quorum</i></p> <p>Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.</p> <p><i>13.9 Te tūnga a te mema: te pōti   Member's status: voting</i></p> <p>Where a meeting has quorum, the members attending by electronic link can vote on any matters raised at the meeting.</p> <p><i>2. Ngā whakamārama   Definitions</i></p> <p>Present at the meeting to constitute quorum</p>	<p>The amended Standing Orders will allow for remote participation to be counted towards quorum in line with the intent of the amended legislation to enable councils to decide to make these provisions permanent.</p> <p>The amendments to Standing Orders will align with the Council's current practice of holding hybrid meetings as required.</p> <p>There is less risk of a meeting being cancelled due to lack of quorum and in the event of an emergency, the Council would be able to hold fully remote meetings and continue to conduct its business when the ability to meet in person is restricted.</p>	<p>No direct risks have been identified.</p> <p>Increased use of a hybrid (in person and remote) set up for Council and Committee meetings and increased remote attendance could lead to negative community feedback due to more limited face to face interaction at meetings.</p> <p>This can be mitigated by setting expectations that remote attendance should not be the default but the exception.</p>

### Mana whenua

18 Mana whenua and tangata whenua have not been consulted for this report.

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

19 There are no climate change considerations as part of this report.

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

- 20 The required hardware, implementation, and training to provide the ability to hold hybrid or fully remote meetings was put in place during the Covid lockdown period and the expense was absorbed within the exiting IT budget. The current cost to utilise Zoom software licences for meetings is \$161.86 per month.
- 21 There are no further costs associated with enabling this change to the Council's Standing Orders.

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

- 22 Not implementing the proposed amendments to Standing Orders may present a risk to the Council not being able to continue to conduct its business if a force majeure or emergency event would prevent elected members from attending a Council or committee meeting in person. If such an event occurred after 1 October 2024, non-attendance in person would lead to a lack of quorum resulting in the cancellation of a meeting. Due to the amendments to legislative provisions, after 1 October 2024, Council could no longer depend on Government to enact temporary provisions to allow for remote participation to count towards quorum as was the case during the COVID-19 pandemic and the response to Cyclone Gabrielle.

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

- 23 This decision does not have an impact on existing or planned policies.

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

- 24 This matter has a low level of significance under the Council's Significance and Engagement Policy.

**Te mahere tūhono | Engagement planning**

- 25 An engagement plan is not needed to implement this decision.

**Whakatairanga | Publicity**

- 26 Once adopted, the amended Standing Orders will be made publicly available on the Council's website.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Amended Standing Orders with highlighted changes (under separate cover) [⇒](#)
2. Local Government Electoral Legislation Bill Supplementary Order Paper [↓](#)

No 367

**House of Representatives**

**Supplementary Order Paper**

**Tuesday, 18 July 2023**

**Local Government Electoral Legislation Bill**

*Proposed amendments*

Hon Kieran McNulty, in Committee, to move the following amendments:

*Clause 2*

In *clause 2(1)*, replace “**subsection (2)**” (page 3, line 5) with “**subsections (1A) and (2)**”.

After *clause 2(1)* (page 3, after line 6), insert:

- (1A) **Section 44(6)** (which relates to local government members attending meetings remotely counting as present) comes into force on **1 October 2024**.

*Clause 44*

After *clause 44(5)* (page 20, after line 7), insert:

- (6) In Schedule 7, replace clause 25A(4) with:
- (4) A member of the local authority or committee who attends a meeting by means of audio link or audiovisual link, in accordance with this clause, is to be counted as present for the purposes of clause 23.
- (7) In Schedule 7, heading to clause 25B, replace “**1 April 2024**” with “**30 September 2024**”.
- (8) In Schedule 7, clause 25B(7), replace “the close of 1 October 2024” with “1 October 2024”.

**Proposed amendments to  
SOP No 367                      Local Government Electoral Legislation Bill**

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**Explanatory note**

This Supplementary Order Paper amends the Local Government Electoral Legislation Bill.

These amendments provide for members of a local authority or committee who attend meetings remotely to be counted towards a quorum under clause 23 of Schedule 7 of the Local Government Act 2002.

These amendments replace similar temporary measures that were established in response to COVID-19 and severe weather events and that are due to expire at the end of September 2024. However, whereas the temporary measures provide that all members of local authorities and their committees are entitled to attend meetings remotely and that any remote attendance will count towards a meeting's quorum, these amendments would, from the beginning of October 2024, leave it to individual local authorities to decide in their standing orders whether remote attendance is allowed, with remote attendance counting towards a meeting's quorum only if the standing orders allow remote attendance.

**Departmental disclosure statement**

The Department of Internal Affairs considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.

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Wellington, New Zealand:  
Published under the authority of the House of Representatives—2023

## 10.2 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS

Kaituhi | Author: **Kate Coutts, Advisor Democracy Services**

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

### TE PŪTAKE | PURPOSE

- 1 This report presents items considered and recommendations made to Council by community boards between 30 April 2024 and 18 June 2024.

### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Council has received recommendations from the Waikanae Community Board to consider:
  - 2.1 exercising its authority to approve funding from the Waikanae Property Fund (the Fund) to the Reikorangi Residents' Association, and
  - 2.2 amending the community board delegations for administering and disbursing the Fund.

### TE TUKU HAE PAPA | DELEGATION

- 3 Council has the authority to consider recommendations made by Community Boards and provide direction to Council officers to action these recommendations.
- 4 Council has the authority to disperse funds from the capital sum of the Waikanae Property Fund.
- 5 Council has the authority to set and amend delegations for community boards which includes determining whether the administration and disbursement of the Fund should be delegated to the Waikanae Community Board.

### TAUNAKITANGA | RECOMMENDATIONS

- D. That Council **notes** the recommendations from the Waikanae Community Board meeting on 18 June 2024:
  - That the Waikanae Community Board support the application made by the Reikorangi Residents' Association to assist with the cost of installing a playground at the Reikorangi Hall.
  - That the Waikanae Community Board recommends to Council to approve a Waikanae Property Fund grant to the Reikorangi Residents' Association of \$35,000.00 to install a playground at the Reikorangi Hall.
  - That the Waikanae Community Board recommends to Council to delegate to the Waikanae Community Board the authority to administer and disburse the Waikanae Property Fund.
- E. That Council **approves** a Waikanae Property Fund grant to the Reikorangi Residents' Association of \$35,000.00 to assist with the cost of installing a playground at the Reikorangi Hall.
- F. That Council **requests** Council officers investigate the possibility of delegating the authority to administer and disburse the Waikanae Property Fund to the Waikanae Community Board by providing the Mayor with advice on the options.

