



# **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, 26 September 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 26 September 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

## Te Raupapa Take | Order Of Business

1	Nau Mai   Welcome .....	5
2	Karakia a te Kaunihera   Council Blessing.....	5
3	Whakapāha   Apologies.....	5
4	Te Tauākī o Te Whaitake ki ngā Mea o te Rārangi Take   Declarations of Interest Relating to Items on the Agenda .....	5
5	Te Whakatakoto Petihana   Presentation of Petition .....	5
	Nil	
6	Ngā Whakawā   Hearings.....	5
	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 .....	5
8	Ngā Take a ngā Mema   Members' Business .....	5
9	Te Pūrongo a te Koromatua   Mayor's Report.....	5
	Nil	
10	Pūrongo   Reports.....	6
10.1	Class 4 Gambling & TAB Venue Gambling Policy 2023 - Amendment to guidance footnote.....	6
10.2	Updates to Governance Structure 2022 - 2025 .....	12
10.3	Draft Calendar of Meetings 2025.....	58
11	Te Whakaū i ngā Āmiki   Confirmation of Minutes .....	61
11.1	Confirmation of Minutes .....	61
12	Te Whakaūnga o Ngā Āmiki Kāore e Wātea ki te Marea   Confirmation of Public Excluded Minutes .....	68
13	Purongo Kāore e Wātea ki te Marea   Public Excluded Reports.....	68
	Resolution to Exclude the Public .....	68
12.1	Confirmation of Public Excluded Minutes .....	68
13.1	Stream and Open Channel Urban Network Maintenance Contract.....	68
13.2	Amohia Stormwater Improvement Project Stage 1 Including Amohia/Kapiti Road Sliplane.....	69
13.3	2024-C403 Chipsealing Contract .....	69
14	Closing Karakia.....	70



**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 CLASS 4 GAMBLING & TAB VENUE GAMBLING POLICY 2023 - AMENDMENT TO GUIDANCE FOOTNOTE

Kaituhi | Author: **Lesley Olsson, Policy Advisor**

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

#### TE PŪTAKE | PURPOSE

- 1 This report seeks Council's approval for an amendment to a guidance footnote in the *Kapiti Coast District Council Class 4 Gambling & TAB Venue Gambling Policy 2023*.

#### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 No executive summary is required.

#### TE TUKU HAEPAPA | DELEGATION

- 3 Council has authority to consider this matter under section A2 of the *Governance Structure and Delegations 2022-2025*.

#### TAUNAKITANGA | RECOMMENDATIONS

- A. That Council agrees to amend footnote 2 on page 2 of the *Kapiti Coast District Council Class 4 Gambling & TAB Venue Gambling Policy 2023* and add a sentence to the validation section (as shown in Attachment 1).

#### TŪĀPAPA | BACKGROUND

- 4 The *Kapiti Coast District Council Class 4 Gambling & TAB Venue Gambling Policy 2023* (the Policy) was adopted by Council on 14 December 2023 following the Special Consultative Procedure.
- 5 The Policy takes a comprehensive sinking lid approach to Class 4 gambling venues and TAB venues. This means no new venues or "pokie" machines can be introduced into our district, no venues can merge, and no venues can relocate.

#### HE KŌRERORERO | DISCUSSION

- 6 The 2023 Policy:
  - 6.1 Sets out that Class 4 gambling venue licences cannot be transferred to a new location in the District without Council consent, this includes where an existing license holder relocates to a new venue.
  - 6.2 Currently includes a footnote that reads: "Where a venue proposes to move **nearby**, an application to the Department of Internal Affairs can be made and Council consent may not be required". The reason this footnote was included in the Policy is because the Department of Internal Affairs (DIA) was able to consider minor relocations without requiring territorial authority consent, even if a local council's relocation policy did not allow it. This was based on the "Waikiwi precedent" of a 2013 High Court case where subsequently some relocations nearby were permitted.
- 7 Regarding para 6.2, the ability of DIA to use the Waikiwi precedent is currently a matter of consideration of the Courts. Of note:
  - 7.1 On 19 February 2024, in a court case between *Feed Families Not Pokies Inc* and the DIA, the High Court declared that "Waikiwi" relocations of class 4 venues was no longer permitted. The Court found that class 4 venue relocations that relied on the

2013 High Court case concerning the Waikiwi Tavern were not permitted under the Gambling Act. Instead, decision-making about the relocation of licensed venues sits with the relevant territorial authority.

7.2 However, the Court's decision is now subject to an appeal to the Court of Appeal.

- 8 Currently, the Policy's footnote 2 on page 2 is legally incorrect, although this is subject to appeal. In the short-term there is a need to amend the footnote regarding DIA's ability to grant relocations that rely on the Waikiwi precedent. We propose to address the matter by amending the current footnote with additional information to highlight this recent decision, but also that it is now the subject of an appeal:

"Where a venue proposes to move nearby, an application to the Department of Internal Affairs (DIA) can be made and Council consent may not be required. Guidance Note: this avenue to DIA was overturned on 19 February 2024 in the High Court decision of [Feed Families not Pokies Aotearoa Inc v Secretary For Internal Affairs \[2024\] NZHC 217](#). The effect of the decision is that it is currently unlawful for DIA to approve relocations of class 4 venues and these must be granted by the relevant territorial authority. However, this decision is subject of an appeal to the Court of Appeal (as at September 2024)."

- 9 This proposed amendment should remove any uncertainty around relocations. Refer to Attachment 1 for the tracked changes.
- 10 Although s.102(2) of the Gambling Act 2003 states that a policy may be amended only in accordance with the special consultative procedure, Council's legal team have advised that this is not a policy review nor amendment to the policy itself. It is providing more guidance around a point related to the policy and therefore consultation is not required. As the Policy is required to be reviewed every three years the proposed amendment provides context to this matter in the interim, with any permanent changes able to be identified from, the current appeal, as part of the next review commencing in 2026.

### He take | Issues

- 11 This issue has low significance as amending the footnote strengthens the integrity of the Policy, by clarifying the recent High Court decision around relocations, and does not change its' purpose or intent. Further:
- 11.1 While the outcome of the appeal on the decision is yet to be determined, we are reflecting the findings from the 19 February 2024 High Court decision.
- 11.2 If there is a different outcome following the Court of Appeals decision, the Policy can be updated to reflect this change (at the time of its next review or prior if necessary).

### Ngā kōwhiringa | Options

- 12 To be consistent with the High Court decision, noted in para 7.1, the recommended option is to amend footnote 2 as shown on page 2 in Attachment 1 to provide additional guidance. This update to clause 6.1 will remove any uncertainty around relocations.

### Mana whenua

- 13 Our iwi partners Te Rūnanga O Toa Rangātira, Ngā Hapū o Ōtaki and Āti Awa ki Whakarongotai Charitable Trust were engaged as part of the gambling policy review process but not in relation to this amendment.

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

- 14 There are no climate change implications in relation to the amendment to the Policy.

### Ahumoni me ngā rawa | Financial and resourcing

- 15 The amendment of the Policy has no financial or resourcing implications for Council.

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

- 16 The amendment to this Policy is not inconsistent with the New Zealand Bill of Rights Act 1990 and Human Rights Act 1993. The Policy does not restrict people's freedom to gamble if they choose, it specifies requirements as per the Gambling Act 2003 and Racing Industry Act 2020 with regards to venues (including relocations and mergers), and pokies in the district.
- 17 The proposed amendment reflects the judgement from the recent High Court case and the need for Council to reflect changes into its Policy to be consistent with this.

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

- 18 This amendment does not change the intent of the Policy, it provides clarification with regards to relocations. It is our primary regulatory tool for reducing gambling harm in our community.

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

- 19 A communications and engagement plan is not required in relation to the amendment to this Policy.

**Whakatairanga | Publicity**

- 20 Once approved, the updated Policy will be uploaded to the policies section of our website.
- 21 The updated policy will also be provided to the DIA as is required under section 102(4) of the Gambling Act 2003 and to TAB NZ and Racing New Zealand under section 97(3) of the Racing Industry Act 2020.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Class 4 Gambling & TAB Venue Gambling policy 2023 with tracked changes for footnote amendment [↓](#)



## Kapiti Coast District Council Class 4 Gambling & TAB Venue Gambling Policy 2023

### 1. Policy Validation

- 1.1 The Kapiti Coast District Council Class 4 Gambling & TAB Venue Gambling Policy 2023 was approved at a meeting of the Kapiti Coast District Council (Council) held on 14 December 2023, after completion of a public consultation process. [It was further amended through a Council resolution on 26 September 2024.](#)
- 1.2 This Policy has been made pursuant to section 101 of the Gambling Act 2003 (the Gambling Act) and section 96 of the Racing Industry Act 2020 (the Racing Industry Act) and reviewed in accordance with the requirements of section 102 of the Gambling Act and section 97 of the Racing Industry Act.

### 2. Interpretation

- 2.1 In this Policy, unless the context requires otherwise:

<b>Class 4 gambling</b>	means it meets the definition under section 30 of the Gambling Act which in summary is gambling that satisfies the following criteria: i. the net proceeds are distributed for authorised purposes; and ii. no commission is paid for conducting the gambling; or the only commission that is paid is to a venue operator that complies with regulations made under the Gambling Act; and iii. there are game rules for the gambling; and iv. the gambling satisfies relevant game rules; and v. either the Secretary for Internal Affairs categorises the gambling as Class 4 gambling, or the gambling utilises or involves a gaming machine.
<b>Class 4 gambling venue</b>	means a place at which Class 4 gaming machines (also known as pokies) are located, or for the purposes of application, at which it is proposed that gaming machines be located.
<b>Gaming machine</b>	means a gaming machine as defined under section 4 of the Gambling Act, which in summary, is a device, whether totally or partly mechanically or electronically operated, that is adapted or designed and constructed for gambling; and is played by the insertion of money. It is also commonly known as a “pokie” machine.
<b>Harm</b>	means harm or distress of any kind arising from, or caused or exacerbated by, a person’s gambling; and includes personal, social, or economic harm suffered— i. by the person; or ii. by the person’s spouse, civil union partner, de facto partner, family, whānau, or wider community; or iii. in the workplace; or iv. by society at large
<b>Relocation/relocating</b>	means where a new venue replaces an existing venue in a different location.
<b>TAB venue</b>	means premises owned or leased by TAB NZ and where the main business carried on at the premises is providing racing betting, sports betting, or other racing or sports betting services under the Racing Industry Act.

### 3. Objectives of the Policy

- 3.1 To minimise harm to Kapiti Coast District communities caused by Class 4 gambling and TAB venue gambling to the extent this can be reasonably done through a gambling policy.
- 3.2 To use a sinking lid<sup>1</sup> approach to:
  - 3.2.1 ensure no additional Class 4 gambling venues and gaming machines are established in the Kapiti Coast Council District (the District).
  - 3.2.2 ensure no Class 4 gambling venues relocate within the District.
  - 3.2.3 ensure no Class 4 gambling club venues merge within the District.
  - 3.2.4 ensure no new TAB venues are established in the District.
- 3.5 To ensure that Council and its communities have involvement in decisions about the provision of Class 4 gambling venues and TAB venues in the District.

### 4. Rules Regarding Existing Class 4 Gambling Venues

- 4.1 The Gambling Act imposes a number of restrictions on gaming machines including:
  - 4.1.1 section 92 provides that venues that held a licence on 17 October 2001 are restricted to a maximum of 18 gaming machines.
  - 4.1.2 section 93 provides that venues that did not hold a licence on 17 October 2001 are restricted to a maximum of nine gaming machines.
- 4.2. The primary activity of all Class 4 gambling venues must not be the operating of gaming machines.

### 5. Where Class 4 Gambling Venues may be Established

- 5.1 No additional Class 4 gambling venues are to be established in any part of the District without Council consent.

