



RĀRANGI TAKE AGENDA

Hui Kaunihera | Council Meeting

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

Te Rā | Date: Thursday, 31 October 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 31 October 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.....	6
6.1	Proposed Dangerous, Affected, and Insanitary Buildings Policy Submissions Hearing	6
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	7
8	Ngā Take a ngā Mema Members' Business	7
9	Te Pūrongo a te Koromatua Mayor's Report.....	8
9.1	Mayoral Activities - 10 May to 23 October 2024	8
10	Pūrongo Reports.....	13
10.1	Adoption of the Annual Report and Summary Annual Report for 2023/2024	13
10.2	Representation Review 2024 - Final Proposal.....	44
10.3	Waikanae Property Fund.....	160
10.4	Reports and Recommendations from Community Boards	165
10.5	Amendments to Council Delegations to Staff	169
10.6	Proposed Road Stopping and Taking Plan - Waterfall Road, Paraparaumu	192
10.7	Notice of Motion - Coastal Hazard Risk Assessment for the Kapiti Coast Report	199
11	Te Whakaū i ngā Āmiki Confirmation of Minutes	200
11.1	Confirmation of Minutes	200
12	Te Whakaūnga o Ngā Āmiki Kāore e Wātea ki te Marea Confirmation of Public Excluded Minutes	209
13	Purongo Kāore e Wātea ki te Marea Public Excluded Reports.....	209
	Resolution to Exclude the Public	209
12.1	Confirmation of Minutes	209
14	Karakia Whakamutunga Closing Karakia.....	210

1 NAU MAI | WELCOME

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

I a mātou e whiriwhiri ana i ngā take kei mua i ō mātou aroaro *As we deliberate on the issues before us,*

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

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

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

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

3 WHAKAPĀHA | APOLOGIES

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

Notification from Elected Members of:

4.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

4.2 – any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

Nil

6 NGĀ WHAKAWĀ | HEARINGS**6.1 PROPOSED DANGEROUS, AFFECTED, AND INSANITARY BUILDINGS POLICY SUBMISSIONS HEARING****TE PŪTAKE | PURPOSE**

- 1 This hearing is for Council to hear from those who made submissions on the Proposed Dangerous, Affected, and Insanitary Buildings Policy during the public consultation period over September and October.

**7 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI
TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA**

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) Leave of Absence
- (b) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

9 TE PŪRONGO A TE KOROMATUA | MAYOR'S REPORT**9.1 MAYORAL ACTIVITIES - 10 MAY TO 23 OCTOBER 2024**

Author: Mayor Janet Holborow

TE PŪTAKE | PURPOSE

- 1 To provide an overview of activities undertaken by the Mayor from 10 May 2024 to 23 October 2024.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Mayoral Activities - 10 May to 23 October 2024 [↓](#)

MAYORAL ACTIVITIES 10 May – 21 October 2024

May

- Attended the Wellington Region Mayoral Forum: 10 May
- Attended the Advisory Oversight Group: 10 May
- Attended Toi Mahara: Adrienne Riseley floor talk: 12 May
- Regular catch up with MP Tim Costley, Darren Edwards and Deputy Mayor Lawrence Kirby: 10 May
- Attended 'PRIMA FACIE' reception and performance: 10 May
- Attended hui with Roger Blakeley – Wellington Heritage Festival: 13 May
- Attended the Pasifika Graduation Celebration: 13 May
- Spoke at the Disabilities Awareness Course: 14 May
- Met with Hayden Brodie – Department of Corrections: 15 May
- Attended and spoke at the Gifting of Name for the new Waikanae Library: 15 May
- Visit to Nga Manu with Darren Ponter & Councillor Rob Kofoed: 17 May
- Collected for Mary Potter Hospice Street Appeal: 18 May
- Regular catch up with NZ Police Kāpiti/Mana: 22 May
- Attended the Digital Seniors Paraparaumu Launch: 23 May
- Attended and performed at Sir Jon Trimmer Fundraiser: 24 May
- Attended Coasters Musical Theatre: 26 May
- Presented Royal Humane Society Medals to three officers: 30 May

June

- Visit to Music Group Kāpiti: 5 June
- Attended the Beehive to Business Breakfast: 6 June
- Attended the Te Ara Korowai Exhibition: 6 June
- Visit to Day Hospital Medical Centre: 7 June
- Attended the Kāpiti Choral Concert: 9 June
- Attended monthly Mayoral Taskforce for Jobs update: 11 June
- Attended, spoke, and presented Certificates at the Disabilities Awareness Course: 11 June
- Attended the LGNZ Infrastructure Symposium: 14 June
- Regular catch up with Barbara Edmonds: 17 June
- Quarterly Catch up with Greater Wellington: 17 June
- Attended the National Volunteer Week at Kāpiti Cottage: 19 June
- Attended the Pop-in Vison Kāpiti Engagements session: 19 June
- Regular catch up with MP Tim Costley, Darren Edwards and Deputy Mayor Lawrence Kirby: 21 June
- Standard & Poor's Annual Visit: 21 June

- Attended and preformed - Kāpiti Celebs – Concert to the memory of Sir Jon Trimmer: 22 June
- Attended the Paekākāriki Surf Lifeguards AGM: 23 June
- Attended Te Hokinga Mai – Maramataka 2024-2025 Launch: 24 June
- Visited and spoke at the U3A Kaleidoscope group: 24 June
- Attended the 248th Anniversary of the Independence of USA: 25 June
- Attended Toi Mahara – Matariki weekend: Panel talk with John Baxter, Gary Freemantle and Mark Amery: 29 June
- Attended the closing ceremony of the Ōtaki Pottery Club: 30 June
- Attended Matariki Street Party, Paekākāriki: 30 June

July

- Met with the Goods Sorts Judging Panel to review nominations: 1 July
- Attended and spoke at the Electra Business Breakfast: 3 July
- Hosted the Electra Business & Innovation Kāpiti Entrants Event: 3 July
- Attended monthly Mayoral Taskforce for Jobs update: 4 July
- Attended Book Launch: Power to Win - The Living Wage Movement by Lyndy McIntyre: 4 July
- Attended the Advisory Oversight Group Wellington Regional Water: 5 July
- Attended Guru of Chai in Kāpiti: 6 July
- Mayor Janet Holborow on leave from 8 – 19 July
- Met Tracey Bridges – Chair of WellingtonNZ 22 July
- Attended Regional Transport Committee 23 July
- Regular catch up with NZ Police Kāpiti/Mana: 24 July
- Regular catch up with Hamish Campbell – ZEAL 24 July
- Attended the celebrations of Ōtaki Playcentre turns 70: 27 July
- Regular catch up with Barbara Edmonds: 29 July
- Attended and spoke at Youth Council's ThinkBig Ceremony: 29 July
- Attended the Ōtaki Symposium: 31 July

August

- Guest speaker at the Kāpiti Rotary Dinner: 1 August
- Regular catch up with MP Tim Costley: 2 August
- Attended and spoke at the Electra Business Breakfast: 7 August
- Met with Ngātiawa Tai Kāpiti: 8 August
- Hosted the Zone 4 Hui: 9 August
- Attended the Advisory Oversight Group – Wellington Regional Water: 9 August
- Attended Multi-Fest 2024: 10 August
- Met with Kainga Ora in Ōtaki: 12 August
- Attended the Mini Golf Event: 13 August
- Attended and spoke at the Wellington Regional Waste Forum: 16 August
- Attended the LGNZ Super Local Annual Conference: 21 – 23 August
- Attended the Simpson Grierson Dinner: part of the LGNZ conference

- Attended the Wellington Gold Award Celebration and Dinner: 22 August
- Attended the Fulton Hogan Premier Gala Dinner: part of the LGNZ Conference
- Hosted the August Citizenship Ceremony: 27 August
- Attended WellingtonNZ August meeting: 28 August
- Attended and presented at the Kāpiti Good Sorts and Wellington Airport Awards 28 August
- Attended and spoke at the opening exhibition – Groundtruth: 30 August

September

- Attended and spoke at the unveiling of the heritage transport sign at Paraparaumu Railway Station: 2 September
- Site visit to Ōtaki Lakes: 2 September
- Attended the celebration of climate action grant recipients: 2 September
- Attended Mayoral Forum 3 September
- Attended Civil Defence Emergency Management hui: 3 September
- Attended Electra Business Breakfast: 4 September
- Attended and spoke at the Otaihangā Zero Waste: 4 September
- Hosted a Thank you afternoon tea for the panel members of CAP: 4 September
- Attended and spoke at the Mowbray Collectables 50th anniversary: 6 September
- Attended Ōtaki/Kāpiti Principals Association Hui: 6 September
- Attended Gold Star Celebration Waikanae Volunteer Fire Brigade 7 September
- Attended Lunch with High Commissioner H.E. Ms. Netta Bhushan 9 September
- Attended Receiving of Te Whaitua o Kāpiti Implementation Programme: 10 September
- Attended A Taste of Horowhenua and Kāpiti 10 September
- Regular meeting with Chamber of Commerce: 11 September
- Ōtaki Reservoir Visit: 17 September
- Attended the Community Centre farewell morning tea: 18 September
- Attended 67th National Day Malaysia Day and Armed Forces Day 18 September
- Attended and spoke at the Art Trail Artists Event: 23 September
- Attended WellingtonNZ SLT hui: 25 September
- Attended Parihaka – fundraising perform for Karl Farrell 25 September
- Attended Wellbeing – Mental Fitness session: 25 September
- Attended WellingtonNZ Mini Board Meeting: 26 September
- Attended WOW awards night 27 September
- Attended LGNZ Focus Group: 30 September

October

- Attended Kāpiti Kiwis Network Group – new storage cupboard 2 October
- Attended Screen Wellington | Made in Wellington: 2 October
- Attended Campbell Park Festival: 5 October
- Met Keltie Wesling from Kaibosh: 7 October

- Attended and spoke at Keep Kenepura Afterhours service hui 9 October
- Met Stuart Taylor from WellingtonNZ: 10 October
- Attended and presented at the Electra Business & Innovation Awards 10 October
- Attended and celebrated Life Member Bert ten Broeke (Amicus Club Ōtaki) 100th birthday 14 October
- Site visit at Waikanae Golf Course – Tony Lester: 14 October
- Attended Women in Business 2024 launch 15 October
- Attended the celebration of 75 years of IHC 16 October
- Attended the Wellington Heritage Festival opening event 21 October

10 PŪRONGO | REPORTS

10.1 ADOPTION OF THE ANNUAL REPORT AND SUMMARY ANNUAL REPORT FOR 2023/2024

Kaituhi | Author: **Sheryl Gavin, Principal Advisor Corporate Services**

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

TE PŪTAKE | PURPOSE

- 1 This report seeks adoption of the audited Annual Report and Summary Annual Report for the year ended 30 June 2024.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 This report does not require an executive summary.