### TŪĀPAPA | BACKGROUND

- 4 During the period of 30 April 2024 to 18 June 2024, Community Board meetings took place on the following dates:

Paekākāriki Community Board	Tuesday, 30 April 2024
Paraparaumu Community Board	Tuesday, 7 May 2024
Raumati Community Board	Tuesday, 14 May 2024
Ōtaki Community Board	Tuesday, 21 May 2024
Waikanae Community Board	Tuesday, 21 May 2024
Paekākāriki Community Board	Tuesday, 11 June 2024
Waikanae Community Board	Tuesday, 18 June 2024
Paraparaumu Community Board	Tuesday, 18 June 2024

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

5.1 On Tuesday, 30 April 2024 the Paekākāriki Community Board met to discuss:

- Update on the Transmission Gully Project
- Review of the Freedom Camping Policy 2012
- Consideration of Applications for Funding

5.2 On Tuesday, 7 May 2024 the Paraparaumu Community Board met to discuss:

- Review of the Freedom Camping Policy 2012
- Consideration of Applications for Funding

5.3 On Tuesday, 14 May 2024 the Raumati Community Board met to discuss:

- Review of the Freedom Camping Policy 2012
- Deputation of the Coastal Advisory Panel
- Consideration of Applications for Funding

5.4 On Tuesday, 21 May 2024 the Ōtaki Community Board met to discuss:

- Ōtaki Pool Redevelopment
- Review of the Freedom Camping Policy 2012
- Consideration of Applications for Funding

5.5 On Tuesday, 21 May 2024 the Waikanae Community Board met to discuss:

- Review of the Freedom Camping Policy 2012
- Consideration of Applications for Funding

5.6 On Tuesday, 11 June 2024 the Paekākāriki Community Board met to discuss:

- Consideration of Applications for Funding

5.7 On Tuesday, 18 June 2024 the Waikanae Community Board met to discuss:

- Consideration of Applications for Funding

5.8 On Tuesday, 18 June 2024 the Paraparaumu Community Board met to discuss:

- Consideration of Applications for Funding

## HE KŌRERORERO | DISCUSSION

### He take | Issues

- 6 In relation to Council, several recommendations were made at the Waikanae Community Board meeting on 18 June 2024:
  - 6.1 That the Waikanae Community Board support the application made by the Reikorangi Residents' Association to assist with the cost of installing a playground at the Reikorangi Hall.
  - 6.2 That the Waikanae Community Board recommends to Council to approve a Waikanae Property Fund grant to the Reikorangi Residents' Association of \$35,000.00 to install a playground at the Reikorangi Hall.
  - 6.3 That the Waikanae Community Board recommends to Council to delegate to the Waikanae Community Board the authority to administer and disburse the Waikanae Property Fund.
- 7 The Waikanae Community Board received nine grant applications for the Waikanae Capital Improvement fund totalling \$133,500. This was more than what the Waikanae Community was able to allocate.
- 8 As a result, the Waikanae Community Board considered options to explore further funding opportunities for the grant application by the Reikorangi Residents' Association which it supported funding. The Waikanae Property Fund is a special purpose equity reserve that would offer a possible funding mechanism for this application. However, only Council has the authority to disperse funds from the capital sum of the Waikanae Property Fund, which currently has a balance of \$187,000.
- 9 The Waikanae Community Board has therefore made a recommendation to Council to approve the request for \$35,000 by the Reikorangi Residents' Association to install a playground on the grounds at the Reikorangi Hall. The association made its application to the Waikanae Community Board for funds from the Waikanae Capital Improvement Fund and the Waikanae Promotion Fund, and the application documents are attached at Attachments 1 and 2 to this report.
- 10 The Waikanae Community Board further recommends that Council delegates authority to the Waikanae Community Board to administer and disburse the Waikanae Property Fund, within eligible criteria.
- 11 Council officers note that:
  - 11.1 The Waikanae Property Fund is a restricted equity reserve, and the purpose of the Fund is to fund improvements to Council-owned properties in Waikanae. The source of the Fund is the proceeds from the sale of other Council property in the Waikanae ward (excluding districtwide funded properties).
  - 11.2 The Reikorangi Hall is a council owned asset and sits on Council owned land. The Land adjacent to the Hall in which the playground is planned is Department of Conversation land. The Reikorangi Reserve (the land) is classified as a Local Purpose Reserve (Community Use) and gazetted with Council having full control and management authority.
  - 11.3 There are sufficient funds in the Fund (\$187,000), for Council to approve the \$35,000 requested from the Reikorangi Residents' Association.
  - 11.4 Delegating authority to administer and disburse the Waikanae Property Fund to the Waikanae Community Board requires further investigation.

- 11.5 The establishment of a community asset like a playground (even if only some items of play equipment) requires specific considerations in terms of needs, safety, design, construction, and ongoing maintenance. Council officers will need to work closely with the Reikorangi Residents' Association throughout this process and take the lead on implementing any decisions in order to ensure all standards are met, and Council's management accountability for the site is exercised appropriately.

### Ngā kōwhiringa | Options

- 12 There are no options in addition to those already discussed in this report.

### Mana whenua

- 13 There are no specific mana whenua considerations arising from this report.

### Panonitanga āhuarangi | Climate change and Environment

- 14 There are no climate change and environment considerations in this report.

### Ahumoni me ngā rawa | Financial and resourcing

- 15 There are no financial considerations in addition to those already discussed in this report.

### Ture me ngā Tūraru | Legal and risk

- 16 There are no legal or risk considerations relevant to this report.

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

- 17 There are no policy impacts in addition to those already discussed in this report.

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

### Te mahere tūhono | Engagement planning

- 18 An engagement plan is not required for this report.

### Whakatairanga | Publicity

- 19 The decision made in this report will be publicly available through Council's normal communications channel.

## NGĀ ĀPITI HANGA | ATTACHMENTS

1. Waikanae Capital Improvement Fund Application - Reikorangi Residents' Association - Public Excluded
2. Waikanae Promotion Fund Application - Reikorangi Residents' Association - Public Excluded



### 10.3 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

Kaituhi | Author: **Sarah Wattie, General Counsel**

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 Staff, including changes to the Resource Management Act 1991 delegations.

#### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

#### TE TUKU HAE PAPA | 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

- A. That Council **Notes** that on 27 June 2024 recommendation C of the "2024 Council Insurance Premium" report was "left to lie on the table until a report is brought to Council on 25 July 2024" and that this matter is resolved by paragraphs 9 and 10 of this report, '*Amendments to Council delegations to Staff*'.
- B. That Council **Adopts** the amended section to '*Council Delegations to Chief Executive and Staff*' as shown in Attachment 1 to the report '*Amendments to relevant sections of Council Delegations to Chief Executive and Staff*'.
- C. That Council **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 KŌRERORERO | 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

#### AMENDMENT TO DELEGATED FINANCIAL AUTHORITY

- 10 On 27 June 2024 staff sought to increase the Chief Executive Delegated Financial Authority (DFA) in the “2024 Council Insurance Premium” report for contracts that are budgeted for in Council’s Long-Term and Annual Plans. Resolution C of that report was tabled for further discussion at the 25 July 2024 Council meeting on the back of a new “Amendments to Council delegations to Staff” report. Subsequently staff are recommending no amendment to the Chief Executive’s DFA in this report.