### 6. Relocation of Class 4 Gambling Venues

- 6.1 Class 4 gambling venue licences cannot be transferred to a new location in the District without Council consent.<sup>2</sup>

### 7. Merging of Class 4 Gambling Club Venues

- 7.1 No Class 4 club venues are to merge in any part of the District without Council consent.

---

<sup>1</sup> A sinking lid approach means when a venue closes, loses its licence or looks to relocate, no consent will be issued for any new or re-establishing venue.

<sup>2</sup> Where a venue proposes to move **nearby**, an application to the Department of Internal Affairs ([DIA](#)) can be made and Council consent may not be required. [Guidance Note: this avenue to DIA was overturned on 19 February 2024 in the High Court decision of Feed Families not Pokies Aotearoa Inc v Secretary For Internal Affairs \[2024\] NZHC 217. The effect of the decision is that it is currently unlawful for DIA to approve relocations of class 4 venues and these must be granted by the relevant territorial authority. However, this decision is subject of an appeal to the Court of Appeal \(as of September 2024\).](#)

**8. Numbers of Class 4 Gaming Machines**

- 8.1 No increase in Class 4 gaming machine numbers at Class 4 gambling venues in any part of the District is permitted without Council consent.

**9. Where TAB venues may be established**

- 9.1 No new TAB venues are to be established in any part of the District without Council consent<sup>3</sup>.

**10. Applications and Fees for Consents**

- 10.1 Any consent applications will be reviewed in line with this Policy and processed in accordance with the Environmental Compliance Officer hourly rate for extraordinary activities as set in the current Annual Plan.

**11. Next Policy Review**

- 11.1 In accordance with section 102 of the Gambling Act and section 97 of the Racing Industry Act, this Policy will be reviewed by Council in 2026.

---

<sup>3</sup> For the avoidance of doubt, this Policy only applies to TAB venues as defined in this Policy. It does not cover TAB betting services in premises not owned or leased by TAB NZ (such as in bars and clubs).

**10.2 UPDATES TO GOVERNANCE STRUCTURE 2022 - 2025**

Kaituhi | Author: **Steffi Haefeli, Manager Governance**

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

**TE PŪTAKE | PURPOSE**

- 1 This report asks Council to note and approve amendments to Governance Structure and Delegations 2022 – 2025 document, in particular to:
  - 1.1 note the resignation of Oriwia Raureti (Ngā Hapū o Ōtaki) as the mana whenua representative on the Risk and Assurance Committee,
  - 1.2 approve the amendment to rename the two subcommittees to committees, and
  - 1.3 approve the amendment to the appointed delegate to the Wellington Region Waste Management and Minimisation Joint Committee.

**HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY**

- 2 Council adopted its current governance structure on 24 November 2022 and reviewed its governance structure arrangements in February 2024. Over the past few months, since the last report, a few minor amendments have been suggested to ensure the document is up-to-date and reflects current arrangements. This report outlines these minor amendments to the governance structure suggested and asks Council to consider and approve the amendments.

**TE TUKU HAEPAPA | DELEGATION**

- 3 Council has the delegation to adopt and amend its governance structure and delegate certain decisions to committees and community boards as required and appropriate.

**TAUNAKITANGA | RECOMMENDATIONS**

- A. That the Council, as appended in Appendix 1, notes the amended membership of the Risk and Assurance Committee, as a result of Oriwia Raureti's (Ngā Hapū o Ōtaki) resignation from the committee.
- B. That Council, as appended in Appendix 1, adopts that the nomenclature of the two subcommittees be amended to Social Sustainability Committee and Climate and Environment Committee.
- C. That Council, as appended in Appendix 1, adopts the amended appointed representative to the Wellington Region Waste Management and Minimisation Joint Committee to be Councillor Jocelyn Prvanov **or** Councillor Martin Halliday as an alternate in the event that Councillor Prvanov is unable to attend.

**TŪĀPAPA | BACKGROUND**

- 4 The governance and management of local authorities is provided for in Part 4 of the Local Government Act 2002 (LGA). Establishing and maintaining the right kind of governance structure in terms of decision-making is critical to a Council effectively discharging its governance role.
- 5 The LGA provides the following guidance:
  - council can appoint committees, subcommittees and other decision-making bodies,
  - committees can appoint subcommittees,
  - a decision made under delegated authority cannot be overturned by the body that gave the delegation,
  - for the purposes of efficiency and effectiveness a council can delegate any of its powers or responsibilities except certain specified exemptions.

- 6 In line with these powers, on 24 November 2022, Council established the following committees and subcommittees for the 2022-2025 triennium:

Strategy, Operations and Finance Committee
Social Sustainability Subcommittee
Climate and Environment Subcommittee
Risk and Assurance Committee
Grants Allocation Committee
Appeals Hearing Committee
Chief Executive Performance and Employment Committee

## HE KŌRERORERO | DISCUSSION

- 7 Since the adoption of the governance structure in November 2022 and an amendment to the document made in February 2024, suggested amendments to the membership of committees and joint committees and nomenclature of subcommittees have been identified. As a result, a number of amendments are proposed to the current Governance Structure and Delegations as highlighted in Appendix 1.

### He take | Issues

#### **Amended Membership of Risk and Assurance Committee**

- 8 On 25 May 2023, Oriwia Raureti (Ngā Hāpū o Ōtaki) was confirmed as the mana whenua representative to the Risk and Assurance Committee with full voting rights in line with the Council's decision on 24 November 2022 to allow for one mana whenua representative on the committee.
- 9 On 13 May 2024, Oriwia Raureti advised Council officers of her resignation as the mana whenua representative to the Risk and Assurance Committee.
- 10 It is therefore proposed that Council note the removal of her name from the membership of the Risk and Assurance Committee to reflect iwi's current representation requirements. As new representation is yet to be confirmed, this position will remain vacant until such time as mana whenua advise Council of a new nomination for the position. Once a new nomination is received, Council will be asked to confirm the new appointment at an upcoming Council meeting.

#### **Amended Nomenclature of Subcommittees**

- 11 On 24 November 2022, Council adopted its governance structure for the 2022-2025 triennium which included the establishment of two subcommittees: the Social Sustainability Subcommittee and the Climate and Environment Subcommittee.
- 12 On 29 February 2024, Council confirmed additional decision-making delegations for the two subcommittees to include:
- 12.1 the authority to approve criteria for and disbursement of grant funding as approved through the Long-term Plan or Annual Plan.
  - 12.2 the authority to receive and consider regular updates in relation to regional transport matters.
- 13 With the addition of these decision-making delegations, the two subcommittees' delegations are considered to be in line with decision-making delegations of the other committees and it is therefore proposed that the nomenclature of the two subcommittees be amended to Social Sustainability Committee and Climate and Environment Committee.

***Amended Appointment of Delegate and Alternate Delegate to the Wellington Region Waste Management and Minimisation Joint Committee***

- 14 On 24 November 2022, Council appointed Councillor Jocelyn Prvanov and/or Councillor Martin Halliday as the representatives to the Wellington Region Waste Management and Minimisation Joint Committee.
- 15 Earlier this year, the Wellington City Council secretariat of the joint committee advised that the terms of reference for the joint committee (in Appendix 2) state that the membership is to be:
- 15.1 "Each territorial authority in the Wellington Region will be entitled to appoint one member to the Joint Committee. In addition, each territorial authority can appoint an alternate member to attend and vote in Joint Committee meetings in the appointed member's absence."
- 16 Due to Council appointing Councillor Prvanov and/or Councillor Halliday in this manner, on occasion both councillors have attended the meetings and Councillor Halliday was not documented as a voting member in the minutes and was not able to speak and participate in the meetings.
- 17 It is therefore proposed that the appointment to the Joint Committee be amended to reflect the terms of reference of the joint committee and amend the appointment to Councillor Jocelyn Prvanov or as an alternate Councillor Halliday, in the event that Councillor Prvanov is unable to attend.

**Ngā kōwhiringa | Options**

- 18 In addition to Council noting the resignation of Oriwia Raureti as mana whenua representative to the Risk and Assurance Committee, the following amendments to the membership and nomenclature in the Governance Structure and Delegations 2022 – 2025 are proposed:
- 18.1 Amending the nomenclature of the two subcommittees to Social Sustainability Committee and Climate and Environment Committee.
- 18.2 Amending the appointed representative to the Wellington Region Waste Management and Minimisation Joint Committee to Councillor Jocelyn Prvanov or Councillor Martin Halliday as an appointed alternate delegate in the event that Councillor Prvanov is unable to attend a meeting.

**Mana whenua**

- 19 In addition to the specific matters already discussed in this report, mana whenua and tangata whenua have not been consulted wider in relation to this report.

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

- 20 There are no climate change considerations for this report.

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

- 21 Budget to cover remuneration for each elected position has been provided through the Remuneration Authority Determination 2023–2024 and decisions made as a result of this report do not impact on remuneration and positions of responsibility.
- 22 External appointments to committees are remunerated under a separate policy for non-elected members which was adopted by Council in January 2023. Decisions made as a result of this report will not impact on remuneration of externally appointed members and will not have any budgetary implications.

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

- 23 There are no additional legal and or organisational risks arising from this report.

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

- 24 This report is assessed to have a low level of significance under Council's significance and engagement policy and does not directly impact any of Council policies.

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

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

**Whakatairanga | Publicity**

- 26 Council will use its established communication channels to inform the community of its decision. The Governance Structure and Delegations document will be uploaded to the Council website.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Amended Governance Structure and Delegations 2022 - 2025 [↓](#)
2. Terms of Reference Wellington Waste Management and Minimisation Joint Committee [↓](#)



# GOVERNANCE STRUCTURE AND DELEGATIONS TE HANGANGA ME NGĀ KANOHI KĀWANATANGA 2022-2025 TRIENNIUM

[kapiticoast.govt.nz](http://kapiticoast.govt.nz)

  
**Kāpiti Coast**  
DISTRICT COUNCIL  
Me Huri Whakamuri, Ka Titiro Whakamua

## CONTENTS

### A. Overview

- A.1 Council's Partnership Model
- A.2 Council and Mayoral Powers
- A.3 Governance Structure Overview

### B. Committees of the Whole Council

- B.1 Strategy, Operations and Finance | Te Komiti Rautaki, Whakahaere, me te Ahumoni
- B.2 Delegation to Elected Member (Accredited) Hearing Commissioners

### C. Other Committees

- C.1 Social Sustainability Committee | Te Komiti Toitūtanga Pāpori
- C.2 Climate and Environment Committee | Te Komiti Āhuarangi me te Taiao
- C.3 Risk and Assurance Committee | Te Komiti Whakamauru Tūraru
- C.4 Grants Allocation Committee | Te Komiti Tuku Tahua Pūtea
- C.5 Appeals Hearing Committee | Te Komiti Rongonga Pīra
- C.6 Chief Executive Performance and Employment Committee | Te Komiti Arotake Mahi a te Tumu Whakarae
- C.7 Campe Estate Committee | Te Komiti mō te Waihotanga Iho a Campe

### D. Community Boards | Poari ā-Hāpori

- D.1 Status and Constitution
- D.2 Delegated Authority

### E. Joint Committees | Ngā Komiti Tūhono

- E.1 Wellington Region Waste Management and Minimisation Joint Committee
- E.2 Regional Transport Committee
- E.3 Wellington Region Civil Defence Emergency Management Group
- E.4 Wellington Regional Leadership Committee

### F. External Appointments

This section lists the elected members appointed to a range of external organisations, committees and agencies for the 2022 – 2025 Triennium.