TE TUKU HAEPAPA | DELEGATION

- 3 Council has delegated authority to consider this report under the Governance Structure, Section A2 Council and Mayoral Powers which includes adopting an Annual Report

TAUNAKITANGA | RECOMMENDATIONS

- A. **That Council adopts** the Annual Report and the Summary Annual Report for the year ended 30 June 2024 attached as Appendix 1 and 2 to this report; and
- B. **That Council delegates** to the Mayor and the Chief Executive authority to approve minor editorial changes as required by Council and/or Council's auditors, Ernst & Young (if any), to the Annual Report and Summary Annual Report for the year ended 30 June 2024, prior to its publication.

TŪĀPAPA | BACKGROUND

- 4 Council is required under the Local Government Act 2002 to adopt an audited Annual Report and audited Summary Annual Report for the preceding financial year ending on 30 June no later than 31 October.
- 5 Drafts of the Annual Report and Summary Annual Report were provided to the Risk and Assurance Committee for endorsement on 15 October 2024. After due consideration and agreed edits and additions, the Committee now recommends these reports be adopted by the Council.

HE KŌRERORERO | DISCUSSION

- 6 The Annual Report compares the financial and non-financial performance of Council with the performance forecast in the 2023/24 Annual Plan.

Financial performance

- 7 A non-cash operating surplus of \$85.2 million was recorded for 2023/24, including \$82 million non-cash revenue from the vesting of Old State Highway One roading assets.
- 8 Council's net value on 30 June 2024 was \$2.05 billion, with assets valued at \$2.4 billion.
- 9 Capital spend for the 2023/24 financial year was \$81.7 million, \$20.1 million higher than the previous year, demonstrating the steady increase in recent years as we invested for growth and resilience.

- 10 Net debt (total borrowings less term deposits, borrower notes, and cash) on 30 June 2024 was \$244.6 million, representing 215 percent of operating income against the upper limit of 280 percent and preferred limit of 250 percent set out in the financial strategy.
- 11 Council retained its S&P Global AA credit rating. The rating again comes with a 'negative outlook', driven by rising infrastructure costs and responsibilities, and uncertainty about central government water reform policy. The negative outlook has no financial consequences on our borrowing costs.
- 12 The Disclosure Statement for the year ending 30 June 2024 presents Council's financial performance in relation to eight prudence benchmarks set by the Department of Internal Affairs to enable assessment of whether Council is prudently managing its revenue, expenses, assets, liabilities, and general financial dealings. Council met six of the benchmarks.

Non-financial service performance

- 13 79 percent of service performance targets were achieved. This is an improvement of 3 percent on the 76 percent achieved in 2022/23.
- 14 Residents' satisfaction with Council's performance was recorded at 63 percent, a slight decrease of 1 percent from the 64 percent achieved in 2022/23. The result is calculated using the results of quarterly Residents Opinion Surveys gathering feedback from a total of 800 residents (considered to be a statistically valid sample size) throughout the year.

Amendments following Risk and Assurance Committee meeting 15 October 2024

- 15 Following the Risk and Assurance Committee meeting a range of requested minor wording changes and error corrections were applied. In addition, it was agreed to extend the Governance section to include Councillors and Appointed Members attendance at Council and committee/subcommittee meetings. The added material can be found on pages 169-171.

He take | Issues

- 16 There are no issues arising in addition to those already highlighted in this report and attachments.
- 17 Subject to adoption by Council, the Annual Report and Summary Annual Report for the year ended 30 June 2023 will receive an unqualified (clean) audit opinion from Council's auditors, Ernst & Young, on behalf of the Office of the Auditor General (OAG).

Ngā kōwhiringa | Options

- 18 There are no options arising from this report.

Tangata whenua

- 19 The Iwi Partnerships Group coordinated the development of the Mihimihi greeting with iwi. The tangata whenua and governance activities in the report describe progress against key pieces of work for the year and progress against performance measures.

Panonitanga āhuarangi | Climate change

- 20 The Annual Report provides an update on progress towards reducing carbon emissions and coastal adaptation.

Ahumoni me ngā rawa | Financial and resourcing

- 21 There are no financial and resourcing considerations to note in addition to the information included in the Annual Report and Summary Annual Report.

Ture me ngā Tūraru | Legal and risk

- 22 The report has been prepared in accordance with the Local Government Act 2002 and all relevant financial reporting and accounting standards.

- 23 The Council is required under the Local Government Act 2002 to adopt an audited Annual Report and audited Summary Annual Report on or before the 31 October, for the preceding financial year ending on 30 June.

Ngā pānga ki ngā kaupapa here | Policy impact

- 24 There are no policy considerations arising from this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 25 The Annual Report and Summary Annual Report have a low level of significance under the Council's Significance and Engagement Policy and do not require community engagement.

Whakatairanga | Publicity

- 26 Following Council adoption, the Annual Report and Summary Annual Report will be published on the Council website, and physical copies will be available at Council service centres and libraries within two weeks.
- 27 A media release will be issued

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Annual Report for 2023/2024 (under separate cover) [⇒](#)
2. Summary Annual Report for 2023/2024 [↓](#)



Introduction



Mayor and Chief Executive message



Mayor of the Kāpiti Coast District, Janet Holborow (left) and Chief Executive of the Kāpiti Coast District Council, Darren Edwards (right).

**Paiahahā! Tēnā rawa atu koutou,
te hapori o Kāpiti. Nau mai! Nau mai!
Arohia ki tō tatou rautaki ā tau 2023/24.
Welcome to the Kāpiti Coast District
Council's Annual Report for 2023/24.**

This is the third and final Annual Report assessing our progress against the Kāpiti Coast District Council's Long-term Plan (LTP) for 2021–2041.

It provides a snapshot of how we performed in meeting the goals we set out in the plan, including financial management, delivery of core services, and implementation of initiatives designed to enhance and futureproof the district. Throughout, we've aimed to strike a balance between affordability and resilience to support future growth.

Over the past year we developed our LTP for 2024–2034, and it was no easy task balancing a high-cost economy with keeping rates rises as conservative as possible. We don't think we're there yet; more hard decisions will come in the next several years as we look for opportunities to contain costs to enable single-figure rates increases and reduce debt levels, all while continuing to deal with the challenges of growth, climate change, and changes of direction from central government.

Despite a challenging year, we achieved 79 percent of our non-financial performance measures, a slightly better result from the 76 percent recorded in 2022/23. Although the residents' opinion survey recorded a result similar to last year (one percent down), the 800 residents surveyed throughout the year told us we can do better in a few specific areas, such as traffic flow, and road and footpath conditions. Our performance in these areas is improving over time, but we know we've got more work to do.

Our financial performance during the year was sound, and capital expenditure of \$81 million continued the steady increase of recent years as we invested for growth and resilience. Good news too was our AA credit rating being reaffirmed by S&P Global. The rating again comes with a 'negative outlook', driven by rising infrastructure costs and responsibilities, and uncertainty about central government water reform policy. However, retaining our AA credit rating, especially when other councils faced downgrades, reaffirms that we have the right plans and strategies in place.

Now let's talk about some of the big wins from the past year

Despite some abrupt about-turns from central government on the Three Waters and other reform programmes, and a busy year developing our new LTP, we've got plenty to be proud of.

Earlier this year we agreed to establish an Affordable Housing Trust to partner with Council, iwi and other organisations to deliver social and affordable housing in Kāpiti.

We continued a substantial programme of work to develop operating strategies for climate change and resilience, and environment and health.

We also made really good progress on several large infrastructure projects as part of our capital works programme:

- A \$24.5 million investment in infrastructure improvements in Ōtaki was completed as part of a larger project to build resilience in our communities, with earthworks for the first of two reservoirs starting in October 2023. At year end, construction of the tank was well underway, and the main pipeline was installed. We also completed the upgrade of the Paraparaumu stormwater network, which involved the installation of almost 900 metres of pipes to reduce flooding in the Amohia and Ruahine Street catchment areas, and help prepare our district to live with more water due to climate change.



Ōtaki Reservoir.



The Paraparaumu stormwater network is now completed.

- We progressed the 30-month \$22 million upgrade to increase earthquake resilience and replace aging equipment at the Waikanae water treatment plant. Earthworks began in February, and we've almost completed excavating for the new clarifier.