#### CHANGE IN POSITION TITLES

- 11 An amendment is required to the General Legal Counsel title as a result of a recent positional change.
- 12 The above amended sections are set out in Attachment 1.

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

- 13 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 the Strategy and Growth Group and the Stormwater and Coastal Assets, Building and Resource Consents and Compliance teams.
- 14 The amended RMA delegations and glossary are in Attachment 2.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Affected Positions	Amendments to RMA delegations
Building Consents Technical Officer	Aligning delegations to Building Technical Officer title. Position includes sections <b>35, 35A</b> and <b>332</b> .
Compliance Officer (Contractor)	Generic replacement title for <b>Compliance Officer – Armourguard</b> and <b>Compliance Officer – Eyes on Security</b> to assist with changing contracts. Position to include sections <b>22, 35, 35A, 322-324, 327, 328</b> , and <b>332</b> .
Group Manager Strategy and Growth Manager District Planning	Positions to also include section <b>170</b> regarding discretion to include requirement in proposed plan and section <b>180</b> regarding transfer of rights and responsibilities for designations.
Resource Consents Planner (Graduate, Intermediate, Senior)	Additional titles to allow for movement in team and replacing <b>Senior Resource Consents Planner</b> title. Position to include sections <b>10, 10B, 22, 32, 35, 35A, 36(5), 36AAB(1), 37, 37A, 41B, 42, 42A, 44A, 55, 80, 87AAD, 87BA-BB, 87E, 87F, 87G, 88, 89A, 91, 91F, 92, 92A, 92B, 95, 95A-E, 95F, 98, 99, 99A, 101, 102, 103, 104, 104A, 104B, 104C, 104D, 105, 106, 108, 108A, 109, 110, 113, 114, 125, 126, 127, 128, 129, 133A, 138, 139, 139A, 168, 168A, 169, 175, 176A, 190, 220, 221, 222, 223, 224, 226(1)(e), 227, 234, 235, 237, 237 B-H, 240, 241, 243, 267(1A)(b), 268A(3)(b), 332, 333, 343C and Sch1 cl3, cl3A, cl3B, cl4 and SCH12 cl39, cl39(3) and cl40(1)(b)</b> .
Manager Resource Consents and Compliance Team Leader Planning Projects Team Leader Resource Consents Principal Resource Consents Planner	Positions to include section <b>80</b> regarding preparation, administration and implementation of combined regional and district documents.
Stormwater and Coastal Assets Engineer	Aligning title to activity name 'Stormwater and Coastal Assets'. Position includes sections <b>35, 35A, 332</b> and <b>333</b> .

### Ngā kōwhiringa | Options

15 The proposed options are set in paragraphs 10 through 16 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 General Counsel.
- 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 [↓](#)

### 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:	
<ul style="list-style-type: none"> <li>• the formal and recorded absence of the Chief Executive; or</li> <li>• an emergency where the Chief Executive cannot be contacted.</li> </ul>	
When employed, an Interim Chief Executive is delegated all the following responsibilities, duties and powers of the Chief Executive.	
General Delegation of Authority	Powers Delegated
To the Chief Executive with <b>no</b> power of sub-delegation to officers.	Delegation of authority to authorise technical changes to documents adopted by Council, that have no material effect on the decision made by Council with consultation with the Mayor, and Chairperson or in their absence the Deputy Chairperson of the relevant Committee, and General Legal Counsel. Any amendments will be published in the Elected Members Bulletin.

Council to Staff Resource Management Act 1991

[illegible]

yellow fill = delegations added/amended

red fill = delegations removed

**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

To Council 25 July 2024

Council to Staff Resource Management Act 1991

Delegations to positions under section 34A of the Resource Management Act 1991 (RMA)	110	113	114	124	124A	124B	124C	125	126	127	128	129	132	133A	134	138	139	139A	149B	149G	149W	149 ZD	168	168A	169	170	171	173	174	175	176	176A	178	180	181(3)	184	188A	190	193	194	195A	198 A-M	220	221	222
Building Consents Technical Officer																																													
Compliance Officer (Contractor)																																													
Compliance Officer – Armourguard																																													
Compliance Officer – Eyes On Security																																													
Group Manager Strategy and Growth	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Manager District Planning	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Manager Resource Consents and Compliance	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Principal Resource Consents Planner	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Resource Consents Planner (Graduate, Intermediate, Senior)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Senior Resource Consents Planner	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Stormwater and Coastal Assets Engineer																																													
Team Leader Planning Projects	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Team Leader Resource Consents	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.