### G. Document Version Control (Amendments during 2022 – 2025 Triennium)

### H. Relevant Legislative Extracts and Governance Structure Diagram

### INTERPRETATION

In these terms of reference and associated delegations for the purposes of interpretation, the following rules apply unless the context otherwise requires:

- any singular reference includes the plural, and vice versa
- any reference to a statute, regulation or bylaw also refers to that statute, regulation or bylaw as amended or substituted
- any reference to a committee of the Council includes a reference to any committee or subcommittee constituted to replace that committee
- any reference to an officer means an officer of the Council.

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 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 officer position and involves substantially the same duties.

### REVIEW OF THIS DOCUMENT

The document is reviewed following the triennial elections and once adopted by the new Council may be amended at any time by resolution of Council. Only Council may amend the document.

## PART A - OVERVIEW

### SECTION A.1 - PARTNERSHIP MODEL

1. This document describes how the Kāpiti Coast District Council carries out its governance functions and formally delegates its powers and responsibilities. It has been developed in accordance with the Local Government Act 2002.
2. These delegations are for the Committees, Subcommittees, Community Boards and Hearing Commissioners established by the Kāpiti Coast District Council for the 2022-2025 Triennium. Information is also included on the Joint Committees in which Council is a partner or participant.
3. They establish a governance partnership base and associated delegations for the achievement of the Long Term Plan (LTP).
4. The partnership approach is also reflected in the Council's commitment to a sustainable development approach, taking into account the social, cultural, economic and environmental interests of the community, now and in the future, as referenced in the Local Government Act 2002.
5. The Council will collaborate and cooperate with other local authorities and bodies as it considers appropriate to promote or achieve its priorities and desired outcomes, and make efficient use of resources.
6. The Council is committed to its partnership with the mana whenua of the District comprising the iwi and hapū of Ngā Hapū o Ōtaki (Ngāti Raukawa), Ngāti Toa Rangatira and Ātiawa ki Whakarongotai Charitable Trust (together forming the A.R.T Confederation). Council has a formal Memorandum of Partnership agreement with mana whenua and Te Whakaminenga o Kāpiti is the independent advisory forum for this partnership. Council and Te Whakaminenga o Kāpiti will also engage with māta waka (other resident Māori) over the 2022-2025 Triennium.
7. To strengthen mana whenua participation in decision-making Council may appoint mana whenua representatives with voting rights to the Strategy, Operations and Finance Committee, the Social Sustainability Subcommittee, the Climate and Environment Subcommittee and the Risk and Assurance Committee, in accordance with each Committee or Subcommittee's membership.
8. Appointed mana whenua representatives are also invited to attend Council meetings, including public excluded sessions, but will not have voting rights or count towards quorum. Other appointed representatives without voting rights on Council and/or its Committees/Subcommittees will not be able to attend public excluded sessions, except, at the Chair's discretion, where permission is granted for them to attend for all or part of the public excluded session. The Chair may require a resolution be passed by Council or the relevant Committee/Subcommittee for the member to remain in accordance with the requirements under section 48 of the Local Government Official Information and Meetings Act 1987. Where appointed members have submitted on an issue or have spoken during public speaking time on an issue they shall not participate in discussion or debate on that matter.
9. Non-appointed mana whenua or non-appointed/nominated community board representatives may attend meetings of Council and/or its Committees/Subcommittees with speaking rights, at the discretion of the Chair.
10. The Chair of Te Whakaminenga o Kāpiti or their nominated alternate is able to attend meetings of Council and contribute to the debate but not vote. Where Te Whakaminenga o Kāpiti has submitted on an issue, or a member has spoken during

public speaking time on an issue, they shall not participate in discussion or debate on that matter.

11. Community Boards may nominate one community board member (chair or alternate) to attend Council, Strategy, Operations and Finance Committee and Risk and Assurance Committee meetings. The nominated member will have speaking but not voting rights at these meetings and are not counted towards quorum. Community Boards may also nominate either a community board member or decide to recommend the appointment of a community board representative to the Social Sustainability Subcommittee and the Climate and Environment Subcommittee as per each subcommittees membership. The appointed community board or community representatives will have speaking and voting rights at these meetings and will be counted towards quorum.
12. The Mayor or Deputy Mayor may attend Community Board meetings with speaking but not voting rights. Ward Councillors not appointed to Community Boards may attend meetings with speaking but not voting rights. When attending these meetings they may sit at the table.

**SECTION A.2 – COUNCIL AND MAYORAL POWERS**

1. The Local Government Act 2002 describes the Council's powers including powers of delegation (see Section I for relevant legislative extracts). However only Council may perform the following:

- Make a rate
- Make a bylaw
- Borrow money, purchase or dispose of assets (outside the LTP parameters)
- Adopt the LTP, Annual Plan and Annual Report
- Appoint a Chief Executive
- Adopt policies required under the Act in association with the LTP or the local governance statement
- Adopt a remuneration and employment policy

2. The Mayor has additional powers under the Local Government Act 2002 (see Section I for relevant legislative extracts):

- To lead the development of the LTP and Annual Plan, together with policies and budgets
- To appoint the Deputy Mayor
- To establish committees of Council (and their terms of reference)
- To appoint the Chair of each Committee (before the appointment of other members)
- To appoint himself or herself as Chair of the Committee

3. Ordinarily the Mayor is a member of each Committee.

4. In addition Council has approved a delegation to the Mayor and Deputy Mayor enabling them to approve, on a case-by-case basis, Councillor applications for attendance at training events during the Triennium, subject to the application meeting specific criteria as set out in the Councillor Training Application Form.

5. Council also approved a delegation enabling the Mayor to approve an alternate Councillor to attend a training event where the original registrant is unable to attend.

## PART B – COMMITTEES OF THE WHOLE COUNCIL

### B.1 STRATEGY, OPERATIONS AND FINANCE COMMITTEE TE KOMITI RAUTAKI, WHAKAHAERE, ME TE AHUMONI

Chair	Councillor Sophie Handford
Deputy Chair	Councillor Liz Koh
Membership	<p>Mayor Janet Holborow</p> <p>All Councillors</p> <p>Mana Whenua Representation with voting rights:</p> <p>One representative from Te Ātiawa ki Whakarongotai – André Baker and Janine Huxford</p> <p>One representative from Ngāti Toa Rangatira - Huriwai Paki</p> <p>One representative from Ngā Hapū o Ōtaki – Kim Tahiwī</p>
Other Participants	<p>Community Board Representation (chair or alternate) with speaking but not voting rights:</p> <p>Paekākāriki Community Board – Sean McKinley and Kelsey Lee (as alternate)</p> <p>Raumati Community Board – Bede Laracy</p> <p>Paraparaumu Community Board – Glen Olsen</p> <p>Waikanae Community Board – Michael Moore</p> <p>Ōtaki Community Board – Simon Black and Jackie Elliott (as alternate)</p>

#### PURPOSE

This committee deals with all decision-making that is of a strategic, operational and financial nature and not the responsibility of the Council. The committee may make final decisions on matters brought to it which are within its delegations. The committee considers the strategic direction of Council and oversees and monitors the creation and delivery of policy programmes, services and project and operational activities.

#### RESPONSIBILITIES

Within the purpose and delegated powers of the Strategy, Operations and Finance Committee, key responsibilities include:

##### Strategic

- Setting and approving the policy and strategy work programme
- Development and/or review of strategies, plans, policies and bylaws

- Overseeing strategic programmes
- Liaison and planning with other territorial authorities
- Economic development strategy

#### Operational

- Preparation of the District Plan and Plan Changes
- Oversight of any shared services initiatives
- Reviewing and approving community contracts
- Receive annual reports from any community or advisory group
- All regulatory and planning matters from an operational perspective
- Operational aspects of bylaws
- Signing off any submission to an external agency or body
- Considering and confirming recommendations made by subcommittees
- Making recommendations to Council on matters of interest to the committee

#### Financial

- Financial management including risk mitigation
- Write-offs and remissions
- Financial policies

#### APPOINTMENT OF HEARING PANELS

##### Resource Consent Hearing Panels (Resource Management Act (RMA) 1991)

The Chair of the Committee, in consultation with the Group Manager Regulatory Services will have the responsibility for the appointment of resource consent related hearing panels under the RMA (or other RMA-related panels not covered below).

##### District Planning Hearing Panels (RMA)

The Chair of the Committee, in consultation with the Group Manager Strategy & Growth will have the responsibility for the appointment of district plan related hearing panels under the RMA.

The delegations for Hearing Commissioners both independent and Elected Member, follow this section at B.2A.

#### DELEGATIONS

All powers necessary to perform the committee's responsibilities, except:

- (a) powers that the Council cannot delegate or has retained to itself
- (b) where the committee's responsibility is limited to making a recommendation only
- (c) the power to establish subcommittees.

#### MEETING FREQUENCY

Monthly, unless otherwise required.

#### QUORUM

A quorum is achieved with **six** voting members present in person. At least one member must be a member of Council.

**B.2A DELEGATIONS TO ELECTED MEMBER (ACCREDITED) HEARING COMMISSIONERS**

Hearings Commissioners where they have been appointed and selected for any matters, have the following functions, duties and powers in accordance with the relevant sections of the Resource Management Act 1991, noting that those appointed have no further powers to delegate and accreditation is achieved through completion of the Ministry for the Environment Hearing Commissioners training course:

- Authority to hear submissions in relation to any plan change or variation including the District Plan and any request for a private plan change, making recommendations to Council or the Strategy, Operations and Finance Committee, or decisions as appropriate
- Authority regarding all matters relating to the hearing, determination and review of resource consents including the setting of conditions
- Authority to determine any preliminary or procedural matters associated with any resource consent application, or notice of requirement, including questions of notification (public, non-notified or limited)
- Authority to consider and request changes to outline plans
- Authority to consider all matters relating to existing use rights and to issue certificates
- Authority to determine matters arising under section 37 and 37A relating to time limits or to waive compliance with requirements of the Act
- Authority to make on order protecting sensitive information under section 42
- Authority to hear and make recommendations to the relevant authority on notices of requirement including any alteration
- Authority to hear submissions on Council requirements for designations and heritage orders and to make recommendations to Council confirming, withdrawing, cancelling, or modifying such requirements
- Such powers, duties and discretions as are necessary to administer the transitional parts of part 15 (Transitional Provisions) of the RMA 1991 in respect of resource consents, subdivision consents and esplanade reserves and strips, and financial contributions
- Authority to hear and determine objections under section 357, 357A and 357B.

**B.2B DELEGATIONS TO INDEPENDENT (ACCREDITED) HEARING COMMISSIONERS**

Independent Accredited Hearing Commissioners where they have been appointed and selected for any matters have the following functions, duties and powers under the Resource Management Act 1991 noting that those appointed have no further powers to delegate and accreditation is achieved through completion of the Ministry for the Environment Hearing Commissioners training course:

- Authority to hear submissions in relation to any plan change or variation including the District Plan and any request for a private plan change, making recommendations to Council or the Strategy, Operations and Finance Committee, or decisions as appropriate
- Authority regarding all matters relating to the hearing, determination and review of resource consents including the setting of conditions
- Authority to determine any preliminary or procedural matters associated with any resource consent application, or notice of requirement, including questions of notification (public, non-notified or limited)
- Authority to consider and request changes to outline plans
- Authority to consider all matters relating to existing use rights and to issue certificates
- Authority to consider applications and grant certificates of compliance under Section 139
- Authority to determine matters arising under sections 37 and 37A relating to time limits or to waive compliance with requirements
- Authority to make an order protecting sensitive information under section 42
- Authority to hear and make recommendations to the requiring authority on notices of requirement including any alteration
- Authority to hear submissions on Council requirements for designations and heritage orders and to make recommendations to Council confirming, withdrawing, cancelling, or modifying such requirements
- Such powers, duties and discretions as are necessary to administer the transitional parts of part 15 (Transitional Provisions) of the RMA 1991 in respect of resource consents, subdivision consents and esplanade reserves and strips, and financial contributions
- Authority to hear and determine objections under section 357, 357A and 357B.