- In transport, the plaza areas of the new Paraparaumu transport hub opened to the public in April. The hub is a vibrant space that increases accessibility and safety for users of our public transport system. It was fully operational in August, when the bus shelters, in partnership with Greater Wellington, were completed.
- In the community facilities space, Council committed to the refurbishment and extension of Te Ara Whetū (the former Waikanae library building) to transform it into a multifunctional library and community hub. This came after a lot of debate and discussion with our community. The new Toi MAHARA gallery, which opened in October 2023, has doubled the district's number of exhibition galleries and almost trebled the exhibition space. A new skate park is also well underway at Maclean Park in consultation with users of the previous one. As part of the upgrade, we installed 10 new wharepaku (toilets) and accessible changing rooms adorned with designs from a local artist were also installed at the park.

- In June 2024 we saw the opening of the Otaihangā Zero Waste Hub to receive reusable building materials that would otherwise go to landfill. This is a huge boon for both the community and our ongoing waste minimisation and resource recovery efforts.

As we develop this annual report we're also reminded of the importance of ensuring the voices of our communities are heard, with the Raumati Community Board winning the Engaging with Communities award at the recent Local Government Community Board conference, celebrating the importance of community-driven change for current and future generations.

On that note, it's been a big year of consulting with our communities. Throughout the year we sought your thoughts on a wide range of topics, from conversations through our Vision Kāpiti work on the long-term future development of our district, to how you want to be represented by your Council and the establishment of a Māori ward. We also asked for your feedback on various operational and regulatory matters. Your contributions have been invaluable, and we sincerely appreciate how your feedback has helped to shape our district. Our people are a huge part of what makes Kāpiti a place to be proud of – proof of that is the 329 new citizens we welcomed to our district over six citizenship ceremonies held during the year.

Finally, we want to acknowledge the community groups and volunteers who contribute to the vibrancy and health of our district. This of course includes those recognised at the Good Sorts and Wellington Regional Airport Community Awards.



A new skate park is well underway at Maclean Park.



New wharepaku (toilets) and accessible changing rooms adorned with designs from a local artist were installed at Maclean Park.

We've accomplished so much this year, even with the challenges we faced, and we couldn't have done it without you – our community. Your input has been crucial as we navigated some tough decisions and worked on projects that continue to make Kāpiti a fantastic place to call home.

Toitū te whenua, toitū te wai, toitū te tāngata – toitū Kāpiti.

Janet Holborow
Mayor

Darren Edwards
Chief Executive



Waikanae water treatment plant upgrade.

WE'VE HAD A BIG YEAR

18,063 service requests received

27,410 front counter customers welcomed

Over 42,000 customer calls answered

Approximately 1,000 voicemails responded to

15,697 e-mail and website submissions received

45.2 kilometres of open waterways cleaned

5.7 kilometres of local roads re-sealed

2.5 kilometres of new footpaths constructed

6,290,000 m3 of treated potable water delivered to households

48 new or upgraded street lights across the District

4,150,000 m3 of wastewater treated at Paraparaumu and Ōtaki treatment plants

Registered 8,433 dogs

331,974 visits to our libraries

13,500 visitors to the Kāpiti Coast Art Trail

Hosted approximately 2000 people at both 'Movies in the Park' and the December 'Christmas Parade'

20,000 plants, shrubs and trees planted

6,210 hours weed eating, 10,770 hours on mowers and tractors, 1,749 hours using leaf blowers, and 78 hours operating chainsaws

330,364 visitors to our aquatics centres

[More about what we delivered can be found in Section 3.](#)



Dancers at the Toi Mahara Gallery opening, October 2023.

Mihimihi greetings from mana whenua

Whakakaupapa i te nohotahi, a Awa,
a Toa, a Raukawa
I heke mai i Kawhia ki te kawē tikanga
Hei ora mō nga uri o muri nei – Tau
mai e Kāpiti

The mana whenua Iwi of Kāpiti are Te Ātiawa, Ngāti Raukawa represented through Ngā Hapū o Ōtaki and Ngāti Toa Rangatira. Since the 1820's as we began to firmly establish ourselves in this rohe we have committed to working together. Through the years this relationship has endured, and our ART (Āti Awa, Toa, Raukawa) connections remain strong, working together to uphold the principles of Te Tiriti. United by our common goal to uplift our people, protect our environment, and continue to revitalise our reo me ngā tikanga. Our relationship with our Council partners is ever evolving as we take on new challenges together, working in the spirit of Kotahitanga. Although the pathway to success may be different for each of us, we are united by our common goal to be active kaitiaki in our rohe of Kāpiti.



Te moemoeā o te tangata whenua

The vision of tangata whenua

Te Harakeke, Te Kōrari
The flax plant, the flax flower

Ngā taonga whakarere iho
Treasures left down here

O te rangi. O te whenua. O ngā tūpuna
Of the sky. Of the land. Of the ancestors

Homai he oranga mō mātou
Give wellness to us all.

Tīhei Mauri Ora
Sneeze the breath of life

In developing the Long-term Plan 2021–41 (LTP), mana whenua of the district agreed to use Te Pā Harakeke (the flax bush) as a metaphor for their vision of the relationship between mana whenua and Kaunihera (the Council).

In the graphic representation used in the LTP, the roots of the Pā Harakeke are the principles and values agreed by iwi representatives and the councillors to guide our work together:

Kaitiakitanga – Guardianship. Sustaining the environment and people.

Ūkaipōtānga – Identity. Having a place where one belongs, where one counts, where one is important, and where one can contribute.

Whanaungatanga – Connectedness. A system of 'kinship', including rights and reciprocal obligations that underpin the social organisation of family, and community.

Pūkengatanga – Wisdom. Preserving, creating, teaching in building knowledge and understanding.

Manaakitanga – Support. Supporting each other through generosity, care, respect and reciprocity towards others.

Pā Harakeke is about protection of our most vulnerable, and collective strength. It fosters connection to the whenua (land) and to Papatūānuku (Earth Mother), as well as our connection to family (including extended family) and people – past, present and future.

Our principles and vision remain the same as we navigate another year working to establish the means to achieve our moemoeā (vision).

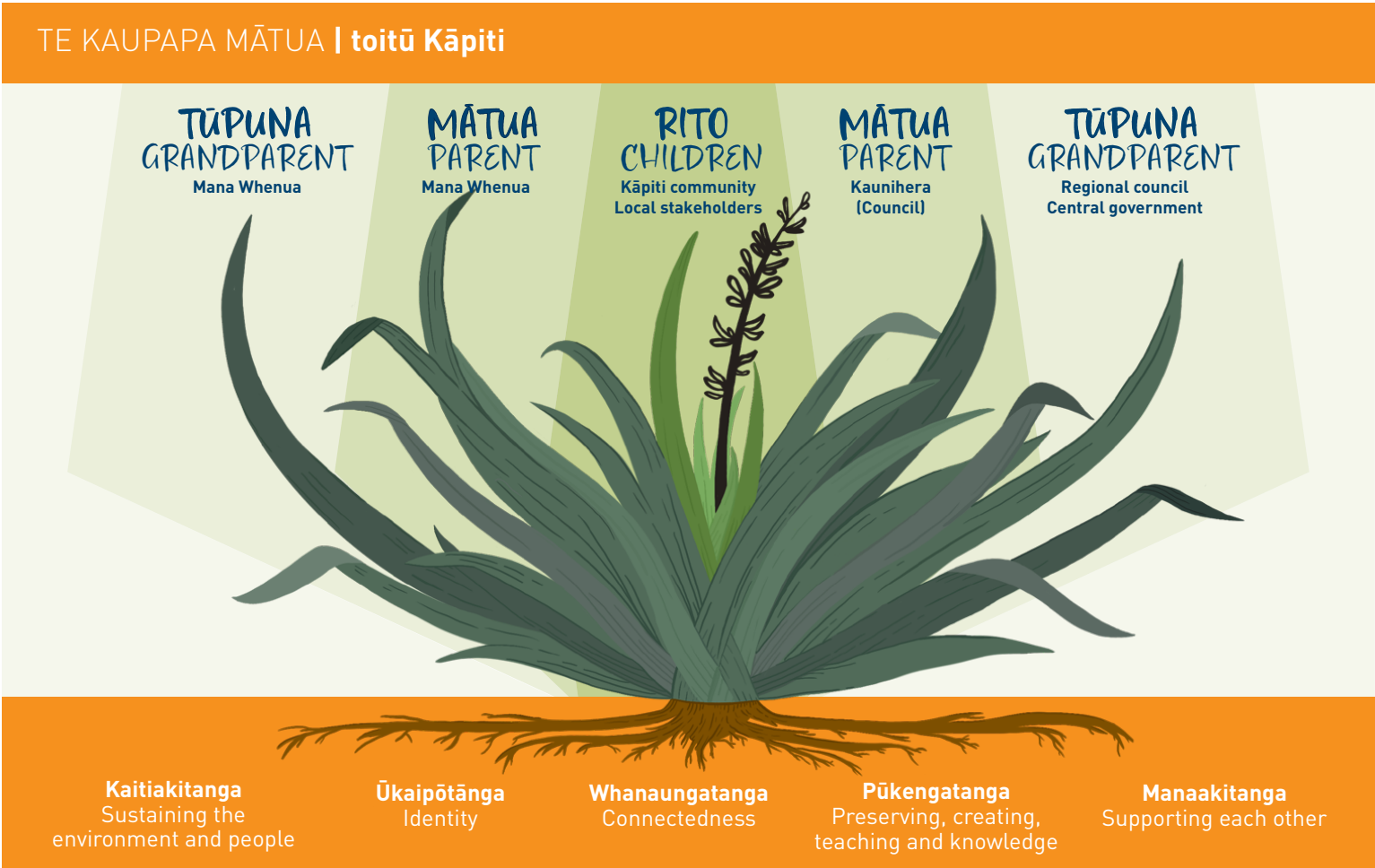
It has been a great year which has seen the elevation of the Iwi Partnerships function within Council to its own group – Honongā a-Iwi.