yellow fill = delegations added/amended

red fill = delegations removed

**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 Council

Council to Staff Resource Management Act 1991

Delegations to positions under section 34A of the Resource Management Act 1991 (RMA)	223	224	226 (1)(e)	227	234	235	237	237 B-H	240	241	243	267(2)	267(1A)(b)	268A(3)(b)	311	314-321	322-324	325A	327	328	330	332	333	336	338	343C	343C	343D	343E	343F	343G	343H	343I	343J	343K	343L	343M	343N	343O	343P	343Q	343R	343S	343T	343U	343V	343W	343X	343Y	343Z	343AA	343AB	343AC	343AD	343AE	343AF	343AG	343AH	343AI	343AJ	343AK	343AL	343AM	343AN	343AO	343AP	343AQ	343AR	343AS	343AT	343AU	343AV	343AW	343AX	343AY	343AZ	343BA	343BB	343BC	343BD	343BE	343BF	343BG	343BH	343BI	343BJ	343BK	343BL	343BM	343BN	343BO	343BP	343BQ	343BR	343BS	343BT	343BU	343BV	343BW	343BX	343BY	343BZ	343CA	343CB	343CC	343CD	343CE	343CF	343CG	343CH	343CI	343CJ	343CK	343CL	343CM	343CN	343CO	343CP	343CQ	343CR	343CS	343CT	343CU	343CV	343CW	343CX	343CY	343CZ	343DA	343DB	343DC	343DD	343DE	343DF	343DG	343DH	343DI	343DJ	343DK	343DL	343DM	343DN	343DO	343DP	343DQ	343DR	343DS	343DT	343DU	343DV	343DW	343DX	343DY	343DZ	343EA	343EB	343EC	343ED	343EE	343EF	343EG	343EH	343EI	343EJ	343EK	343EL	343EM	343EN	343EO	343EP	343EQ	343ER	343ES	343ET	343EU	343EV	343EW	343EX	343EY	343EZ	343FA	343FB	343FC	343FD	343FE	343FF	343FG	343FH	343FI	343FJ	343FK	343FL	343FM	343FN	343FO	343FP	343FQ	343FR	343FS	343FT	343FU	343FV	343FW	343FX	343FY	343FZ	343GA	343GB	343GC	343GD	343GE	343GF	343GG	343GH	343GI	343GJ	343GK	343GL	343GM	343GN	343GO	343GP	343GQ	343GR	343GS	343GT	343GU	343GV	343GW	343GX	343GY	343GZ	343HA	343HB	343HC	343HD	343HE	343HF	343HG	343HH	343HI	343HJ	343HK	343HL	343HM	343HN	343HO	343HP	343HQ	343HR	343HS	343HT	343HU	343HV	343HW	343HX	343HY	343HZ	343IA	343IB	343IC	343ID	343IE	343IF	343IG	343IH	343II	343IJ	343IK	343IL	343IM	343IN	343IO	343IP	343IQ	343IR	343IS	343IT	343IU	343IV	343IW	343IX	343IY	343IZ	343JA	343JB	343JC	343JD	343JE	343JF	343JG	343JH	343JI	343JJ	343JK	343JL	343JM	343JN	343JO	343JP	343JQ	343JR	343JS	343JT	343JU	343JV	343JW	343JX	343JY	343JZ	343KA	343KB	343KC	343KD	343KE	343KF	343KG	343KH	343KI	343KJ	343KK	343KL	343KM	343KN	343KO	343KP	343KQ	343KR	343KS	343KT	343KU	343KV	343KW	343KX	343KY	343KZ	343LA	343LB	343LC	343LD	343LE	343LF	343LG	343LH	343LI	343LJ	343LK	343LM	343LN	343LO	343LP	343LQ	343LR	343LS	343LT	343LU	343LV	343LW	343LX	343LY	343LZ	343MA	343MB	343MC	343MD	343ME	343MF	343MG	343MH	343MI	343MJ	343MK	343ML	343MN	343MO	343MP	343MQ	343MR	343MS	343MT	343MU	343MV	343MW	343MX	343MY	343MZ	343NA	343NB	343NC	343ND	343NE	343NF	343NG	343NH	343NI	343NJ	343NK	343NL	343NM	343NO	343NP	343NQ	343NR	343NS	343NT	343NU	343NV	343NW	343NX	343NY	343NZ	343OA	343OB	343OC	343OD	343OE	343OF	343OG	343OH	343OI	343OJ	343OK	343OL	343OM	343ON	343OO	343OP	343OQ	343OR	343OS	343OT	343OU	343OV	343OW	343OX	343OY	343OZ	343PA	343PB	343PC	343PD	343PE	343PF	343PG	343PH	343PI	343PJ	343PK	343PL	343PM	343PN	343PO	343PP	343PQ	343PR	343PS	343PT	343PU	343PV	343PW	343PX	343PY	343PZ	343QA	343QB	343QC	343QD	343QE	343QF	343QG	343QH	343QI	343QJ	343QK	343QL	343QM	343QN	343QO	343QP	343QQ	343QR	343QS	343QT	343QU	343QV	343QW	343QX	343QY	343QZ	343RA	343RB	343RC	343RD	343RE	343RF	343RG	343RH	343RI	343RJ	343RK	343RL	343RM	343RN	343RO	343RP	343RQ	343RR	343RS	343RT	343RU	343RV	343RW	343RX	343RY	343RZ	343SA	343SB	343SC	343SD	343SE	343SF	343SG	343SH	343SI	343SJ	343SK	343SL	343SM	343SN	343SO	343SP	343SQ	343SR	343SS	343ST	343SU	343SV	343SW	343SX	343SY	343SZ	343TA	343TB	343TC	343TD	343TE	343TF	343TG	343TH	343TI	343TJ	343TK	343TL	343TM	343TN	343TO	343TP	343TQ	343TR	343TS	343TT	343TU	343TV	343TW	343TX	343TY	343TZ	343UA	343UB	343UC	343UD	343UE	343UF	343UG	343UH	343UI	343UJ	343UK	343UL	343UM	343UN	343UO	343UP	343UQ	343UR	343US	343UT	343UU	343UV	343UW	343UX	343UY	343UZ	343VA	343VB	343VC	343VD	343VE	343VF	343VG	343VH	343VI	343VJ	343VK	343VL	343VM	343VN	343VO	343VP	343VQ	343VR	343VS	343VT	343VU	343VV	343VW	343VX	343VY	343VZ	343WA	343WB	343WC	343WD	343WE	343WF	343WG	343WH	343WI	343WJ	343WK	343WL	343WM	343WN	343WO	343WP	343WQ	343WR	343WS	343WT	343WU	343WV	343WW	343WX	343WY	343WZ	343XA	343XB	343XC	343XD	343XE	343XF	343XG	343XH	343XI	343XJ	343XK	343XL	343XM	343XN	343XO	343XP	343XQ	343XR	343XS	343XT	343XU	343XV	343XW	343XX	343XY	343XZ	343YA	343YB	343YC	343YD	343YE	343YF	343YG	343YH	343YI	343YJ	343YK	343YL	343YM	343YN	343YO	343YP	343YQ	343YR	343YS	343YT	343YU	343YV	343YW	343YX	343YY	343YZ	343ZA	343ZB	343ZC	343ZD	343ZE	343ZF	343ZG	343ZH	343ZI	343ZJ	343ZK	343ZL	343ZM	343ZN	343ZO	343ZP	343ZQ	343ZR	343ZS	343ZT	343ZU	343ZV	343ZW	343ZX	343ZY	343ZZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	343AAJ	343AAK	343AAL	343AAM	343AAN	343AAO	343AAP	343AAQ	343AAR	343AAS	343AAT	343AAU	343AAV	343AAW	343AAX	343AAZ	343AAA	343AAB	343AAC	343AAD	343AAE	343AAF	343AAG	343AAH	343AAI	3
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yellow fill = delegations added/amended

red fill = delegations removed

**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

**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 \$10,000.



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

<b><u>Section</u></b>	<b><u>Content</u></b>
<i>Duties and restrictions under this Act</i>	
10	Certain existing uses in relation to land protected
10B	Certain existing building works allowed
<i>Miscellaneous provisions</i>	
22	Duty to give certain information
<i>Functions, powers, and duties of local authorities</i>	
32	Requirements for preparing and publishing evaluation reports
35	Duty to gather information, monitor, and keep records
35A	Duty to keep records about iwi and hapu
36	Administrative charges
36AAB	Other matters relating to administrative charges
36AA	Local authority policy on discounting administrative charges
<i>Waivers and extension of time limits</i>	
37	Power of waiver and extension of time limits
37A	Requirements for waivers and extensions
<i>Enforcement officers</i>	
38	Authorisation and responsibilities of enforcement officers
<i>Powers and duties in relation to hearings</i>	
41B	Directions to provide evidence within time limits
42	Protection of sensitive information
<i>Reports</i>	
42A	Reports to local authority
<i>National environmental standards</i>	
44A	Local authority recognition of national environmental standards
<i>National policy statements</i>	
55	Local authority recognition of national policy statements
<i>National planning standards</i>	
58I	Local authority recognition of national planning standards
<i>Subpart 2—Mana Whakahono a Rohe: Iwi participation arrangements</i>	
58L	Definitions
<i>Purpose and guiding principles</i>	
58M	Purpose of Mana Whakahono a Rohe
58N	Guiding principles