**PART C – OTHER COMMITTEES****C.1 SOCIAL SUSTAINABILITY COMMITTEE  
TE KOMITI TOITŪTANGA PĀPORI**

Chair	Councillor Martin Halliday
Deputy Chair	Councillor Rob Kofoed
Membership	<p>Mayor Janet Holborow</p> <p>Councillor Lawrence Kirby</p> <p>Councillor Nigel Wilson</p> <p>Councillor Kathy Spiers</p> <p>Mana Whenua Representation with voting rights:</p> <p>One representative from Te Ātiawa ki Whakarongotai – André Baker and Janine Huxford</p> <p>One representative from Ngāti Toa Rangatira - Huriwai Paki</p> <p>One representative from Ngā Hapū o Ōtaki – Kim Tahiwī</p> <p>Community Representation (either an appointed member from the Community Board or a community representative) with voting rights:</p> <p>Paekākāriki Community Board – SORCHA RUTH</p> <p>Raumati Community Board – Jonny Best</p> <p>Paraparaumu Community Board – Guy Burns</p> <p>Waikanae Community Board – Michael Moore</p> <p>Ōtaki Community Board – Jackie Elliott and Cam Butler (as alternate)</p>

**PURPOSE**

This committee considers strategic and policy matters which support an equal, inclusive and fair standard of living for all people in Kāpiti including education, health, justice, housing, community connectedness and resilience, and the health and social impacts of COVID-19.

## RESPONSIBILITIES

Within the purpose and delegated powers of the Social Sustainability **Committee**, key responsibilities include:

- Authority to review and provide comments by way of report on all draft strategies, policies, submissions and bylaws to the Strategy, Operations and Finance Committee
- Authority to recommend by way of report the adoption of draft strategies, policies and bylaws for consultation to the Strategy, Operations and Finance Committee
- Authority to recommend the draft wording of strategies, policies and bylaws, for adoption by Committee or Council
- Authority to receive and respond by way of report to recommendations from Panels and Advisory Groups and to include comment on any recommendations received within relevant Subcommittee considerations to the Strategy, Operations and Finance Committee
- Authority to approve criteria for and disbursement of grant funding as approved through the Long Term Plan or Annual Plan
- Authority to provide oversight on the implementation of Council work programmes related to the responsibilities of the Subcommittee, and to review and provide comment to the Strategy, Operations and Finance Committee
- Authority to receive and consider regular updates in relation to regional transport matters
- The Mayor has the authority to refer urgent or any other matters to Council and/or Strategy, Operations and Finance where this subcommittee would have ordinarily considered the matter.

## DELEGATIONS

All powers necessary to perform the Committee's responsibilities except powers that the Council cannot delegate or has retained to itself.

## MEETING FREQUENCY

Six-weekly, unless otherwise required.

## QUORUM

A quorum is achieved with **four** members present in person. At least one member must be a member of Council.

**C.2 CLIMATE AND ENVIRONMENT COMMITTEE**  
**TE KOMITI ĀHUARANGI ME TE TĀIAO**

Chair	Councillor Jocelyn Prvanov
Deputy Chair	Councillor Sophie Handford
Membership	<p>Mayor Janet Holborow</p> <p>Councillor Shelly Warwick</p> <p>Councillor Liz Koh</p> <p>Councillor Glen Cooper</p> <p>Mana Whenua Representation with voting rights:</p> <p>One representative from Te Ātiawa ki Whakarongotai – André Baker and Janine Huxford</p> <p>One representative from Ngāti Toa Rangatira - Huriwai Paki</p> <p>One representative from Ngā Hapū o Ōtaki – Kim Tahiwī</p> <p>Community Representation (either an appointed member from the Community Board or a community representative) with voting rights:</p> <p>Paekākāriki Community Board – Christian Judge</p> <p>Raumatī Community Board – Tim Sutton</p> <p>Paraparaumu Community Board – Glen Olsen</p> <p>Waikanae Community Board – Michael Moore</p> <p>Ōtaki Community Board – Simon Black and Cam Butler (as alternate)</p>

**PURPOSE**

This committee oversees and informs the development and review of Council's strategies, policies, plans, programmes and initiatives relating to climate change and environmental wellbeing; reviews the implementation and delivery of these matters; and provides effective, strong and transformational leadership on the climate crisis for Kāpiti both within Council and our community.

## RESPONSIBILITIES

Within the purpose and delegated powers of the Climate and Environment **Committee**, key responsibilities include:

- Authority to review and provide comments by way of report on all draft strategies, policies, submissions and bylaws to the Strategy, Operations and Finance Committee
- Authority to recommend by way of report the adoption of draft strategies, policies and bylaws for consultation to the Strategy, Operations and Finance Committee.
- Authority to recommend the draft wording of strategies, policies and bylaws, for adoption by Committee or Council
- Authority to receive and respond by way of report to recommendations from Panels and Advisory Groups and to include comment on any recommendations received within relevant Subcommittee considerations to the Strategy, Operations and Finance Committee
- Authority to approve criteria for and disbursement of grant funding as approved through the Long Term Plan or Annual Plan
- Authority to provide oversight on the implementation of Council work programmes related to the responsibilities of the Subcommittee, and to review and provide comment to the Strategy, Operations and Finance Committee
- Authority to receive and consider regular updates in relation to regional transport matters
- The Mayor has the authority to refer urgent or any other matters to Council and/or Strategy, Operations and Finance where this subcommittee would have ordinarily considered the matter.

## DELEGATIONS

All powers necessary to perform the Committee's responsibilities except powers that the Council cannot delegate or has retained to itself.

## MEETING FREQUENCY

Six-weekly, unless otherwise required.

## QUORUM

A quorum is achieved with **four** members present in person. At least one member must be a member of Council.

### C.3 RISK AND ASSURANCE COMMITTEE TE KOMITI WHAKAMAURU TŪRARU

Chair	Independent – David Shand
Membership	<p>Mayor Janet Holborow</p> <p>Councillor Lawrence Kirby</p> <p>Councillor Liz Koh</p> <p>Councillor Jocelyn Prvanov</p> <p>Councillor Glen Cooper</p> <p>Independent Member – David Cochrane</p> <p>Mana Whenua Representation: One Representative - Vacant</p>
Other Participants	<p>Community Board Representation (chair or alternate) with speaking but not voting rights:</p> <p>Paekākāriki Community Board – Sean McKinley</p> <p>Raumati Community Board – Bede Laracy</p> <p>Paraparaumu Community Board – Bernie Randall</p> <p>Waikanae Community Board – Richard Mansell</p> <p>Ōtaki Community Board – Cam Butler and Simon Black (as alternate)</p>

#### PURPOSE

This committee is responsible for monitoring the Council's financial management, financial reporting mechanisms and framework, and risk and assurance function, ensuring the existence of sound internal systems.

#### RESPONSIBILITIES

Within the purpose and delegated powers of the Risk and Assurance Committee, key responsibilities include:

- Reviewing and maintaining the internal control framework
- Reviewing processes for ensuring the completeness and quality of financial and operational information, including performance measures, being provided to Council
- Considering Council's existing accounting policies and principles
- Obtaining from external auditors any information relevant to the Council's financial statements, and assessing whether appropriate action has been taken by management in response to the above
- Ensuring that the Council's financial statements are supported by appropriate management signoff and adequate systems of internal control (i.e. letters of representation)

- Considering regular reports on the status of investigations by the Office of the Ombudsman, Privacy Commission, Office of the Auditor General and other external oversight bodies into decisions and actions by the Council
- Ensuring that Council has in place a current and comprehensive risk management framework and making recommendations to the Council on risk mitigation
- Assisting elected members in the discharge of their responsibilities by ensuring compliance procedures are in place for all statutory requirements relating to their role
- Confirming the terms of engagement for each audit with a recommendation to the Council; and receiving the external audit reports for recommendation to the Council
- Governance role in regards to the Health and Safety Leadership Charter and Health and Safety Plan.
- Reviewing the Annual Plan and the Long-term Plan consultation documents and reports, including any audit reports, and making recommendations ahead of the plans being approved by Council.
- Receiving six-monthly updates on Council's emergency management, resilience and recovery, and making recommendations to Council on opportunities for improvement.

### DELEGATIONS

All powers necessary to perform the Committee's responsibilities, except:

- (a) powers that the Council cannot delegate or has retained to itself
- (b) where the Committee's responsibility is limited to making a recommendation only.

### MEETING FREQUENCY

On a quarterly basis or as required.

### QUORUM

A quorum is achieved with **four** voting members present in person. At least one member must be a member of Council.

**C.4 GRANTS ALLOCATION COMMITTEE**  
**TE KOMITI TUKU TAHUA PŪTEA**

Chair	Councillor Nigel Wilson
Deputy Chair	Councillor Glen Cooper

Programme Membership (Subcommittees of the Grants Allocation Committee)		Quorum
Creative Communities NZ (as per programme guidelines)	<p>Chair Elect - Grant Stevenson</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Community Representation (3): Michelle Scullion, Jennifer Turnbull and Grant Stevenson</p> <p>Mana Whenua Representation (3):</p> <p>Kim Tahiwī – Ngā Hapū o Ōtaki</p> <p>Ātiawa ki Whakarongotai representative</p> <p>Ngāti Toa Rangatira representative</p> <p>Youth Council Representation (1): Tama Porter</p> <p><i>Note: Chair elected by this programme committee and may not be the Chair of the Grants Allocation Subcommittee</i></p>	A quorum is achieved with <b>four</b> members present in person. At least one member must be a member of Council.
Community Grants	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p> <p>Community Representation (2): Sarah Yuile and John Hayes</p> <p>Mana Whenua Representation (1): One Mana Whenua Iwi Representative</p>	A quorum is achieved with <b>four</b> members present in person. At least one member must be a member of Council.

Waste Levy	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p> <p>Cr Jocelyn Prvanov (<i>as the Wellington Region Waste Management and Minimisation Joint Committee representative</i>)</p> <p>Paekākāriki Community Board – Sean McKinley</p> <p>Raumati Community Board – Tarn Sheerin</p> <p>Paraparaumu Community Board – Bernie Randall</p> <p>Waikanae Community Board – Tonchi Begovich</p> <p>Ōtaki Community Board – Chris Papps and Cam Butler (as alternate)</p>	<p>A quorum is achieved with <b>three</b> members present in person. At least one member must be a member of Council.</p>
Districtwide Facility Hire Remissions	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p>	<p>A quorum is achieved with <b>two</b> members present in person. At least one member must be a member of Council.</p>
Heritage Fund	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p>	<p>A quorum is achieved with <b>two</b> members present in person. At least one member must be a member of Council.</p>

#### PURPOSE

This committee considers and allocates grant monies in accordance with the meeting cycles and criteria of five granting programmes.

## RESPONSIBILITIES

Within the purpose and delegated powers of the Grants Allocation Committee, key responsibilities include assessing applications and allocating funds in accordance with each programme's criteria, considering factors such as (but not limited to):

- the clear aims and objectives of the applicant
- the project or event for which the grant is requested
- where appropriate, evidence of a sound management structure, and good financial management
- how closely the application fits with the scheme criteria
- the identification and evaluation of local needs
- the use of any previous money granted by Council or Creative New Zealand
- the level of community involvement in the project
- the expected outcomes and benefits of the service/project for the Kāpiti Coast District.

## Creative Communities NZ Programme

Council administers this programme in partnership with Creative New Zealand. Creative New Zealand intends that the principal aims of the Scheme are to provide creative opportunities for local communities to engage with and participate in arts activities; support the diverse arts and cultural traditions of local communities; and to enable and encourage young people (under 18 years) to engage with and actively participate in the arts. Creative New Zealand provides the Scheme's annual funding to the Kāpiti Coast District Council and the scheme criteria.