Mana whenua continue to be directly involved in governance through the Council and its committees – increasing capability within iwi and the Council. These developments reflect the mana-enhancing partnership we strive for.

There is still much to be done, but we are heading in the right direction, with the refresh and review of our Partnership Agreement being a priority.

Nāku noa nei

Kim Tahiwi
Kaihautu Te Whakaminenga o Kāpiti



Performance summary



Rugby League 'Have a go day' at Matthews Park, Raumati South.

Snapshot of the Council's performance for the year

Performance
summary

Financial
performance/position

\$85.2m

Operating surplus includes \$82 million non-cash revenue from vesting of Old State Highway One roading assets

\$87.6m

Actual rates revenue for the year

\$2.05b

Council net value as at 30 June 2024.

\$244.6m

Net debt at 30 June 2024

AA/A-1+

credit rating from S&P Global.

Capital projects

\$81.7m

Actual capital spend for the year

91%

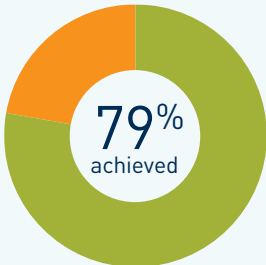
Capital expenditure budget spent



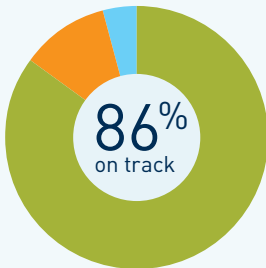
Top 10 Priorities

- 24 on track (86%)
- 3 progressing with delays (11%)
- 1 complete (4%)

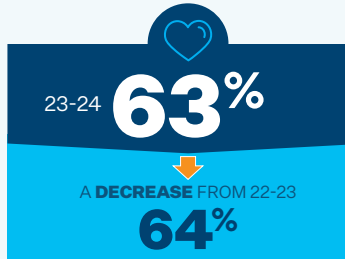
Service performance



- 67 achieved (79%)
 - 18 not achieved (21%)
- Out of 85 performance measures



Residents' satisfaction

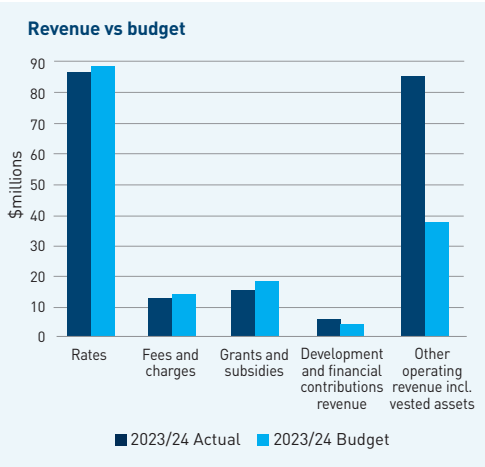


- Compared to the previous year:
- overall adjusted **satisfaction** ↓ 1 %
 - satisfaction with **value for money** ↓ 3%

Financial overview

Revenue for the year was
\$204.5 million

Total revenue was \$41.9 million above budget mainly due to Old State Highway One assets vested to Council of \$82 million, \$46 million higher than budgeted. Offsetting this, grants and subsidies were \$4.4 million lower than budget mainly due to the timing of Infrastructure Acceleration Fund subsidies being later than budgeted.



Total expenses for the year were
\$119.4 million

Operating expenses were \$2.7 million higher than budget mainly in the areas of personnel, maintenance, facility operations, and insurance. Interest expenses were \$0.4 million above budget with floating interest rates higher than budgeted during the year.

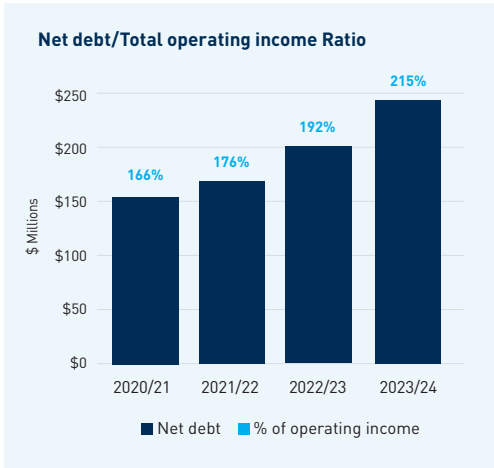
Operating surplus for the year was
\$85.2 million

The operating surplus was \$38.7 million more than budget. This is mainly due to higher than budgeted development contributions income, timing of income received for grants and subsidies, and assets being vested to Council. This does not represent a cash surplus.



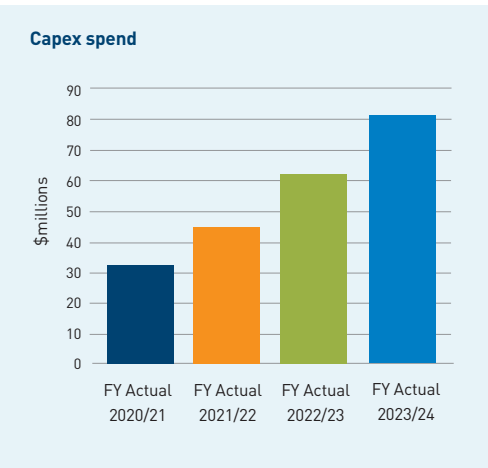
Net debt was
\$244.6 million
215 percent of operating income

Net debt (total borrowings less term deposits, borrower notes and cash) is well below the upper limit of 280 percent and preferred limit of 250 percent set out in the 2021–41 LTP.

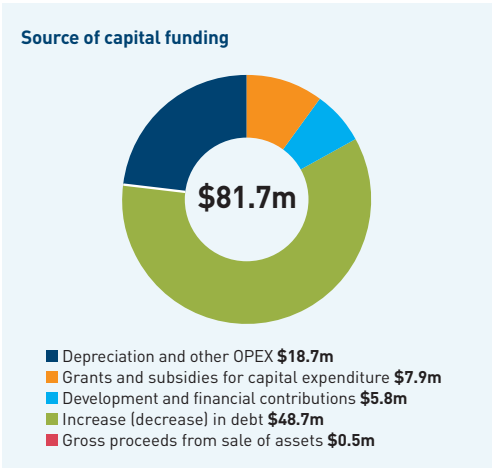


Capex spend this year was
\$81.7 million

Capital expenditure was \$81.7 million for the year, \$20.1 million higher than the previous year and continuing the increasing trend over the 2021–41 LTP period as Council has invested for growth and resilience.



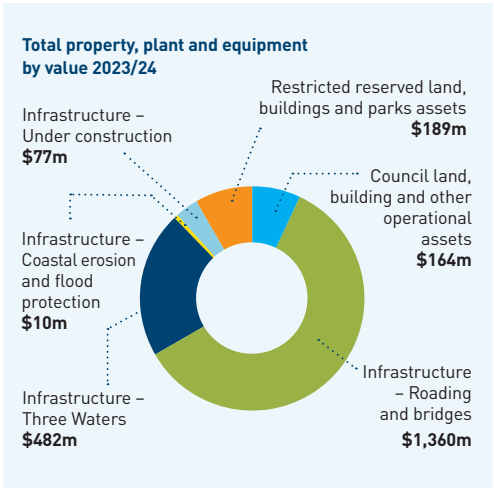
Capital expenditure was funded by a combination of debt, capital subsidies, development and financial contributions, and depreciation/operating funding.



Financial position

Council assets at 30 June 2024
\$2.4 billion

Property, plant and equipment value was \$231 million higher than budget due mainly to higher roading assets vested (\$46 million above budget), and asset revaluations at June 2023 and 2024 (\$170 million above budget).



Council liabilities at 30 June 2024
\$366 million

Gross borrowings of \$320 million made up 87 percent of the total liability, with the remainder mainly trade creditors.

Public equity at 30 June 2024
\$2.05 billion

Ratepayers' equity, the difference between total assets and liabilities, stood at \$2.05 billion, \$209 million more than budget, largely reflecting higher than budgeted revaluations and roading assets vested.