RMA delegations glossary to Council

*Initiating Mana Whakahono a Rohe*

- 58O Initiation of Mana Whakahono a Rohe
- 58P Other opportunities to initiate Mana Whakahono a Rohe
- 58Q Time frame for concluding Mana Whakahono a Rohe

*Contents*

- 58R Contents of Mana Whakahono a Rohe
- 58S Resolution of disputes that arise in course of negotiating Mana Whakahono a Rohe
- 58T Review and monitoring
- 58U Relationship with iwi participation legislation

*Combined documents*

- 80 Combined regional and district documents
- 80C Application to responsible Minister for direction

*Legal effect of rules*

- 86D Environment Court may order rule to have legal effect from date other than standard date

*Resource consents*

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- 95 Time limit for public notification or limited notification
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- 108 Conditions of resource consents
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- 109 Special provisions in respect of bonds or covenants
- 110 Refund of money and return of land where activity does not proceed
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- 124 Exercise of resource consent while applying for new consent
- 124A When sections 124B and 124C apply and when they do not apply
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- 128 Circumstances when consent conditions can be reviewed  
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- 139 Consent authorities and Environmental Protection Authority to issue certificates of compliance  
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- 149W Local authority to implement decision of board or court about proposed regional plan or change or variation

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- 149ZD Costs of processes under this Part recoverable from applicant

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- 168 Notice of requirement to territorial authority  
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 169 Further information, notification, submissions, and hearing for notice of requirement to territorial authority  
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 174 Appeals  
 175 Designation to be provided for in district plan  
 176 Effect of designation  
 176A Outline plan  
 178 Interim effect of requirements for designations  
 180 Transfer of rights and responsibilities for designations  
 181 Alteration of designation  
 182 Removal of designation  
 184 Lapsing of designations which have not been given effect to

*Heritage orders*

- 189A Notice of requirement for heritage order by territorial authority  
 190 Further information, notification, submissions, and hearing for notice of

- 193 requirement to territorial authority
- 193 Effect of heritage order
- 194 Interim effect of requirement
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*Streamlining decision-making on designations and heritage orders*

- 198A Sections 198B to 198G apply to requirements under section 168 or 189
- 198B Requiring authority or heritage protection authority's request
- 198C Territorial authority's decision on request
- 198D Territorial authority's subsequent processing
- 198E Environment Court decides
- 198F Residual powers of territorial authority
- 198G When territorial authority must deal with requirement
- 198H Sections 198I to 198M apply to requirements under section 168A or 189A
- 198I Territorial authority's decision
- 198J Territorial authority's subsequent processing
- 198K Environment Court decides
- 198L Residual powers of territorial authority
- 198M When territorial authority must deal with requirement

*Subdivision and reclamations*

- 220 Condition of subdivision consents
- 221 Territorial authority to issue a consent notice
- 222 Completion certificates

*Approval and deposit of survey plans*

- 223 Approval of survey plan by territorial authority
- 224 Restrictions upon deposit of survey plan
- 226 Restrictions upon issue of certificates of title for subdivision
- 227 Cancellation of prior approvals

*Esplanade reserves*

- 234 Variation or cancellation of esplanade strips
- 235 Creation of esplanade strips by agreement
- 237 Approval of survey plans where esplanade reserve or esplanade strips required
- 237B Access strips
- 237C Closure of strips to public
- 237D Transfers to the Crown or regional council
- 237E Compensation for taking of esplanade reserves or strips on allotments of less than 4 hectares
- 237F Compensation for taking of esplanade reserves or strips on allotments of 4 hectares or more
- 237G Compensation
- 237H Valuation

*Conditions as to amalgamation of land*

- 240 Covenant against transfer of allotments
- 241 Amalgamation of allotments

RMA delegations glossary to Council

*Conditions as to easements*

- 243 Survey plan approved subject to grant or reservation of easements

*Conferences and additional dispute resolution*

- 267 Conferences  
268A Mandatory participation in alternative dispute resolution processes

*Declarations*

- 311 Application for declaration

*Enforcement orders*

- 314 Scope of enforcement order  
315 Compliance with enforcement order  
316 Application for enforcement order  
317 Notification of application  
318 Right to be heard  
319 Decision on application  
320 Interim enforcement order  
321 Change or cancellation of enforcement order

*Abatement notices*

- 322 Scope of abatement notice  
323 Compliance with abatement notice  
324 Form and content of abatement notice  
325A Cancellation of abatement notice

*Excessive noise*

- 327 Issue and effect of excessive noise direction  
328 Compliance with an excessive noise direction

*Emergency works*

- 330 Emergency works and power to take preventive or remedial action

*Powers of entry and search*

- 332 Power of entry for inspection  
333 Power of entry for survey

*Return of property*

- 336 Return of property seized under sections 323 and 328

*Offences*

- 338 Offences against this Act

*Infringement offences*

- 343B Commission of infringement offence  
343C Infringement notices

*Schedule 1 Preparation, change, and review of policy statements and plans*

**Clause**

1A	Mana Whakahono a Rohe to be complied with
3	Consultation
3A	Consultation in relation to policy statements
3B	Consultation with iwi authorities
4	Requirements to be inserted prior to notification of proposed district plans
4A	Further pre-notification requirements concerning iwi authorities
5	Public notice and provision of document to public bodies
5A	Option to give limited notification of proposed change or variation
6	Making of submissions under clause 5
7	Public notice of submissions
8	Certain persons may make further submissions
8AA	Resolution of disputes
8B	Hearing by local authority
8C	Hearing not needed
10A	Application to Minister for an extension of time
11	Notification of decision
16	Amendment of proposed policy statement or plan
16B	Merger with proposed policy statement or plan
20	Operative date
20A	Correction of operative policy statement or plan
23	Further information may be required
24	Modification of request
25	Local authority to consider request
29(2)	Procedure under this Part
34	Consultation on proposal to incorporate material by reference
35	Access to material incorporated by reference

*Schedule 12 Preparation, change, and review of policy statements and plans*

*Part 6 Provisions relating to Natural and Built Environment Act 2023*

**Clause**

39	Determine the duration of consent for an affected resource consent.
39(3)	Determine the duration of consent for an affected resource consent.
40(1)(b)	Determine that clause 39 does not affect the duration of the consent after being satisfied that the application is primarily for an activity described in subclause cl40(3).