## Community Grants

The aim of this programme is to strengthen local communities by providing financial support through this programme. Funding is provided to not-for-profit organisations to assist in the achievement of a social environment that ensures the Kāpiti Coast District is a good place to live for all sectors of the community. The programme will provide grants to non-profit organisations which provide local, community-based services in response to identified needs. Community grants may be allocated to proposals that seek to achieve one or more of the following outcomes:

1. Building resilient, sustainable communities
2. Encouraging greater community participation
3. Improving the quality of life of the participants
4. Working in partnership with a range of community groups, including iwi.

## District Wide Facilities Hire Remissions

This programme is to assist hall users whose event is benefitting the District as a whole rather than an individual community.

## Heritage Fund

This fund aims to assist and actively encourage landowners and members of the Kapiti Coast community to manage, protect and enhance heritage features throughout the District including ecological, geological, historical and cultural areas and sites.

## Waste Levy Programme

The objective of this programme is to assess applications and allocate Waste Levy grants for projects which achieve a high level of community involvement in practical on-the-ground waste minimisation projects which encourage community participation and long-term action.

### DELEGATIONS

All powers necessary to perform the Committee's responsibilities except powers that the Council cannot delegate or has retained to itself.

### MEETING FREQUENCY

The meeting cycles for the granting programmes are as follows:

Creative Communities New Zealand	Twice yearly
Community Grants	Annually
Districtwide Facilities Hire Remissions	Annually or as required
Heritage Fund	Annually
Waste Levy	Annually

### C.5 APPEALS HEARING COMMITTEE TE KOMITI RONGONGA PĪRA

Chair	Mayor Janet Holborow
Deputy Chair	Councillor Jocelyn Prvanov
Membership	Chair of Strategy, Operations and Finance Committee Councillor Glen Cooper

#### PURPOSE

This committee acts in a regulatory capacity on behalf of Council in regards to appeals or objections required to be heard under relevant legislation.

#### RESPONSIBILITIES

Within the purpose and delegated powers of the Appeals Hearing Committee, key responsibilities include:

##### Dog Owners' Objections

- Hearing and adjudicating objections from dog owners to classifications of dog owners and/or dogs under the Dog Control Act 1996 as per the following sections:
  - Objection to classification as probationary owner (s22)
  - Objection to disqualification (s26)
  - Objection to classification of dangerous dog (s31(3))
  - Objection to classification of menacing dog (by nature) (s33B)
  - Objection to classification of menacing dog (by breed) (s33D)
  - Barking dog abatement notice (s55(2))
- Hearing and determining applications made under the Kapiti Coast District council dog Control Bylaw 2019 ('the Bylaw') for medical exemption for dogs under section 4 and section 6 of the Bylaw, specifically subsections 6.1 and 6.4 of the Bylaw including the imposition of any conditions surrounding any such exemptions.

##### Transport and Rooding

- Authority to hear and determine objections to the fixing of road levels (13<sup>th</sup> schedule, Local Government Act 1974)

##### Littering

- Authority to hear appeals against infringement notices issued under sections 13 and 14 of the Litter Act 1976.

##### Development Contributions

- Authority to hear and determine objections to development contributions received prior to 8 August 2014.

#### DELEGATIONS

All powers necessary to perform the Committee's responsibilities, except the powers that the Council cannot delegate or has retained to itself.

#### MEETING FREQUENCY

As required.

**QUORUM**

A quorum is achieved with **two** members present in person. At least one member must be a member of Council.

## C.6 CHIEF EXECUTIVE PERFORMANCE AND EMPLOYMENT COMMITTEE TE KOMITI AROTAKE MAHI A TE TUMU WHAKARAE

Chair	Mayor Janet Holborow
Deputy Chair	Councillor Lawrence Kirby
Membership	Councillor Liz Koh Councillor Sophie Handford

### PURPOSE

This committee manages the employment relationship between the Council and the Chief Executive.

### RESPONSIBILITIES

Key responsibilities include:

- Being a good employer
- Approving the employment agreement including the setting of performance indicators
- Working with the Chief Executive to implement a new performance agreement
- Conducting performance reviews as per the agreement and clauses 34 and 35 of Schedule 7 of the Local Government Act 2002
- Making decisions about remuneration
- Considering and deciding on any other relevant issues
- Investigating and addressing any disciplinary or performance issues
- Seeking the advice of appropriately qualified external advisors in relation to any aspect of the Chief Executive's employment and performance
- Making recommendation/s to Council on the appointment of a Chief Executive.

### DELEGATIONS

All powers necessary to perform the committee's responsibilities, except:

- (a) powers that the Council cannot delegate or has retained to itself (i.e. appointment of the Chief Executive)
- (b) where the Committee's responsibility is limited to making a recommendation only

### MEETING FREQUENCY

As per the requirements of the performance agreement.

### QUORUM

A quorum is achieved with **three** members present in person. At least one member must be a member of Council.

**C.7 CAMPE ESTATE COMMITTEE**  
**TE KOMITI MŌ TE WAIHOTANGA IHO A CAMPE**

Chair	Mayor Janet Holborow
Membership	Paekākāriki-Raumati Ward Councillor Chief Executive

*Note: The membership is outlined in the will of the late Sydney George Campe. Should any of these positions cease to exist the Council is to appoint other similar members to the subcommittee.*

**RESPONSIBILITIES**

This committee administers the Campe Estate funds deriving from the sale of 6 Robertson Road Paekākāriki, bequeathed to the Council in 1991 as a Gift on Special Trust.

The conditions are:

- The Council uses the property and/or the income from it for charitable purposes which will benefit the people of Paekākāriki township
- The Council uses the property for the benefit of the youth of Paekākāriki.

The committee also administers the funds deriving from the interest of the Arthur Thomas Clarke Trust for the benefit of Paekākāriki residents.

Decisions about allocations under the two funds are made concurrently.

**DELEGATIONS**

All powers necessary to perform the committees' responsibilities.

**MEETING FREQUENCY**

As required in order to fulfil its responsibilities.

**QUORUM**

A quorum is achieved with **two** members present in person.

**PART D - COMMUNITY BOARDS | POARI Ā-HAPORI****PAEKĀKĀRIKI COMMUNITY BOARD | POARI Ā-HAPORI O PAEKĀKĀRIKI**

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

**PARAPARAUMU COMMUNITY BOARD | POARI Ā-HAPORI O PARAPARAUMU**

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

**RAUMATI COMMUNITY BOARD | POARI Ā-HAPORI O RAUMATI**

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

**WAIKANAE COMMUNITY BOARD | POARI Ā-HAPORI O WAIKANAE**

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

**ŌTAKI COMMUNITY BOARD | POARI Ā-HAPORI O ŌTAKI**

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

## RESPONSIBILITIES

The powers of a community board are prescribed in the Local Government Act 2002 (see Appendix I). In addition, the Council has made the following specific delegations:

- Authority to **listen, articulate, advise, advocate** and **make recommendations** to Council on any matter of interest or concern to the local community
- Assisting with local **civil defence** and **emergency management** activities
- Working with Council and the community to **establish Local Outcome Statements**
- **Providing a local perspective** on the levels of service as detailed in the Long Term Plan and Annual Plan and on local expenditure, rate impacts and priorities
- Providing advice to Council and its Committees on any issue relating to the **sale of liquor** in the local area
- **Contributing local input** to any Council Strategy, Plan or Policy as required
- Approving criteria for, and disbursement of, **community-based grant funds** as approved through the Long Term Plan or Annual Plan
- Approving or rejecting applications by community groups to establish **community gardens**, in accordance with the licensing requirements under the Reserves Act 1977 and the Council's Mara Kai/Community Gardens policy
- Authority to approve or reject officer recommendations relating to **traffic control and signage matters** for existing local roads, except those matters that involve significant safety issues
- Making recommendations to Council after reviewing existing, or considering new **draft Reserve Management Plans** for local public parks and reserves within its area, excluding Otaraua Park (as a park of Districtwide significance)
- Assisting the Chief Executive (through the Community Board Chairperson) to consider and **determine temporary road closure** applications where there are objections to the proposed road closure
- Accepting or rejecting officer recommendations in respect of **names for local roads** (excluding the former State Highway) and any **reserves, structures and commemorative places**, in accordance with existing council policy
- **Speaking but not voting rights at Council and Strategy, Operations and Finance Committee meetings**. Each Community Board may appoint a representative to attend Council meetings. (Refer to part A.1(8) of this document for public excluded sessions)
- **Speaking and voting rights at Social Sustainability Subcommittee and Climate and Environment Subcommittee meetings** as per membership. Each Community Board may appoint a representative or alternatively decide to recommend the appointment of a community representative in their place (Refer to part A.1(8) of this document for public excluded sessions)
- **Developing any Community Board submission** on issues within its area

- Setting priorities for and **expending an annual training and development budget** allocated by Council
- Any other responsibilities as delegated by Council under under Section 52 of the Local Government Act 2002.

#### FOR THE WAIKANAĒ COMMUNITY BOARD

- Considering and making recommendations to Council on the proposed use of the Waikanae Capital Improvement Fund for the purpose of funding capital projects within the Waikanae Community Board boundary. This is for expenditure over and above the approved annual grant allocations from this fund.

#### FOR THE PAKĀKĀRIKI COMMUNITY BOARD

- Considering and making recommendations to the Campe Estate Subcommittee on grant applications received seeking funding from the Campe Estate funding, and distribute the funds deriving from the Arthur Thomas Clarke Trust.

#### DELEGATIONS

All powers necessary to perform the Board's responsibilities except where the Board's responsibility is limited to making a recommendation only.

#### MEETING FREQUENCY

On a six-weekly basis or as required.

#### QUORUM

Where the number of members (elected and appointed) is **odd**, the quorum is a **majority** of members present in person.

Where the number of members (elected and appointed) is **even**, the quorum is **half** the members present in person.

## SECTION E – JOINT COMMITTEES | NGĀ KOMITI TŪHONO

### E.1 WELLINGTON REGION WASTE MANAGEMENT AND MINIMISATION JOINT COMMITTEE

Appointed Member(s)	Councillor Jocelyn Prvanov
	Councillor Martin Halliday (as alternate)

#### PURPOSE

The role of the Joint Committee is to oversee the implementation of the Wellington Region Waste Management and Minimisation Plan 2011-2017 and its statutory review which is required not more than six years after the last review.

#### PARTNERSHIP FRAMEWORK

This Joint Committee is a joint standing committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.

The Joint Committee is not deemed to be discharged following each triennial election.

#### CONSTITUTION

All territorial authorities in the Wellington Region are signatories and stakeholders in the Wellington Region Waste Management and Minimisation Plan officially adopted in October 2011:

- Kāpiti Coast District Council
- Masterton District Council
- Hutt City Council
- Upper Hutt City Council
- Porirua City Council
- South Wairarapa District Council
- Carterton District Council
- Wellington City Council

Each territorial authority in the region will be entitled to appoint one member to the Joint Committee.

The Chair will be elected by the Joint Committee. A new Chair and Deputy Chair must be elected at least once every triennium following local body elections.

#### MEETING FREQUENCY

The Joint Committee will meet on an as required basis.

Meetings will be hosted on a rotational basis by territorial authorities across the region. The Committee shall establish a roster for the hosting of meetings.

Secretariat support for meetings will be provided by the host Council.