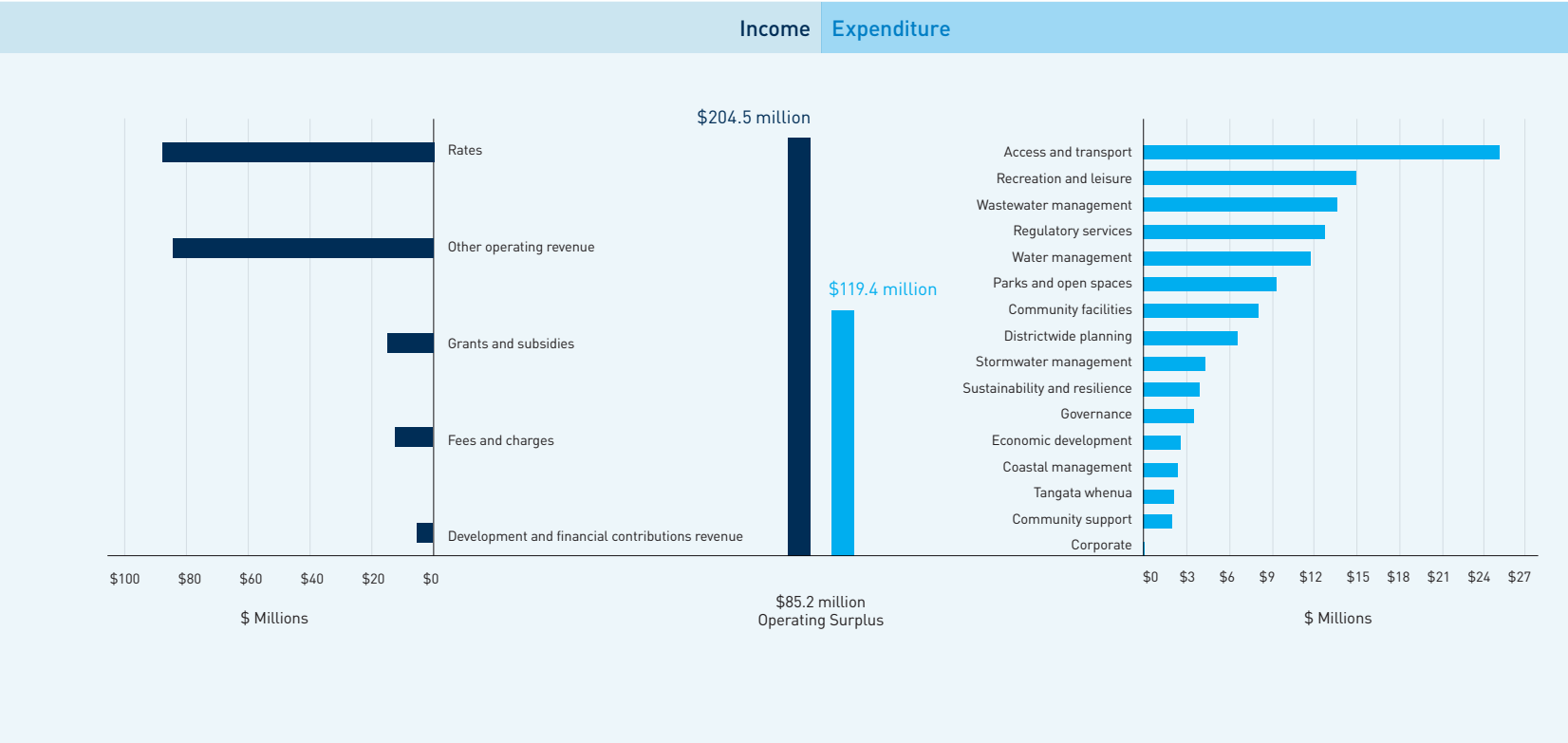
Unrealised loss on derivatives
\$3.7 million

An unrealised loss was recorded on derivatives, being our interest rate swap portfolio, which we use to fix interest rates on our debt. This occurred because floating interest rates are forecast to decrease, reducing the advantage our fixed rate swaps provide relative to market rates. Overall, however, our swap portfolio remains an asset and has helped to protect Council in the recent environment of relatively high interest rates.

Unrealised gain from revaluation of property, plant and equipment
\$62.1 million

Three waters, coastal and erosion assets were revalued during the year. Asset values have increased, driven by higher replacement costs.

Financial performance (\$ millions)



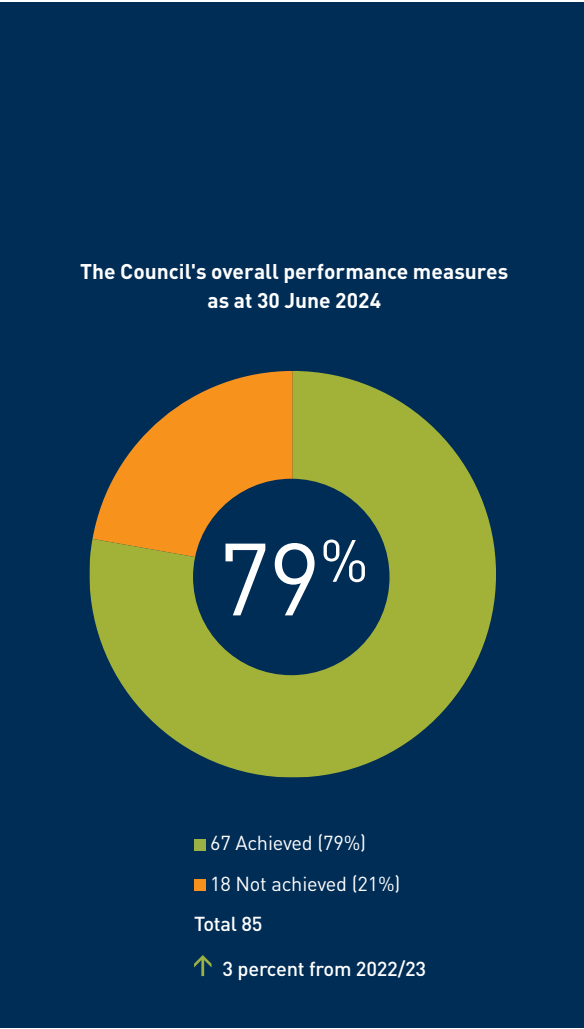
Performance summary

Service performance overview

Council achieved 79 percent of the 85 performance targets that support the delivery of levels of service.

This result is higher than the previous year where 76 percent of performance measures were achieved.

While the 2023/24 year has seen improved performance in some areas, opportunities to improve are apparent.



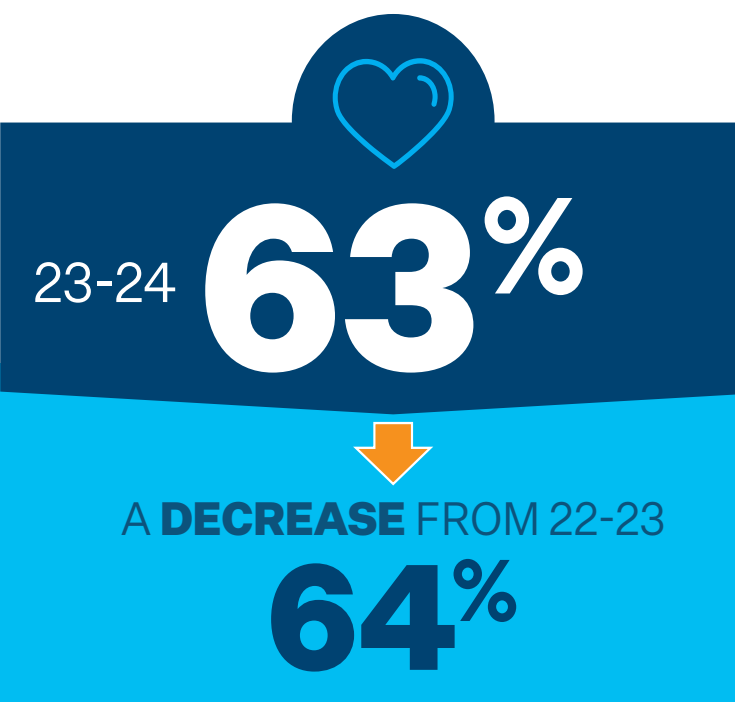
Performance summary			
<p>Community services performance measures as at 30 June 2024</p>  <p>■ 24 Achieved (100%) ■ 0 Not achieved (0%) Total 24 ↑ 17 percent from 2022/23</p>	<p>Partnerships performance measures as at 30 June 2024</p>  <p>■ 5 Achieved (50%) ■ 5 Not achieved (50%) Total 10 ↓ 10 percent from 2022/23</p>	<p>Planning and regulatory performance measures as at 30 June 2024</p>  <p>■ 3 Achieved (50%) ■ 3 Not achieved (50%) Total 6 No change from 2022/23</p>	<p>Corporate performance measures as at 30 June 2024</p>  <p>■ 1 Achieved (100%) ■ 0 Not achieved (0%) Total 1 No change from 2022/23</p>
Community Outcomes			
<ul style="list-style-type: none"> Our communities are resilient, safe, healthy, thriving and connected. Everyone has a sense of belonging and can access the resources and services they need. Our natural environment is restored and enhanced as we transition to a low-carbon future. Mana whenua and the Council have a mutually mana-enhancing partnership. 	<ul style="list-style-type: none"> Mana whenua and the Council have a mutually mana-enhancing partnership. Our local economy is prosperous with ample opportunities for people to work and learn in Kāpiti. 	<ul style="list-style-type: none"> People have access to suitable housing in Kāpiti so that they can live and thrive. Our communities are resilient, safe, healthy, thriving and connected. Everyone has a sense of belonging and can access the resources and services they need. Our natural environment is restored and enhanced as we transition to a low-carbon future. Mana whenua and the Council have a mutually mana-enhancing partnership. 	<ul style="list-style-type: none"> Corporate activity supports other Council activities to deliver against outcomes.