**11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES****11.1 CONFIRMATION OF MINUTES**

**Author:** Maria Cameron, Advisor Governance

**Authoriser:** Darren Edwards, Chief Executive

**Taunakitanga | Recommendations**

That the minutes of the Council meeting of 27 June 2024 be accepted as a true and correct record.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Unconfirmed Minutes of the 27 June 2024 Council Meeting [↓](#)



## COUNCIL MEETING MINUTES

27 JUNE 2024

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL  
COUNCIL MEETING****HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU  
ON THURSDAY, 27 JUNE 2024 AT 9.35AM**

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

**IN ATTENDANCE:** Mr Frank Hippolite, Mr David Shand, Ms Kim Tahiwī (via Zoom), Mr Cam Butler, Mr Richard Mansell, Mr Darren Edwards, Mr Mark de Haast, Mr Sean Mallon, Mr Brendan Owens, Ms Kris Pervan, Ms Hara Adams, Mr James Jefferson, Ms Rach Wells, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky

**WHAKAPĀHA | APOLOGIES:** Mr Bede Laracy

**LEAVE OF ABSENCE:** Cr Sophie Handford

**1 NAU MAI | WELCOME**

The Mayor welcomed everyone to the meeting.

**2 KARAKIA | COUNCIL BLESSING**

The Mayor asked Mr Frank Hippolite to open the meeting with karakia.

Mr Cam Butler joined the meeting at 9:36am.

Cr Kathy Spiers read the council blessing.

**3 WHAKAPĀHA | APOLOGIES****APOLOGY****RESOLUTION CO2024/86**

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Shelly Warwick

That the apology received from Mr Bede Laracy 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 raised at this meeting.

**5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION**

No petitions were presented at the meeting.

**6 NGĀ WHAKAWĀ | HEARINGS**

There were no hearings at the meeting.

## COUNCIL MEETING MINUTES

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**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**

Julia Palmer of the Reikorangi Residents Association spoke to the Reports and Recommendations from Community Boards report and answered questions from elected members.

Michael Papesch spoke to the Adoption of Long-term Plan for 2024-2034 and Treasury Management Policy 2024 report and answered questions from elected members.

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

- (a) There were no leaves of absence requested at this meeting.
- (b) No matters of an urgent nature were raised at this meeting.

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

No Mayor's Report was brought to this meeting.

**10 PŪRONGO | REPORTS**

Cr Prvanov left the meeting at 10:28am and returned at 10:29am.

**10.1 ADOPTION OF THE LONG-TERM PLAN FOR 2024-2034 AND TREASURY MANAGEMENT POLICY 2024**

Mark de Haast, Group Manager Corporate Services, introduced the report and answered questions from elected members.

**RESOLUTION CO2024/87**

Moved: Mayor Janet Holborow  
Seconder: Deputy Mayor Lawrence Kirby

That the Council:

- A. Adopts the Long-Term Plan for 2024-2034 (Appendix 1) as amended in accordance with the decisions made at deliberations meetings on 23 and 30 May 2024, and final changes notified by Ernst & Young.

For: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Crs Sophie Handford, Rob Kofoed, Liz Koh, Jocelyn Prvanov, Shelly Warwick and Nigel Wilson

Against: Crs Glen Cooper, Martin Halliday and Kathy Spiers

**CARRIED 8/3**

**RESOLUTION CO2024/88**

Moved: Mayor Janet Holborow  
Seconder: Deputy Mayor Lawrence Kirby

That the Council:

- B. Adopts the Treasury Management Policy 2024 (Appendix 2).

**CARRIED**

Councillor Cooper abstained from the vote.

## COUNCIL MEETING MINUTES

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**RESOLUTION CO2024/89**

Moved: Cr Nigel Wilson  
Seconder: Cr Shelly Warwick

That the Council:

- C. Delegates to the Mayor and the Chief Executive, the authority to approve minor editorial changes to the material adopted prior to publication.

**CARRIED**

Cr Handford (via Zoom) left the meeting at 10:43am and returned at 10:44am.

**10.2 SETTING OF RATES, DUE DATES AND PENALTIES FOR 2024/25**

Mark de Haast, Group Manager Corporate Services, took the report as read and answered questions from elected members and independent members.

**RESOLUTION CO2024/90**

Moved: Cr Liz Koh  
Seconder: Cr Shelly Warwick

- A. That the Council set the following rates under Section 23 of the Local Government (Rating) Act 2002, on rating units in the Kāpiti Coast District (District) for the financial year commencing on 1 July 2024 and ending 30 June 2025:

**Districtwide General Rate**

A Districtwide general rate set under section 13(2)(b) of the Local Government (Rating) Act 2002, assessed on a differential basis on all rateable rating units in the District as follows:

a rate of 0.33452 cents in the dollar (inclusive of GST) of land value on every rating unit in the urban rating area of the District as per the Council's rating area maps;

a rate of 0.12712 cents in the dollar (inclusive of GST) of land value on rating units in the rural rating area Category R1 as defined in the Funding Impact Statement;

a rate of 0.07359 cents in the dollar (inclusive of GST) of land value on rating units in the rural rating area Category R2 as defined in the Funding Impact Statement;

a rate of 0.23416 cents in the dollar (inclusive of GST) of land value on rating units in the rural rating area Category R3 as defined in the Funding Impact Statement.

**Districtwide Community Facilities Rate**

A Districtwide targeted rate for community facilities, set under section 16(3)(a) and 16(4)(b) of the Local Government (Rating) Act 2002, assessed on a differential basis on all rateable rating units in the District as follows:

all rateable rating units other than Accommodation/Hospitality and Motels and camping grounds - \$1,083.40 (inclusive of GST) per separately used or inhabited part of a rating unit.

Accommodation/Hospitality (other than motels and camping grounds) - \$2,166.80 (inclusive of GST) per separately used or inhabited part of a rating unit.

Motels and camping grounds - \$325.02 (inclusive of GST) per separately used or inhabited part of a rating unit.

**Districtwide Roading Capital Value Rate**

## COUNCIL MEETING MINUTES

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A Districtwide targeted rate for roading, set under section 16(3)(a) and 16(4)(a) of the Local Government (Rating) Act 2002, assessed on all rateable rating units in the District as follows:

a rate of 0.09667 cents in the dollar (inclusive of GST) of capital value on all rateable rating units in the District.

#### **Districtwide Stormwater Rate**

A Districtwide targeted rate for stormwater, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, on all rateable rating units in the District's stormwater rating areas as per the Council's stormwater rating area maps as follows:

a rate of 0.01989 cents in the dollar (inclusive of GST) of capital value on all rating units.

#### **Districtwide Water Supply Fixed Rate**

A Districtwide targeted rate set under section 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, assessed on all rating units connected or capable of being connected to the District's water supply, assessed on a differential basis as below. The Districtwide water supply fixed rate is invoiced as a daily rate for convenience.

General - \$260.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Medium Scale - \$234.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Large Scale - \$208.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Accommodation/Hospitality – \$520.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Serviceable - \$260.00 (inclusive of GST) per rating unit not connected to the district's water supply, but within 100 metres of a water main and capable of being connected.

#### **Districtwide Water Supply Volumetric Rate**

A Districtwide targeted rate set under section 19(2)(a) of the Local Government (Rating) Act 2002 on each rating unit which is provided with a metered water supply service.

Volumetric rate of water consumed or supplied - \$1.39 (inclusive of GST) per cubic metre.