#### DELEGATIONS

The Joint Committee will have delegated responsibility and authority to carry out activities within its terms of reference including:

- Accept and consider advice and reports on the implementation of the Wellington Region Waste Management and Minimisation Plan ('the Plan') and future Wellington Waste Management and Minimisation Plans
- Take decisions on the implementation of aspects of the Plan where the matter for decision is not an operational matter that falls under officers' delegated responsibilities and where the matter is provided for in the Plan and/or budget has been made available by territorial authorities for that matter
- Monitor and review the management and implementation of the Plan
- Report back to territorial authorities of the Wellington Region on any aspect of the implementation of the Plan, including: recommendations for funding projects of the Plan, recommendations for the management of the Plan and reports on the effectiveness of the Plan
- Report back to the territorial authorities with any recommended amendments to the Plan and/or recommended variations to the Terms of Reference of the Committee.

**E.2 REGIONAL TRANSPORT COMMITTEE**

Appointed Member(s)	Mayor Janet Holborow Councillor Martin Halliday (as alternate)
---------------------	---

**PURPOSE**

To promote the objectives of the Land Transport Management Act 2003 (the Act) within the region, linking it to the regions of New Zealand and other transport systems.

**SPECIFIC RESPONSIBILITIES**

- Prepare for approval by the Council the Wellington Regional Land Transport Plan and any variations to it
- Provide the Council with any advice and assistance it may request in relation to its transport responsibilities
- Adopt a policy that determines significance in respect of - Variations made to the Regional Land Transport Plan - The activities that are included in the Regional Land Transport Plan
- Carry out consultation in accordance with the requirements set out in the Act
- Approve submissions to external organisations for matters pertaining directly to the committee's purpose.

**MEMBERSHIP**

The membership set out below is consistent with the requirements of sub-section (2) of section 105 of the Act:

- two persons to represent the regional council
- one person from each territorial authority in the region to represent that territorial authority
- one person to represent the New Zealand Transport Agency.

The Council may, in accordance with clause 31(3) schedule 7 of the Local Government Act 2002, appoint non-local government advisors to the Committee for the purpose of assisting the Committee in its decision making.

**VOTING ENTITLEMENT**

Advisors appointed to the Committee have full speaking rights, but no voting entitlement on any matter.

**ALTERNATES**

The New Zealand Transport Agency and each territorial authority is entitled to nominate an alternate member who may attend and vote at meetings of the committee, but only in the event that the appointed member is unable to attend.

**QUORUM**

The chairperson or deputy chairperson of the committee and at least 50% of the remaining voting membership.

**CHAIRPERSON**

Greater Wellington Regional Council must appoint from its representatives the chair and deputy chair of the Committee (section 105 (6) of the Land Transport Management Act 2003). The Chair has a deliberative vote and in the case of an equality of votes, does not have a casting vote and therefore the act or question is defeated and the status quo is preserved (section 105 (7) of the Land Transport Management Act 2003).

**REMUNERATION**

The advisors appointed to the Committee who are not otherwise being remunerated are entitled to receive Greater Wellington Regional Council's standard daily meeting fee and mileage allowances payable to non-elected members of council committees for each meeting they attend.

### E.3 WELLINGTON REGION CIVIL DEFENCE EMERGENCY MANAGEMENT (CDEM) GROUP

Appointed Member(s)	Mayor Janet Holborow Councillor Lawrence Kirby (as alternate)
---------------------	--

The Wellington Region CDEM Group has the status of a Civil Defence Emergency Management Group under the Civil Defence Emergency Management Act 2002. It is a joint standing committee under clause 30(1)(b) of schedule 7 of the Local Government Act 2002.

#### MEMBERSHIP

Each of the following local authorities is a member of the Wellington Region CDEM Group:

- Carterton District Council
- Greater Wellington Regional Council
- Kapiti Coast District Council
- Hutt City Council
- Masterton District Council
- Porirua City Council
- South Wairarapa District Council
- Upper Hutt City Council
- Wellington City Council

#### FUNCTIONS, DUTIES AND POWERS

The functions, duties and powers of the CDEM Group are those that are set out for a Civil Defence Emergency Management Group in the Civil Defence Emergency Management Act 2002.

#### OBJECTIVES OF THE CDEM GROUP

To assist the CDEM Group to meet the requirements of the Act, the Group adopts the following objectives:

- to ensure that hazards (as defined in the Act) and the consequential risks are identified and assessed
- to ensure an effective and efficient region-wide civil defence emergency management capability to respond to and recover from emergencies (as defined in the Act)
- to facilitate effective and efficient emergency management through partnership and co-ordination amongst the organisations represented on the Co-ordinating Executive Group
- to promote appropriate mitigation of the risks.

#### REPRESENTATIVES

Each Member is to be represented on the CDEM Group by one person only, being the Mayor or Chairperson of that local authority or an alternate representative who has been given the delegated authority to act for the Mayor or Chairperson.

An alternate representative must be an elected person from that local authority under section 13(4) of the Act.

Under section 114S(4) of the Local Government Act 1974, and clause 30(9) Schedule 7 of the Local Government Act 2002, the powers to discharge any

representative on the CDEM Group and appoint his or her replacement shall be exercisable only by the Member that appointed the representative being discharged.

#### REMUNERATION

Each Member of the CDEM Group shall be responsible for remunerating its representative on the CDEM Group for the cost of that person's participation in the CDEM Group.

#### MEETINGS

The CDEM Group shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under the Terms of Reference. However there will be at least two meetings per year.

#### QUORUM

The quorum shall consist of five (5) members.

**E.4 WELLINGTON REGIONAL LEADERSHIP COMMITTEE**

Appointed Member(s)	Mayor Janet Holborow Councillor Lawrence Kirby (as alternate)
---------------------	--

**PURPOSE**

To take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, and Regional Recovery - where a collective voice and collective planning and action is required.

**SPECIFIC RESPONSIBILITIES**

Wellington Regional Growth Framework  
Regional Economic Development  
Regional Economic Recovery

**MEMBERSHIP**

The membership of the Joint Committee is comprised of:

- the Mayors of Carterton District Council, Horowhenua District Council, Hutt City Council, Kāpiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council
- the Chair of Wellington Regional Council
- independent chairperson of the Joint Committee

The member of the Joint Committee may also include:

- a person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira)
- a person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui)
- a person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa)
- a person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa)
- a person nominated by Raukawa ki te Tonga
- a person nominated by Ātiawa ki Whakarongotai Charitable Trust (Ātiawa ki Whakarongotai)
- a person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- up to three persons nominated by the Crown (Cabinet).

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Independent Chairperson).

**VOTING**

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the following members of the Joint Committee will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings):

- the Mayor of Horowhenua District Council
- the person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- the person nominated by Raukawa ki te Tonga
- the persons nominated by the Crown (Cabinet)

Each member has one vote. In the case of an equality of votes the Chairperson has a casting vote.

#### MEETINGS

Meetings will be held once every two months, or as necessary and determined by the Chairperson.

#### QUORUM

Half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. There must be present at least 5 members appointed by local authorities.

#### REMUNERATION

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (for instance iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority.

#### DURATION OF THE JOINT COMMITTEE

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Leadership Committee is not deemed to be discharged following each triennial local government election.

## SECTION F – APPOINTMENTS TO EXTERNAL ORGANISATIONS

Organisation/Body	Appointees
Te Whakaminenga o Kāpiti	Mayor Janet Holborow Councillor Martin Halliday
Kāpiti Coast Youth Council	Councillor Sophie Handford
Kāpiti Coast Older Person's Council	Mayor Janet Holborow Councillor Kathy Spiers
Friends of the Ōtaki River	Councillor Rob Kofoed
Friends of the Waikanae River	Councillor Jocelyn Prvanov
Pharazyn Reserve Focus Group	Waikanae Community Board Member Michelle Lewis
Kāpiti Ecological Restoration Maintenance Trust	Councillor Halliday and /or Councillor Prvanov
Wellington Regional Waste Forum	Councillor Prvanov and/or Councillor Halliday
Road Safety Advisory Group*	Councillor Shelly Warwick Councillor Kathy Spiers
Kāpiti Accessibility Advisory Group	Councillor Kathy Spiers
Kāpiti Cycleway, Walkway and Bridleway Advisory Group	Councillor Rob Kofoed Councillor Shelly Warwick
Mahara Gallery Trust	Councillor Liz Koh
The Public Art Panel	Councillor Liz Koh
Paraparaumu College Community Sports Hall Committee	Councillor Glen Cooper Councillor Martin Halliday
Kāpiti Coast Major Events Panel	Councillor Nigel Wilson
Kāpiti Coast Whaitua Committee	Councillor Jocelyn Prvanov Councillor Sophie Handford (as alternate)
Waikanae ki Uta ki Tai	Mayor Janet Holborow Councillor Jocelyn Prvanov (as alternate)
Economic Development Kotahitanga Board	Councillor Liz Koh

*\*The Terms of Reference for this group is currently (as at November 2022) under review, thus the group is on hold until further notice.*

**SECTION G – DOCUMENT VERSION CONTROL**

<b>Version</b>	<b>Amendment(s) Summary</b>	<b>Sign Off/Comment</b>
<b>1</b>	<b>Governance Structure confirmed by Council</b>	Council 24 November 2022
<b>2</b>	<b>Mana Whenua Representation for Ngāti Toa Rangatira and Ngā Hapu o Ōtaki confirmed</b>	Council 8 December 2022
<b>3</b>	<b>Mana Whenua Representation for Te Ātiawa ki Whakarongotai and Community Board Representation confirmed</b>	Council 26 January 2023
<b>4</b>	<b>Independent Chair and Member for Risk and Assurance Committee confirmed</b>	Council 23 February 2023
<b>5</b>	<b>Membership Updates for Risk and Assurance and Grants Allocation Committees</b>	Council 23 March 2023
<b>6</b>	<b>Mana Whenua Representation for Ngā Hapū o Ōtaki and Community Board Representation confirmed</b>	Council 23 March 2023
<b>7</b>	<b>Grants Allocation Committee Creative Communities New Zealand Scheme confirmed</b>	Grants Allocation Committee 4 May 2023
<b>8</b>	<b>Mana Whenua Representation for Risk and Assurance and Community Board Representation confirmed</b>	Council 25 May 2023
<b>9</b>	<b>New appointment to Chair and Deputy Chair of the Paekākāriki Community Board</b>	Paekākāriki Community Board 13 February 2024
<b>10</b>	<b>Review of Governance Structure and Delegations amending membership and delegations</b>	Council 29 February 2024
<b>11</b>	<b>Review of Governance Structure and Delegations amending membership and committee names</b>	

## SECTION H – RELEVANT LEGISLATIVE EXTRACTS FROM LOCAL GOVERNMENT ACT 2002

### Subpart 2—Role of local authorities and related matters

#### 11 Role of local authority

The role of a local authority is to—

- (a) give effect, in relation to its district or region, to the purpose of local government stated in [section 10](#); and
- (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

#### 11A Core services to be considered in performing role

*[Repealed]*

Section 11A: repealed, on 14 May 2019, by [section 10](#) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

#### 12 Status and powers

- (1) A local authority is a body corporate with perpetual succession.
- (2) For the purposes of performing its role, a local authority has—
  - (a) full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and
  - (b) for the purposes of paragraph (a), full rights, powers, and privileges.
- (3) Subsection (2) is subject to this Act, any other enactment, and the general law.
- (4) A territorial authority must exercise its powers under this section wholly or principally for the benefit of its district.
- (5) A regional council must exercise its powers under this section wholly or principally for the benefit of all or a significant part of its region, and not for the benefit of a single district.
- (6) Subsections (4) and (5) do not—
  - (a) prevent 2 or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity; or
  - (b) prevent a transfer of responsibility from one local authority to another in accordance with this Act; or
  - (c) restrict the activities of a council-controlled organisation; or
  - (d) prevent a local authority from making a donation (whether of money, resources, or otherwise) to another local authority or to a person or organisation outside its district or region or outside New Zealand—
    - (i) if the local authority considers, on reasonable grounds, that the donation will benefit its district or region, or the communities within its district or region; or
    - (ii) if the local authority considers, on reasonable grounds, that a benefit will be conferred on the local government sector as a whole; or
    - (iii) for emergency relief; or
  - (e) prevent a local authority from making a donation (whether of money, resources, or otherwise) to a local government body outside New Zealand to enable it to share its experience and expertise with that body.