Performance summary | Service performance overview | 17

Residents' Opinion Survey results

Results that informed 2023/24 performance measures

Overall Satisfaction

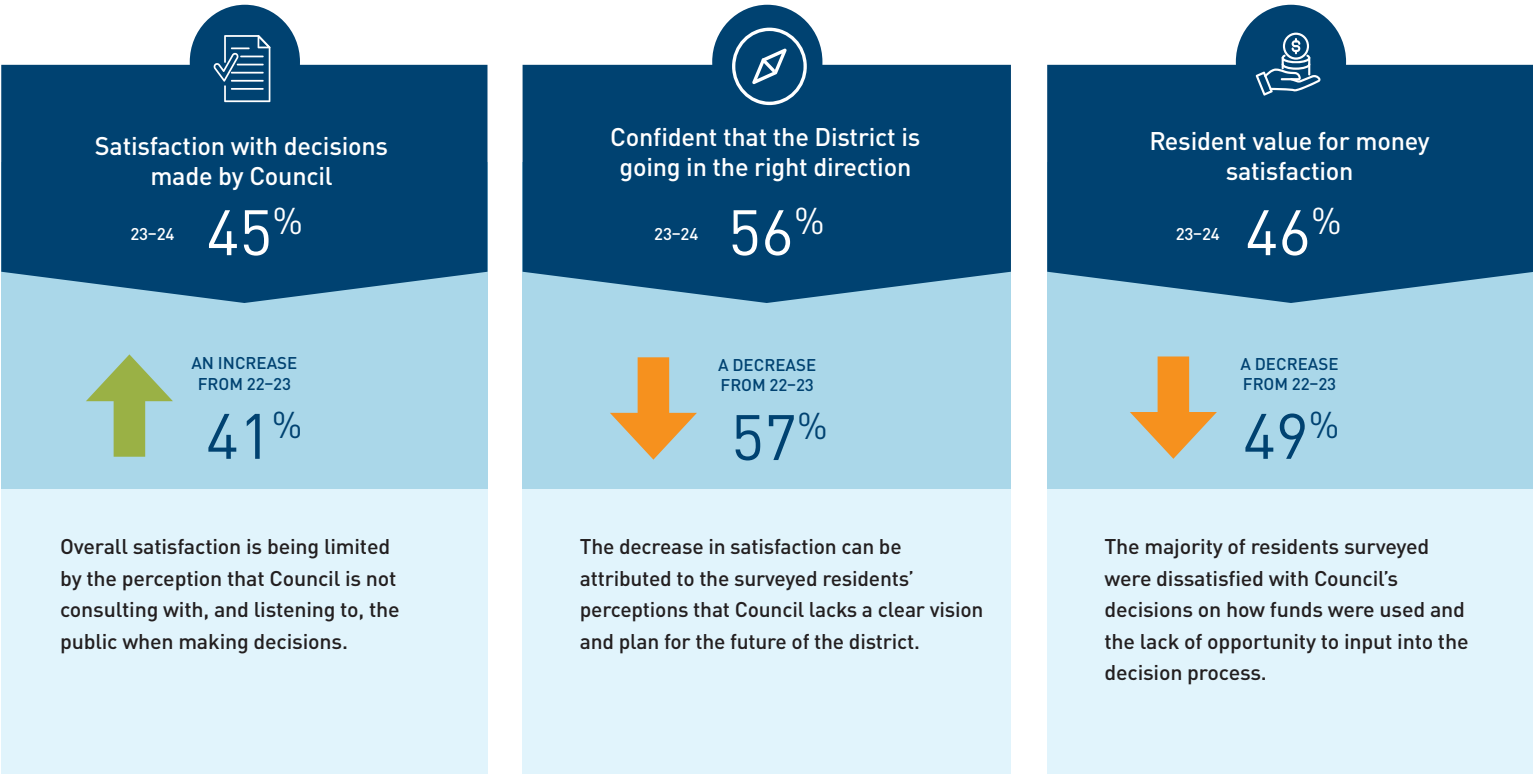


800 residents were surveyed during the year. This is considered to be a statistically valid sample size.

Drivers of change in satisfaction

Quarterly surveys throughout the year indicate that the below drivers have influenced opinions during 2023/24.

Improving these aspects may improve residents' perceptions of the Council and ultimately raise overall satisfaction with the Council.

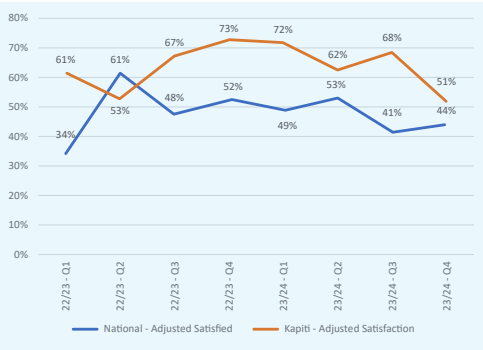


National comparisons¹

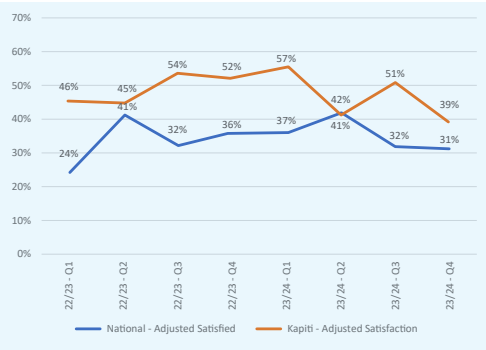
Overall satisfaction and value for money satisfaction in Kāpiti are trending higher than national satisfaction results measured by quarter.

However, whilst we are improving in these areas, we are still trending lower than the national average in terms of opportunities to have a say and information on decisions that may affect people, measured by quarter.

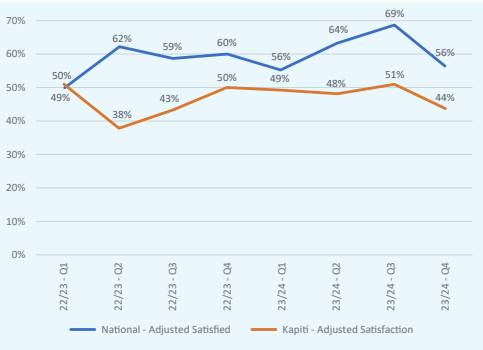
Adjusted satisfaction – Overall satisfaction



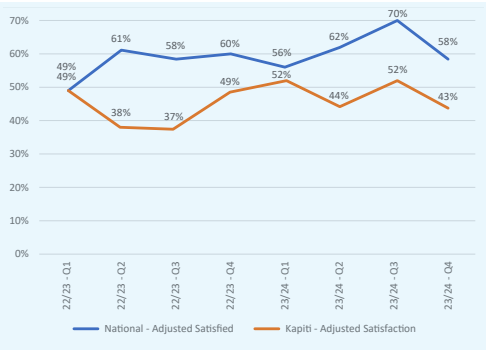
Adjusted satisfaction – Value for money



Adjusted satisfaction – Opportunities to have my say



Adjusted satisfaction – Information on decisions that affect your area



¹ Source: What is driving perceptions of Local Government? Research First, 2023.



Our finances

In this section we provide summary financial information required by law as part of the Annual Report.

It includes the summary financial statements that show our actual expenditure and income, changes in our equity, total assets and liabilities and our cash flows for the 2023/24 financial year against budget.

Our finances

Statement of comprehensive revenue and expense for the year ended 30 June 2024		
2022/23 Actual \$000	2023/24 Actual \$000	2023/24 Budget \$000
<i>Revenue</i>		
81,366 Rates	87,643	88,735
35,464 Other operating revenue	116,906	73,920
116,830 Total revenue excluding gains	204,549	162,655
<i>Expenses</i>		
100,729 Operating expenses	110,010	107,293
100,729 Total expenses	110,010	107,293
<i>Interest</i>		
2,570 Interest income	5,047	3,915
10,137 Finance expense	14,411	12,838
7,567 Total interest expense	9,364	8,923
8,534 OPERATING SURPLUS/(DEFICIT)	85,175	46,439
<i>Unrealised gains/(losses)</i>		
2,947 Unrealised gain/(loss) on revaluation of financial derivatives	(3,678)	746
2,947 Total unrealised gains/(losses)	(3,678)	746
11,481 NET OPERATING SURPLUS/(DEFICIT)	81,497	47,185
<i>Other comprehensive revenue and expense</i>		
221,945 Revaluation of property, plant and equipment	62,123	43,169
233,426 TOTAL COMPREHENSIVE REVENUE AND EXPENSE	143,620	90,354

Statement of financial position as at 30 June 2024		
2022/23 Actual \$000	2023/24 Actual \$000	2023/24 Budget \$000
93,284 Current assets	99,270	84,676
2,123,679 Non-current assets	2,316,892	2,091,814
2,216,963 TOTAL ASSETS	2,416,162	2,176,490
88,286 Current liabilities	103,894	78,056
222,020 Non-Current liabilities	261,991	257,480
310,306 Total liabilities	365,885	335,536
1,906,657 Total equity	2,050,277	1,840,954
2,216,963 TOTAL LIABILITIES AND EQUITY	2,416,162	2,176,490

Statement of changes in net assets/equity for the year ended 30 June 2024			
2022/23 Actual \$000		2023/24 Actual \$000	2023/24 Budget \$000
1,673,236	Equity at 1 July	1,906,657	1,750,600
11,481	Net operating surplus/(deficit)	81,497	47,185
221,945	Revaluation of property, plant and equipment	62,123	43,169
233,426	Total comprehensive revenue and expense for the year	143,620	90,354
(5)	Transfer from revaluation reserve	-	-
1,906,657	CLOSING EQUITY AT 30 JUNE	2,050,277	1,840,954
Equity is represented by:			
633,245	Accumulated Funds	713,934	695,063
13,252	Reserves and special funds	13,649	12,433
1,260,160	Revaluation reserve	1,322,694	1,133,458
1,906,657	CLOSING EQUITY AT 30 JUNE	2,050,277	1,840,954

Statement of cash flows for the year ended 30 June 2024			
2022/23 Actual \$000		2023/24 Actual \$000	2023/24 Budget \$000
32,526	Cash flows from operating activities	42,483	31,596
(44,514)	Cash flows from investing activities	(77,554)	(54,855)
10,798	Cash flows from financing activities	32,089	27,267
(1,190)	Net increase/(decrease) in cash and cash equivalents	(2,982)	4,008
15,274	Total cash and cash equivalents at 1 July	14,084	3,867
14,084	TOTAL CASH AND CASH EQUIVALENTS AT 30 JUNE	11,102	7,875

Our finances



Notes

Kāpiti Coast District Council (Council) is a territorial authority governed by the Local Government Act 2002.