#### **Hautere/Te Horo Water Supply Rate**

A targeted rate for water supply set under section 19(2)(a) of the Local Government (Rating) Act 2002 per unit of water supplied by the Hautere/Te Horo water supply.

A fixed charge of \$571.92 (inclusive of GST) per unit of allocation to the Hautere/Te Horo water supply (annual allocation of 1 unit = 1 cubic metre of water per day).

#### **Districtwide Wastewater Disposal Rate**

A Districtwide targeted rate for wastewater disposal, set under sections 16(3)(b) and 16(4)(b) on rating units in the Waikanae, Paraparaumu, Raumati and Ōtaki rating areas, as shown on the Council's rating area maps.

General - \$554.00 (inclusive of GST) per rating unit connected to the sewerage system.

Community - \$277.00 inclusive of GST) per water closet or urinal connected to the sewerage system.

- Educational – \$249.30 (inclusive of GST) per water closet or urinal connected to the sewerage system.

- Recreational - \$138.50 (inclusive of GST) per water closet or urinal connected to the sewerage system.

## COUNCIL MEETING MINUTES

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- Large Scale Commercial/Residential - \$277.00 (inclusive of GST) per water closet or urinal connected to the sewerage system, where there is more than one water closet or urinal.
- Serviceable - \$277.00 (inclusive of GST) per rating unit not connected to the sewerage system but within 30 metres of a sewer main and capable of being connected.

**(9) Paraparaumu/Raumati Community Rate**

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00171 cents in the dollar (inclusive of GST) of capital value on all rating units in the Paraparaumu and Raumati urban and rural rating areas as per the Council's rating area maps.

**(10) Waikanae Community Rate**

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00177 cents in the dollar (inclusive of GST) of capital value on all rating units in the Waikanae urban and rural rating areas as per the Council's rating area maps.

**(11) Ōtaki Community Rate**

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00227 cents in the dollar (inclusive of GST) of capital value on all rating units in the Ōtaki urban and rural rating areas as per the Council's rating area maps.

**(12) Paekākāriki Community Rate**

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00679 cents in the dollar (inclusive of GST) of capital value on all rating units in the Paekākāriki urban and rural rating areas as per the Council's rating area maps.

**(13) Commercial Rate**

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.03633 cents in the dollar (inclusive of GST) of capital value assessed on all Commercial rating units (as defined in the Funding Impact Statement Rating Policies).

**(14) Water Conservation Device Loan Rate**

A targeted rate on those rating units that have received an interest free loan (up to \$5,000 plus GST) for approved water conservation devices from the Council that has not yet been fully repaid, set at 10% of the amount of the original loan plus GST.

- B. That the Council agrees all property rates (including Hautere/Te Horo Water Supply Rate, but excluding Districtwide Water supply fixed and volumetric rates) be payable in four equal instalments due on:

Instalment	Due Dates	Penalty Dates
Instalment One	6 September 2024	9 September 2024
Instalment Two	6 December 2024	9 December 2024
Instalment Three	6 March 2025	10 March 2025
Instalment Four	6 June 2025	9 June 2025

All payments made will be receipted against the earliest outstanding rate amount in

## COUNCIL MEETING MINUTES

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accordance with authorised accounting procedures.

- C. That the Council agrees water rates (excluding Hautere/Te Horo Water Supply Rate) be invoiced separately on a quarterly basis dependent on when the relevant meter is read. Due dates for each area are specified below:

Area	Water Meters invoiced During	Due Date	Penalty Date
Paraparaumu/Raumati/Raumati Beach/Raumati South/Paekākāriki	Jul-24	26-Aug-24	27-Aug-24
	Oct-24	25-Nov-24	26-Nov-24
	Jan-25	24-Feb-25	25-Feb-25
	Apr-25	26-May-25	27-May-25
Otaki/Peka Peka/Waikanae Beach	Aug-24	25-Sep-24	26-Sep-24
	Nov-24	6-Jan-25	7-Jan-25
	Feb-25	26-Mar-25	27-Mar-25
	May-25	25-Jun-25	26-Jun-25
Waikanae/Nikau Valley/Otaihanga/Paraparaumu Beach	Sep-24	29-Oct-24	30-Oct-24
	Dec-24	21-Jan-25	22-Jan-25
	Mar-25	28-Apr-25	29-Apr-25
	Jun-25	28-Jul-25	29-Jul-25

All payments made will be receipted against the earliest outstanding water rate amount in accordance with authorised accounting procedures.

- D. That the Council agree to apply the following penalties on unpaid rates in accordance with sections 57 and 58 of the Local Government (Rating) Act 2002:
- a charge of ten per cent (10%) on so much of any property rate instalment that has been assessed after 1 July 2024 and which remains unpaid after the due dates as per paragraph B, to be added on the penalty dates as per paragraph B.
  - a charge of ten per cent (10%) on so much of any property rates (including previously applied penalties) assessed before 1 July 2024 which remain unpaid on 5 July 2024. The penalty will be added on 8 July 2024.
  - a charge of ten per cent (10%) will be added to any portion of a current water rates invoice that remains unpaid after the due date specified. Penalty will be added on the penalty dates shown as per paragraph C.
- E. That the Council agrees property and water rates be payable by cash, and eftpos at any of the following places:
- Paraparaumu, Civic Building, 175 Rimu Road, Paraparaumu
  - Waikanae Service Centre, Mahara Place, Waikanae
  - Ōtaki Service Centre, Ōtaki Library, Main Street, Ōtaki
  - New Zealand Post agencies, countrywide
  - Westpac Bank, countrywide
  - Greater Wellington Regional Council, 100 Cuba Street, Te Aro, Wellington
  - Greater Wellington Regional Council, 34 Chapel Street, Masterton
- Alternatively, payment of rates can be made to the Council by direct debit, internet banking, direct credit, telephone banking and credit card through the Council's website.

**CARRIED**

Councillor Cooper abstained from the vote.

Cr Handford (via Zoom) left the meeting at 10:50am.

## COUNCIL MEETING MINUTES

27 JUNE 2024

**10.3 2024 COUNCIL INSURANCE PREMIUM**

Mark de Haast, Group Manager Corporate Services, introduced the report and along with Darren Edwards, Chief Executive answered questions from elected members.

**RESOLUTION CO2024/91**

Moved: Cr Shelly Warwick  
Seconder: Cr Rob Kofoed

That the Council:

- A. receives and notes this report.
- B. delegates financial authority to the Chief Executive to approve the 2024 insurance renewal of \$3.48 million, noting the \$358,000 shortfall to budget for 2024/25.

**CARRIED****RESOLUTION CO2024/92**

Moved: Mayor Janet Holborow  
Seconder: Deputy Mayor Lawrence Kirby

That recommendation C is left to lie on the table until a report is brought to Council on 25 July 2024.

**CARRIED**

The meeting adjourned at 11:10am and resumed at 11:27am.