Section 12(6)(c): amended, on 28 June 2006, by [section 6](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 12(6)(d): added, on 28 June 2006, by [section 6](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 12(6)(e): added, on 28 June 2006, by [section 6](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

#### 13 Performance of functions under other enactments

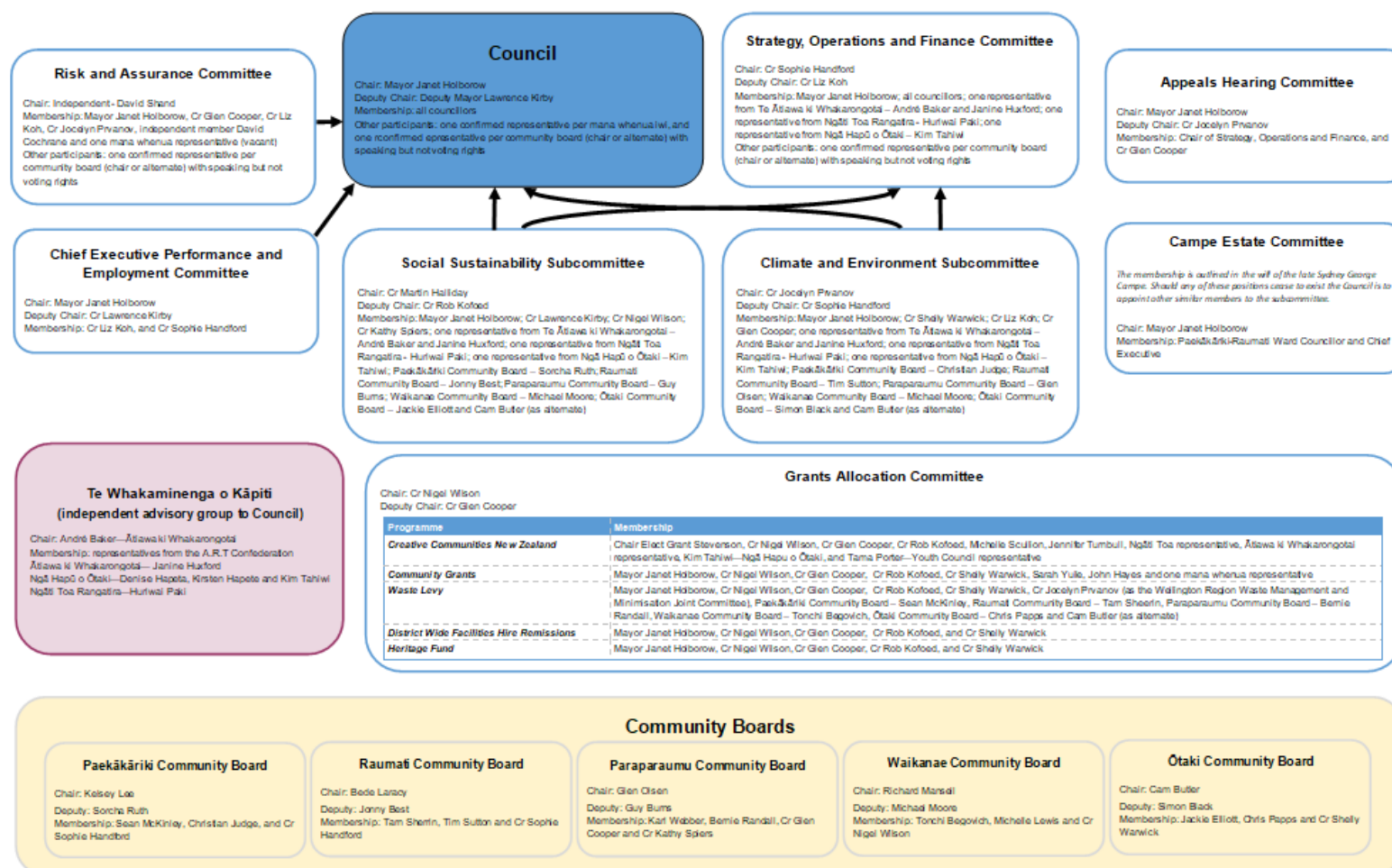
[Sections 10](#) and [12\(2\)](#) apply to a local authority performing a function under another enactment to the extent that the application of those provisions is not inconsistent with the other enactment.

**41A Role and powers of mayors**

- (1) The role of a mayor is to provide leadership to—
  - (a) the other members of the territorial authority; and
  - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
  - (a) to appoint the deputy mayor;
  - (b) to establish committees of the territorial authority;
  - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—
    - (i) may make the appointment before the other members of the committee are determined; and
    - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from—
  - (a) removing, in accordance with [clause 18](#) of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
  - (b) discharging or reconstituting, in accordance with [clause 30](#) of Schedule 7, a committee established by the mayor under subsection (3)(b); or
  - (c) appointing, in accordance with [clause 30](#) of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
  - (d) discharging, in accordance with [clause 31](#) of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
  - (a) [clause 17\(1\)](#) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);
  - (b) [clauses 25](#) and [26\(3\)](#) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.

Section 41A: inserted, on 12 October 2013, by [section 21](#) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

## Kāpiti Coast District Council Governance Structure 2022-2025



**Terms of Reference for Joint Committee on the Wellington Region Waste Management and Minimisation Plan****Membership:**

Each Territorial Authority in the Wellington Region will be entitled to appoint one member to the Joint Committee.

In addition, each Territorial Authority can appoint an alternate member to attend and vote Joint Committee meetings in the appointed member's absence.

The host Council must be notified of the appointments.

The Joint Committee is not deemed to be discharged following each triennial election.

**Quorum:**

4

**Chair:**

The Chair and Deputy Chair will be elected by the Joint Committee.

A new chair and deputy chair must be elected at least once every triennium following local body elections.

**Frequency of meetings:**

The Joint Committee will meet on an as required basis.

**Hosting of meetings:**

The Joint Committee will agree at the beginning of each triennium where meetings are to be held.

At any time during the Triennium a member of the Joint Committee or a Council officer can make a recommendation that the meeting location should change.

The request will need to receive support from the majority of the Joint Committee to change the meeting location.

**General purpose:**

To oversee the implementation of the Wellington Region Waste Management and Minimisation Plan and its statutory review which is required not more than 6 years after the last review.

**Administrative support:**

Officers responsible for the implementation of the Plan will provide reports and advice to the Joint Committee as required.

Secretariat support for meetings will be provided by the host Council.

**Terms of Reference:**

The Joint Committee will have responsibility and authority to:

1. Accept and consider advice and reports on the implementation of the Wellington Region Waste Management and Minimisation Plan (the Plan) and future Wellington Region Waste Management and Minimisation Plans (the Plan).

2. Make decisions on the implementation of aspects of the Plan where the matter for decision is not an operational matter that falls under officers' delegated responsibilities and where the matter is provided for in the Plan and/or budget has been made available by territorial authorities for that matter.
3. Monitor and review the management and implementation of the Plan.
4. Report back to territorial authorities of the Wellington region on any aspect of the implementation of the Plan, including: recommendations for funding projects of the Plan, recommendations for the management of the Plan; and reports on the effectiveness of the Plan.
5. Report back to the territorial authorities with any recommended amendments to the Plan and/or recommended variations to the Terms of Reference of the Committee.

***Delegated Authority***

The Joint Committee on the Wellington Region Waste Management and Minimisation Plan will have delegated authority to carry out activities within its terms of reference.

### 10.3 DRAFT CALENDAR OF MEETINGS 2025

Kaituhi | Author: **Kate Coutts, Advisor Governance**

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

#### TE PŪTAKE | PURPOSE

- 1 This report seeks Council's approval of the appended meeting schedule for 2025.

#### HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

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

#### TE TUKU HAEPAPA | DELEGATION

- 3 The Council has the authority to set a meeting schedule for the upcoming calendar year.

#### TAUNAKITANGA | RECOMMENDATIONS

- A. That Council approves the appended calendar of meetings 'Draft Calendar of Meetings 2025' for the 2025 calendar year.

#### TŪĀPAPA | BACKGROUND

- 4 The calendar of meetings for 2025 covers the meeting cycle for Council, committee and subcommittee meetings and briefings; and includes other meetings, such as meeting dates for the five community boards.
- 5 While there is no statutory requirement to adopt a calendar of meetings, it is practical and transparent to do so.

#### HE KŌRERORERO | DISCUSSION

##### He take | Issues

- 6 All meetings have been scheduled in accordance with the Governance Structure and Delegations for the 2022-2025 triennium.
  - 6.1 the meetings for Council and the Strategy, Operations and Finance Committee have been scheduled on a monthly cycle.
  - 6.2 the meetings for the Social Sustainability Subcommittee, the Climate and Environment Subcommittee and all Community Boards have been scheduled on an approximately six-weekly cycle.
  - 6.3 the meetings for the Risk and Assurance Committee and all other committees have been scheduled on a more irregular basis in line with the Governance Structure and Delegations.
- 7 The cycles suggested allow for substantial progression of issues. Provisions in the Local Government Official Information and Meetings Act 1987 and Council's Standing Orders prescribe that meeting agendas must be received by meeting participants at least two clear working days ahead of the meeting date. This prescribed standard is exceeded by distributing the agendas five working days in advance of the meeting to give elected members, mana whenua representatives and independent members adequate time to consider the reports and associated information within meeting agendas.
- 8 No meetings or briefings have been scheduled for the first week of the school holidays; these periods are shown as 'Keep Free' days. During the second week of the holidays only briefing placeholders have been scheduled on Tuesdays and Thursdays.

## Ngā kōwhiringa | Options

### Meeting days and start times

- 9 The first Council meeting for 2025 is set for the last week of January to allow for a good break over the Christmas and New Years period for Elected Members.
- 10 Council and committee meetings are generally scheduled on a Thursday, with a few exceptions where some committee and subcommittee meetings have been scheduled to take place on a Tuesday due to Thursdays not being available.
- 11 Council, committee and subcommittee meetings are scheduled to begin at 9.30am; with the exception of the meetings of the Chief Executive Employment and Performance Committee and some Grants Allocation Committee meetings.
- 12 All community board meetings are currently scheduled to take place on Tuesday evenings. The Paraparaumu Community Board meetings will be starting at 6.30pm, while the Paekākāriki, Raumati, Waikanae and Ōtaki Community Board meetings will begin at 7.00pm.

### Briefings, workshops, and training

- 13 Briefings and workshop placeholders have been scheduled on Tuesdays, with some exceptions of placeholders scheduled for a Thursday.
- 14 Briefings and workshops are intended to keep elected members' up to date with key projects and issues and in line with the provisions set in the Local Government Official Information and Meetings Act 1987, decisions must not be made in these sessions.
- 15 Elected member training events will also be scheduled on Tuesdays or Thursdays as required.

### Other meetings

- 16 The Appeals Hearing Committee and the District Licensing Committee meet as required and no placeholders are included in the calendar of meetings.
- 17 The draft calendar includes meeting date placeholders for Te Whakaminenga o Kapiti and the five community boards; however, as Te Whakaminenga o Kāpiti and each of the boards are free to set and approve their own meeting schedule, the placeholders may be subject to change.
- 18 Dates for Local Government New Zealand's Zone 4 meetings and Super Local Conference are not confirmed yet. Zone 4 meetings usually take place quarterly on a Friday, and Super Local Conferences in a Local Body Election year typically occur in late July. The calendar may therefore be subject to minor adjustments once dates are announced for the 2025 Super Local Conference.