The summary financials have been prepared in accordance with PBE FRS 43. They are presented in New Zealand dollars and rounded to the nearest thousand (\$'000).

The summary financial statements do not provide as complete an understanding as the full financial statements in the Annual Report 2023/24.

There have been no changes in the accounting policies in the year ended 30 June 2024.

Water services reform programme

As part of the ongoing Local Water Done Well reform programme, Council has been actively engaging with the framework and preliminary arrangements set out by recent legislation that requires all councils to assess future options for water services delivery. These options may include:

- An internal business unit within Council
- A Kāpiti Coast District Council-owned water entity
- A water organisation with one or more councils
- A mixed model involving one or more councils and consumer trusts
- A wholly consumer-trust owned water organisation.

Council is participating in a regional working group to explore potential solutions for water services delivery, while remaining open to the possibility of continuing to deliver water services itself or through a separate Kāpiti Coast District Council-owned water services entity. Council will consider these options in November 2024 prior to preparing and consulting on a water services delivery plan (WSDP) by the legislated deadline of September 2025.

The water services reform to date has had no impact on the financial and non-financial performance reported in this annual report.



Compliance

A statement of compliance to generally accepted accounting practice in New Zealand can be found in the full annual report. Council is a Tier 1 entity and the full financial statements comply with the standards for public sector public entities (PBE Standards) reporting.

The full and summary financial statements have been subject to audit and both received unqualified audit opinions.

Events after the end of the reporting period

There are no material non-adjusting events after the reporting date.

This summary has been extracted from the Annual Report 2023/24, which was adopted by the Council on 31 October 2024. It contains detailed information about Council's service and financial performance for the year ending 30 June 2024.

The full annual report can be viewed on the Council website www.kapiticoast.govt.nz. Printed copies of the annual report are available at the district's libraries and service centres.

Kāpiti Coast District Council
Private Bag 6061
Paraparaumu 5254

Tel: (04) 296 4700
Toll free: 0800 486 486
Fax: (04) 296 4830
Email: kapiti.council@kapiticoast.govt.nz



Independent auditor's report





INDEPENDENT
AUDITOR’S REPORT

TO THE READERS OF KĀPITI COAST
DISTRICT COUNCIL’S SUMMARY OF
THE ANNUAL REPORT FOR THE YEAR
ENDED 30 JUNE 2024

The summary of the annual report was derived from the annual report of the Kāpiti Coast District Council (the District Council) for the year ended 30 June 2024.

The summary of the annual report comprises the following summary statements on pages 16 to 17 and pages 22 to 23:

- the summary statement of financial position as at 30 June 2024;
- the summaries of the statement of comprehensive revenue and expense, statement of changes in net assets/equity and statement of cash flows for the year ended 30 June 2024;
- the notes to the summary financial statements that include accounting policies and other explanatory information; and
- the summary statement of service provision (referred to as service performance overview).

Opinion

In our opinion:

- the summary of the annual report represents, fairly and consistently, the information regarding the major matters dealt with in the annual report; and
- the summary statements comply with PBE FRS-43: *Summary Financial Statements*.

Summary of the annual report

The summary of the annual report does not contain all the disclosures required by generally accepted accounting practice in New Zealand. Reading the summary of the annual report and the auditor’s report thereon, therefore, is not a substitute for reading the full annual report and the auditor’s report thereon.

The summary of the annual report does not reflect the effects of events that occurred subsequent to the date of our auditor’s report on the full annual report.

The full annual report and our audit report thereon

We expressed an unmodified audit opinion on the information we audited in the full annual report for the year ended 30 June 2024 in our auditor’s report dated 31 October 2024. Our opinion included an emphasis of matter drawing readers’ attention to the disclosures about the Government’s three waters reform programme.

District Council’s responsibility for the summary of the annual report

The District Council is responsible for preparing the summary of the annual report which includes preparing

summary statements, in accordance with PBE FRS-43: *Summary Financial Statements*.

Auditor’s responsibility

Our responsibility is to express an opinion on whether the summary of the annual report represents, fairly and consistently, the information regarding the major matters dealt with in the full annual report and whether the summary statements comply with PBE FRS 43: *Summary Financial Statements*.

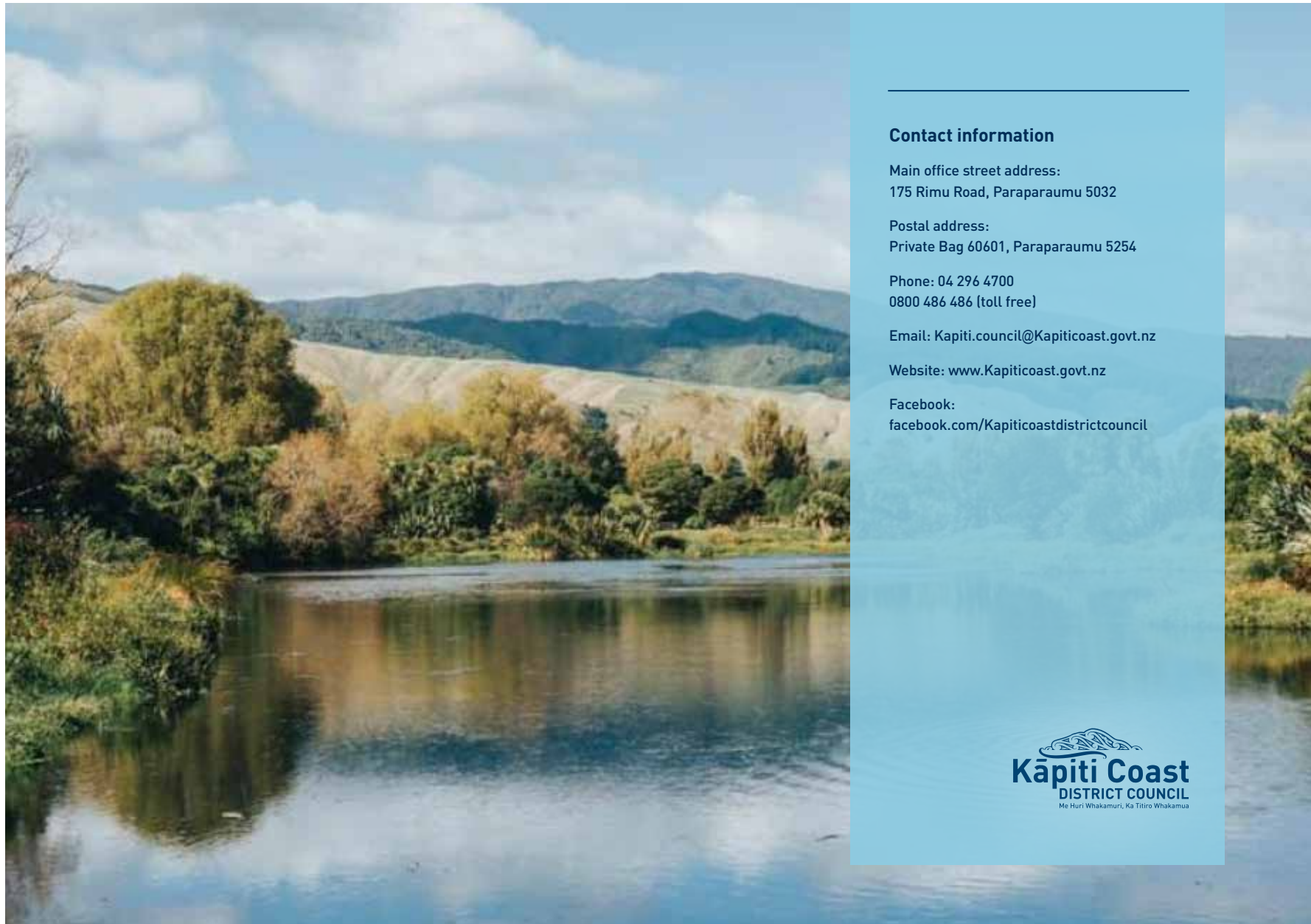
Our opinion on the summary of the annual report is based on our procedures, which were carried out in accordance with the Auditor-General’s Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board.

In addition to our audit of the audited information and our report on the disclosure requirements, we have performed a limited assurance engagement related to the District Council’s debenture trust deed. Other than this engagement, we have no relationship with, or interests in, the District Council.

[signature to be added upon Council adoption]

Sam Nicolle
Ernst & Young
Chartered Accountants
On behalf of the Auditor-General
Wellington, New Zealand
31 October 2024

Independent
auditor’s report



Contact information

Main office street address:
175 Rimu Road, Paraparaumu 5032

Postal address:
Private Bag 60601, Paraparaumu 5254

Phone: 04 296 4700
0800 486 486 (toll free)

Email: Kapiti.council@Kapiticoast.govt.nz

Website: www.Kapiticoast.govt.nz

Facebook:
facebook.com/Kapiticoastdistrictcouncil



10.2 REPRESENTATION REVIEW 2024 - FINAL PROPOSAL

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

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

TE PŪTAKE | PURPOSE

- 1 The report asks Council to resolve its final proposal for the representation arrangements for the 2025 local body elections in line with the provisions of the Local Electoral Act 2001 (LEA).