**10.4 TE ARA WHETŪ DESIGN**

Sean Mallon, Group Manager Infrastructure and Asset Management, and Mike Richardson, Programme Delivery Manager Community Facilities, introduced the report, gave a brief presentation and answered questions from elected members.

**RESOLUTION CO2024/93**

Moved: Cr Nigel Wilson  
Seconder: Cr Martin Halliday

That Council:

- A. Approves proceeding with option four of the strategic concept option for Te Ara Whetū.
- B. Notes the delay to the start of construction to mid-2025.

**CARRIED**

Cr Cooper left the meeting at 12:02pm and returned at 12:03pm.

Cr Halliday left the meeting at 12:03pm and returned at 12:03pm.

**10.5 REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND SUBCOMMITTEES**

Anna Smith, Acting Team Leader Governance, introduced the report. Cr Spiers and Cr Halliday spoke to the background of these recommendations from the Social Sustainability Subcommittee.

**RESOLUTION CO2024/94**

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## COUNCIL MEETING MINUTES

27 JUNE 2024

Moved: Cr Nigel Wilson

Seconder: Cr Liz Koh

- A. That Council receives this report.

**CARRIED****RESOLUTION CO2024/95**

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Nigel Wilson

- B. That Council notes the following recommendations received from the Social Sustainability Subcommittee meeting of 9 May 2024:

B.1 Recommends that Council investigate producing a map identifying mobility car parks in the Kāpiti Coast District (Paekākāriki to Otaki).

B.2 Recommends that Council investigate permitting people with disabilities, who are displaying their mobility pass, be allowed extra time for parking in non-mobility carparks.

B.3 Recommends to the Mayor, Councillors and Council to encourage parents of potentially affected children to ensure that they are immunised against measles.

- C. That Council requests officers to investigate and report back options to a future Social Sustainability Subcommittee meeting regarding the feasibility of:

C.1 Producing and distributing a map that identifies mobility car parks in the Kāpiti Coast District.

C.2 Changes to parking regulations which would allow for people with disabilities who are displaying a mobility pass to be allowed extra time for parking in non-mobility carparks, or alternatively investigate the possibility of increasing the amount of mobility carparks across the district.

**CARRIED****10.6 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS**

Kate Coutts, Governance Advisor, introduced the report and along with Darren Edwards, Chief Executive answered questions from elected members.

**RESOLUTION CO2024/96**

Moved: Cr Nigel Wilson

Seconder: Cr Shelly Warwick

- A. That Council **receives** this report.

**CARRIED****RESOLUTION CO2024/97**

Moved: Cr Nigel Wilson

Seconder: Cr Shelly Warwick

- B. That the Ōtaki Community Board strongly supports the Kapiti Citizens Advice Bureau (CAB) and recommends to Council that they should be financially and non-financially supporting the organisation. Kapiti CAB have reported to the Ōtaki Community Board that they will close their doors at the end of the 2024 year due to a lack of funds or other alternative funding sources. We would like to note that the Kapiti CAB is the only CAB in



## COUNCIL MEETING MINUTES

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<p>the country not supported by the local territorial authority.</p> <p>C. That Council <b>notes</b> that at the Additional Council meeting of 23 May 2024, the Council, during its deliberation on the Draft 2024-2034 Long-term Plan, indicated the intent to financially support the Kapiti Citizens Advice Bureau with funding of \$35,000.00 for the purpose of rent relief.</p> <p><b>CARRIED</b></p>
<p><b>RESOLUTION CO2024/98</b></p> <p>Moved: Cr Nigel Wilson          Seconder: Cr Shelly Warwick</p> <p>D. That Council <b>notes</b> the recommendations from the Waikanae Community Board meeting on 18 June 2024:</p> <ul style="list-style-type: none"> <li>• That the Waikanae Community Board support the application made by the Reikorangi Residents' Association to assist with the cost of installing a playground at the Reikorangi Hall.</li> <li>• That the Waikanae Community Board recommends to Council to approve a Waikanae Property Fund grant to the Reikorangi Residents' Association of \$35,000.00 to install a playground at the Reikorangi Hall.</li> <li>• That the Waikanae Community Board recommends to Council to delegate to the Waikanae Community Board the authority to administer and disburse the Waikanae Property Fund.</li> </ul> <p><b>CARRIED</b></p>
<p><b>.MOTION</b></p> <p>Moved: Cr Nigel Wilson          Seconder: Cr Shelly Warwick</p> <p>E. That Council approves a Waikanae Property Fund grant to the Reikorangi Residents' Association of \$35,000.00 to assist with the cost of installing a playground at the Reikorangi Hall.</p>
<p>Deputy Mayor Kirby moved a procedural motion under standing order 25.2 to let the matter lie on the table and not be discussed or debated any longer at the meeting.</p> <p>Deputy Mayor Kirby requested that the item be brought back to the next meeting in July so that councillors could have all the information in front of them.</p>
<p><b>RESOLUTION CO2024/99</b></p> <p>Moved: Deputy Mayor Lawrence Kirby          Seconder: Mayor Janet Holborow</p> <p>Recommendation E was left to lie on the table and be brought to the next Council meeting on 25 July 2024.</p> <p><b>CARRIED</b></p>

## COUNCIL MEETING MINUTES

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**MOTION**

Moved: Cr Nigel Wilson  
 Seconder: Cr Shelly Warwick

- F. That Council requests Council officers investigate the possibility of delegating the authority to administer and disburse the Waikanae Property Fund to the Waikanae Community Board by providing the Mayor with advice on the options.

Mayor Holborow moved a procedural motion under standing order 25.2 to let the matter lie on the table and not be discussed or debated any longer at the meeting.

**RESOLUTION CO2024/100**

Moved: Mayor Janet Holborow  
 Seconder: Cr Shelly Warwick

That Recommendation F be left to lie on the table and be brought to the next Council meeting on 25 July 2024.

**CARRIED****11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**

There were no minutes to confirm.

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

There were no public excluded minutes to confirm.

Mayor Janet Holborow closed the open section of the meeting with karakia.

**13 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS  
 RESOLUTION TO EXCLUDE THE PUBLIC**
**PUBLIC EXCLUDED RESOLUTION CO2024/101**

Moved: Cr Shelly Warwick  
 Seconder: Cr Jocelyn Prvanov

**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
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## COUNCIL MEETING MINUTES

27 JUNE 2024

<b>13.1 - 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
<b>CARRIED</b>		

<b>RESOLUTION CO2024/102</b> Moved: Cr Shelly Warwick Seconder: Cr Liz Koh That the Kaunihera   Council moves out of a public excluded meeting. <b>CARRIED</b>
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The Kaunihera | Council meeting went into public excluded session at 12:48pm.

The Kaunihera | Council came out of public excluded session at 1:00pm.

**The Kaunihera | Council meeting closed at 1:00pm.**

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**HEAMANA | CHAIRPERSON**

**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**

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>12.1 - Confirmation of Public Excluded Minutes</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

**14 CLOSING KARAKIA**