### Changes to the calendar

- 19 Occasionally unforeseen circumstances arise, and it becomes necessary to add, reschedule, or cancel meetings in the calendar. In such cases, the matter is first addressed with the Mayor or Chair of the relevant committee prior to informing elected members about the proposed alternative meeting dates.
- 20 Any changes to meeting dates are publicly communicated through Council's Calendar of Meetings webpage. Elected members are also promptly alerted of changes via Karanga Mai (Outlook) calendar invites, alongside being notified via the weekly Elected Members' Bulletin 'Schedule of Meetings' section. Cancellation notices will include reasons for cancelling.

### Proposed meeting dates for the 2025-2028 triennium

- 21 Tentatively proposed meeting dates for the months immediately after the Local Body Elections in October 2025 have also been included in the appended meeting schedule.

**Mana whenua**

- 22 While the appended calendar includes meeting placeholders for te Whakaminenga o Kapiti meeting dates, appropriate dates will be confirmed through consultation with the ĀRT Rongoā Collective and as part of a wider review of Te Whakaminenga o Kapiti.

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

- 23 There are no climate change and environmental considerations within this report.

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

- 24 The proposed timetable of meetings can be delivered within existing budgets.

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

- 25 Adopting a schedule of meetings assists with fulfilling the requirement under section 46 of the Local Government Official Information and Meetings Act 1987 to publicly notify meetings.

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

- 26 There are no policy considerations within this report.

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

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

**Whakatairanga | Publicity**

- 28 Meetings will be publicly advertised each month in the local newspapers in line with the requirements of the Local Government Official Information and Meetings Act 1987, and Council's Standing Orders.
- 29 Meeting dates will also be published on Council's Calendar of Meetings webpage.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Draft Calendar of Meetings 2025 (under separate cover) [⇒](#)

**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 29 August 2024 be accepted as a true and correct record.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Unconfirmed Minutes from 29 August 2024 meeting [↓](#)

## COUNCIL MEETING MINUTES

29 AUGUST 2024

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL  
COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU  
ON THURSDAY, 29 AUGUST 2024 AT 9.33AM**

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

**IN ATTENDANCE:** Ms Kim Tahiwai, Mr Bede Laracy, Mr Glen Olsen, Mr Richard Mansell, Mr Cam Butler, Mr Sean Mallon, Mr Brendan Owens, Ms Kris Pervan, Ms Hara Adams, Ms Anna Smith, Mr Evan Dubisky, Ms Maria Cameron, Ms Morag Taimalietane, Mr Darryn Grant, Ms Karyn Andreassend, Mr Mark Ward

**Via Zoom:** Mr Huriwai Paki

**WHAKAPĀHA |** Nil  
**APOLOGIES:**

**LEAVE OF** Nil  
**ABSENCE:**

**1 NAU MAI | WELCOME**

The Mayor welcomed everyone to the meeting.

**2 KARAKIA | COUNCIL BLESSING**

The Mayor read the Council blessing.

**3 WHAKAPĀHA | APOLOGIES**

There were no apologies made at this meeting.

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

No declarations of interest were made at this meeting.

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

No petitions were presented at this meeting.

**6 NGĀ WHAKAWĀ | HEARINGS**

There were none.

Crs Prvanov and Warwick arrived at 9:38am.

*Item 7... was moved to later point on the agenda...*

**8.1 VOICES OF THE FUTURE – THE GENERATION CHAIR**

Voices of the Future Youth Eco-Action Group presented The Generation Chair to Council. Elected members asked questions to the deputation.

## COUNCIL MEETING MINUTES

29 AUGUST 2024

The following documents were tabled:

**Appendices**

- 1 Generation Chair Declaration

**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**

Kim Hobson spoke to Item 11.1 2020 - 23 Economic Development Strategy & new Operating Model and answered questions from elected members.

Deputy Mayor Kirby, and Crs Warwick and Halliday left the meeting at 10:03am and returned at 10:04am.

**8 NGĀ TEPUTEIHANA | DEPUTATIONS**

Item - 8.1 Voices of the Future – The Generation Chair - was moved to another part of the minutes.

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

- (a) No leaves of absence were requested at this meeting.
- (b) The Chair was not advised of any matters of an urgent nature prior to the commencement of the meeting.

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

There was no mayor's report presented at this meeting.

**11 PŪRONGO | REPORTS**

**11.1 2020 - 23 ECONOMIC DEVELOPMENT STRATEGY & NEW OPERATING MODEL**

Kris Pervan, Group Manager Strategy & Growth, introduced the report. Neil Mackay of the Economic Development Kotahitanga Board introduced entrepreneur Jan Thornborough of Outfox Ltd who discussed the challenges of building a technology start-up in Kāpiti Coast. Blair Harley of Dark Horse Coffee spoke to the development of the food and beverage sector in Kāpiti Coast and other industries with the potential for growth. Steph Russell of Big Mac Slabs discussed the effectiveness of business hubs. Danny Reilly of Universal College of Learning (UCOL) spoke to the value of education clusters. Neil Mackay and Kris Pervan answered questions from members.

**RESOLUTION CO2024/116**

Moved: Cr Liz Koh

Seconder: Cr Martin Halliday

That Council:

- A. Acknowledges the progress made on the implementation of the 2020-2023 Kāpiti Coast Economic Development Strategy.
- B. Approves in principle the proposed new operating model for the Economic Development Kotahitanga Board comprising a Charitable Trust and General-Purpose Vehicle.
- C. Notes that detailed documentation including the Trust Deed, and relationship management framework which will set out the connection between Council and the new entity, and expectations for the new entity will be provided to Council for input and

Page 2

## COUNCIL MEETING MINUTES

29 AUGUST 2024

finalisation before the end of 2024.

For: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Crs Martin Halliday, Sophie Handford, Rob Kofoed, Liz Koh, Jocelyn Prvanov, Kathy Spiers and Shelly Warwick

Against: Crs Glen Cooper and Nigel Wilson

**CARRIED 9/2**

The meeting adjourned at 11:39am and resumed at 11:52am.

Deputy Mayor Kirby returned to the meeting following the adjournment at 11:55am.

## 11.2 ŌTAKI POOL MASTERPLAN

Mike Richardson, Programme Delivery Manager Community Facilities, took the report as read and alongside Sean Mallon, Group Manager Infrastructure and Asset Management, answered questions from members.

### RESOLUTION CO2024/117

Moved: Cr Shelly Warwick

Seconder: Cr Liz Koh

That Council:

- A. Approves proceeding with Option 3 of the masterplan concept options for Ōtaki Pool.
- B. Notes the delay to the start of construction to 2027/2028 as per the Long-term Plan 2024-34.

**CARRIED**

## 11.3 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS

Anna Smith, Acting Manager Governance, took the report as read. Sean Mallon, Group Manager Infrastructure and Asset Management, spoke to the feasibility of implementing the recommendations from the Ōtaki Community Board and answered questions from members. Cam Butler, Chair of Ōtaki Community Board, provided further context to these recommendations.

### RESOLUTION CO2024/118

Moved: Cr Shelly Warwick

Seconder: Cr Rob Kofoed

- A. That Council **receives** this report.
- B. That Council **notes** the two recommendations from the Ōtaki Community Board meeting of 23 July 2024:
  - B.1 That the Ōtaki Community Board recommends to Council to explore the feasibility of a bylaw for limiting non-industrial vehicle access to the industrial roads off Riverbank Rd, Ōtaki.
  - B.2 That the Ōtaki Community Board support the residents of Sue Ave and Moy Place and request that Council retain the current legal status of Lot 72 Moy Place as Reserve in the event that Council is asked to make a decision on the status of this land.
- C. That Council **requests** staff investigate the feasibility of developing and implementing a bylaw that limits non-industrial vehicle access outside of typical industrial operating hours for businesses off Riverbank Rd, Ōtaki and reports back to Council on the results of the

## COUNCIL MEETING MINUTES

29 AUGUST 2024

investigation.

- D. That Council **notes** that a report on progressing the road dedication Lot 72 Moy Place will be brought to Council for consideration in October 2024.

**CARRIED**

Cr Cooper left the meeting at 12:37pm and returned at 12:39pm.

#### 11.4 REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND SUBCOMMITTEES

Anna Smith, Acting Manager Governance, introduced the report and Brendan Owens, Group Manager Customer and Community provided context. Ms Smith and Mr Owens answered questions from members.

##### RESOLUTION CO2024/119

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Sophie Handford

- A. That Council receives this report.
- B. That Council notes the following recommendation received from the Social Sustainability Subcommittee meeting of 1 August 2024:
  - B.1 That the Social Sustainability Subcommittee:
    - Receives and endorses the recommendation from the Older Persons' Council:
    - That the Older Persons' Council recommend to Council to implement the Maclean Park upgrade addition "to create an older persons' recreation area to provide opportunities for senior members of the community to meet up, improve fitness, and to support intergenerational families who visit the park together".
- C. That Council notes that there is ongoing collaboration between the Connected Communities and Parks Team with the Older Persons' Council on how best to provide and activate an older persons' recreation area in Maclean Park.

**CARRIED**

#### 12 TE WHAKAU | NGĀ ĀMIKI | CONFIRMATION OF MINUTES

##### 12.1 CONFIRMATION OF MINUTES

##### RESOLUTION CO2024/120

Moved: Cr Nigel Wilson

Seconder: Cr Martin Halliday

- A. That the minutes of the Council meeting of 20 June 2024 be accepted as a true and correct record.
- B. That the minutes of the Council meeting of 25 July 2024 be accepted as a true and correct record.
- C. That the minutes of the Council meeting of 30 July 2024 be accepted as a true and correct record.
- D. That the minutes of the Council meeting of 6 August 2024 be accepted as a true and correct record.

Page 4

## COUNCIL MEETING MINUTES

29 AUGUST 2024

CARRIED

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

**14 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS  
RESOLUTION TO EXCLUDE THE PUBLIC**

**PUBLIC EXCLUDED RESOLUTION CO2024/121**

Moved: Cr Sophie Handford

Seconder: Cr Liz Koh

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
<b>13.1 - Confirmation of Public Excluded Minutes</b>	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>14.1 - Paekākāriki Seawall</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	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

Page 5

## COUNCIL MEETING MINUTES

29 AUGUST 2024

	industrial negotiations)	withholding would exist under section 6 or section 7
<b>CARRIED</b>		

The Kaunihera | Council meeting went into public excluded session at 12:40pm.

**RESOLUTION CO2024/124**

Moved: Cr Sophie Handford

Seconder: Cr Nigel Wilson

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

**CARRIED**

The Kaunihera | Council came out of public excluded session at 1:04pm.

The Mayor closed the meeting with karakia.

**The Kaunihera | Council meeting closed with at 1:05pm.**

.....  
**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>	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>13.1 - Stream and Open Channel Urban Network Maintenance Contract</b>	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	<p>Section 7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	
<b>13.2 - Amohia Stormwater Improvement Project Stage 1 Including Amohia/Kapiti Road Sliplane</b>	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>13.3 - 2024-C403 Chipsealing Contract</b>	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

## 14 CLOSING KARAKIA

Kia tau ngā manaakitanga ki runga i a  
tātou katoa,

Kia hua ai te mākihikihi, e kī ana

Kia toi te kupu

Kia toi te reo

Kia toi te wairua

Kia tau te mauri

Ki roto i a mātou mahi katoa i tēnei rā

Haumi e! Hui e! Taiki e!

*May blessings be upon us all,*

*And our business be successful.*

*So that our words endure,*

*And our language endures,*

*May the spirit be strong,*

*May mauri be settled and in balance,*

*Among the activities we will do today*

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