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 On 14 November 2023, Council resolved to establish a Māori ward for the 2025 local body elections which, under the provisions of the LEA, triggered a representation review in 2024.
- 3 In line with best practice, preliminary community engagement was undertaken in March 2024 which asked the community how it would like to be represented. The engagement highlighted that the majority of submitters supported retaining the current representation arrangements and that Council should consider the inclusion of the Māori ward with minimal alterations to other arrangements in place.
- 4 On 30 July 2024, Council confirmed its initial proposal, which, in line with the LEA must occur no later than 31 July 2024. The initial proposal was publicly notified on 8 August 2024, which commenced a formal consultation process seeking public submissions on the initial proposal.
- 5 This report summarises the submissions, both written and oral, received in response to the initial proposal and provides Council with options to consider for resolving a final proposal. The final proposal options in this report have been prepared taking into account the submissions received during the formal consultation period, the oral submissions presented to councillors at the submission hearing on 24 September 2024 and discussions by elected members during public briefings on 8 and 22 October 2024.

TE TUKU HAE PAPA | DELEGATION

- 6 Council has the authority to resolve a final representation proposal under the Local Government Act 2002, section 19N of the Local Electoral Act 2001 and section A.2 of Council's Governance Structures and Delegation 2022 – 2025 document.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council:
 - A.1 formally receives the 442 submissions, written (attached in Appendix 1) and oral (attached in Appendix 2, including the tabled documents presented at the submission hearing) in response to the initial proposal for the representation arrangements for the 2025 local body elections.
 - A.2 formally receives the submissions analysis report summarising the written submissions (attached in Appendix 3).
- B. That Council resolves, having reviewed its representation arrangements in accordance with sections 19H of the Local Electoral Act 2001, to amend its initial proposal and agrees to adopt its final proposal for the 2025 local body elections as follows:
 - B.1 The Kāpiti Coast District Council will comprise the Mayor elected at large and ten councillors, two elected at large, seven elected from four general wards and one elected from one Māori ward.

- B.2 The Kāpiti Coast District will be divided into five wards with the boundaries as shown in Appendix 4:
- B.2.1 Kapiti Coast Māori Ward represented by one Māori ward councillor with the ward boundaries aligning with the district's boundaries.
 - B.2.2 Ōtaki General Ward represented by one general ward councillor.
 - B.2.3 Waikanae General Ward represented by two general ward councillors.
 - B.2.4 Paraparaumu General Ward represented by three general ward councillors.
 - B.2.5 Paekākāriki-Raumati General Ward represented by one general ward councillor.
 - B.2.6 In addition, all electors of the Kāpiti Coast District (both general electoral and Māori electoral voters) will elect two councillors at large.
- B.3 The Kāpiti Coast District will be divided into five community board areas with the boundaries as shown in Appendix 4 and the community board membership will comprise four members elected from their community board areas and a specified number of ward councillors appointed with voting rights as follows:
- B.3.1 The Ōtaki Community Board will comprise four members elected from the Ōtaki Community Board area, and one appointed member of Council from either the Ōtaki General Ward or the Kapiti Coast Māori Ward.
 - B.3.2 The Waikanae Community Board will comprise four members elected from the Waikanae Community Board area, and one appointed member of the Council from either the Waikanae General Ward or the Kapiti Coast Māori Ward.
 - B.3.3 The Paraparaumu Community Board will comprise four members elected from the Paraparaumu Community Board area, and one appointed members of the Council from either the Paraparaumu General Ward or the Kapiti Coast Māori Ward.
 - B.3.4 The Raumati Community Board will comprise four members elected from the Raumati Community Board area, and one appointed member of the Council from either the Paekākāriki-Raumati General Ward or the Kapiti Coast Māori Ward.
 - B.3.5 The Paekākāriki Community Board will comprise four members elected from the Paekākāriki Community Board area, and one appointed member of the Council from either the Paekākāriki-Raumati General Ward or the Kapiti Coast Māori Ward.
- C. That Council notes that the total number of councillors will remain at 10 with a mixed representation model, comprising eight ward councillors (seven general ward and one Māori ward) and two councillors elected at-large, plus the mayor elected at-large, to provide effective and fair representation for the Kāpiti Coast District Council.
- D. That the Council notes the following in relation to the final proposal:
- D.1 that the boundary between the Ōtaki Ward and the Waikanae Ward is not adjusted as proposed in the initial proposal as this aligns with the feedback received from residents directly affected by the proposal who preferred that the boundary remain where it is.
 - D.2 that the boundary between the Paraparaumu Ward and Paekākāriki-Raumati Ward is to move further inland as proposed in the initial proposal to include meshblocks 2010100, 4013496, 4013497, 1997802 and 1997902 to better reflect that the Emerald Glen and Valley Road communities of interest are incorporated into the Paekākāriki-Raumati Ward and the Paekākāriki Community Board area which aligns with the feedback received during the formal consultation period.
 - D.3 that the name of the Māori ward is amended to Kapiti Coast Māori Ward without the macron which aligns with feedback received from Council's mana whenua partners.

- D.4 That the Councillor appointments to community boards be adjusted to one appointed representative to the Paraparaumu Community Board from either the Paraparaumu General Ward or the Kapiti Coast Māori Ward.
- E. That Council notes that public notice of its final proposal must be given within 8 weeks of close of submissions and no later than 3 November 2024.
- F. That Council notes that if any objections are received on the final proposal, Council must forward the objections and the final proposal to the Local Government Commission for determination in accordance with section 19Q of the Local Electoral Act 2001.
- G. That Council notes that in adopting its final proposal, in accordance with section 19N of the Local Electoral Act 2001, it accepts and rejects the following submissions received during the consultation on the initial proposal:

Treatment	Reason
Accept the majority of submissions who agree with retaining 10 councillors and the Mayor and reject the minority of submissions who disagree with this view.	The minority view is rejected in favour of the majority view who consider 10 councillors plus the Mayor a number of representatives that is working as it provides fair representation and diversity but does not create inefficiencies and bureaucracy.
Reject the majority of submissions who disagree with the Council structure of two at-large (districtwide), seven general ward and one Māori ward councillor and accept the minority view of those who agree with the structure.	<p>The majority view is rejected in favour of the minority view who consider the structure to be fair and representative. This view is reflected in the submissions from the preliminary community engagement conducted in March 2024 that highlighted the community's overall support of the existing arrangements and a majority support for including the Māori ward councillor by replacing a at-large (districtwide) councillor.</p> <p>The majority view is also rejected as a greater number of those submissions disagreed with the proposed Council structure due to the addition of the Māori ward which Council affirmed in August 2024 and can no longer decide to rescind at this point in time.</p>
<p>Accept the majority of submissions who agree with the community board structure and membership and reject the minority view who disagree with this view.</p> <p>Council also decides to amend the councillor to community board appointment structure and reduces the number of appointees to the Paraparaumu Community Board to one from either the Paraparaumu General Ward or the Kapiti Coast Māori Ward.</p>	<p>The minority view is rejected in favour of the majority view who consider the community board structure and membership is working as it provides fair representation and is valuable to local democracy.</p> <p>Council accepts the submissions recommending that the discrepancy of councillor appointments to community boards be considered. The number of appointees to the Paraparaumu Community Board is reduced to one so it is consistent with all other community boards.</p>
Accept the majority of submissions who agree with the ward and community board area boundary changes resulting in the Emerald Glen/Valley Road meshblocks (2010100, 4013496, 4013497, 1997802 and 1997902) being included in the Paekākāriki-Raumati	The minority view is rejected in favour of the majority view who consider the changes appropriate considering the affected communities feel more strongly aligned with Paekākāriki.

Ward and the Paekākāriki Community Board area. Council rejects the minority of submissions who disagree.	
Reject the majority of submissions who agree with the ward and community board area boundary changes resulting in the Te Horo meshblocks being included in the Waikanae Ward and Community Board area. Council will instead accept the minority of submissions disagreeing with the changes and suggest retaining the current ward and community board boundaries in place between Waikanae and Ōtaki.	The majority view is rejected in favour of the minority view who consider the boundary changes unnecessary and prefer to retain the status quo. This decision is giving special consideration to the responses from residents that are directly affected by the boundary changes who support retaining the boundaries as they are.
Accept the submission made by Council's mana whenua partners to change the name of the Māori ward to Kapiti Coast Māori Ward.	The submission is accepted as the views of Council's mana whenua partners are considered valuable and appropriate when considering the naming of the newly established Māori ward.

- H. That Council authorises the Chief Executive and delegated staff to make any minor, necessary corrections in the documents prior to issuing the public notice of the final proposal by 3 November 2024 to ensure clarity and legislative compliance.

TŪĀPAPA | BACKGROUND

What is a representation review

- 7 The LEA requires all councils to review their representation arrangements at least once every six years to ensure the arrangements provide fair and effective representation for their communities. The process, deliverables and timeframes to carry out a representation review are mandated through the LEA (primarily section 19 - attached in Appendix 5).
- 8 Best practice guidance provided by the Local Government Commission (LGC)¹ suggests councils consider the following in a representation review process:
 - 8.1 What the district's communities of interest are and/or whether they have changed since the last review.
 - 8.2 Representation arrangements need to be fair and effective and comply with the 'fair representation rule.' The guidance suggests that effective and fair representation is achieved if all elected members represent roughly the same number of constituents. This is called the +/- 10% rule.
- 9 Council carried out its last representation review in 2021 and under the standard six-yearly cycle, another review was scheduled for 2027. However, the LEA also sets out circumstances where a review may be required earlier, including where a council resolves to establish a Māori ward. On 14 November 2023, Council resolved to establish a Māori ward which triggered a representation review for 2024. This is to determine how the Māori ward fits into the district's wider representation arrangements.

¹The LGC is the body that provides guidance and oversight of the representation review process and determines representation arrangements if the community object or appeal Council's final proposal or if the final proposal is non-compliant with the +/-10% fair representation rule.

What is a Māori ward?

- 10 A Māori ward is a distinct form of representation under the LEA which is different to the appointment of mana whenua representatives to Council's governance structure. These two forms of representation are not mutually exclusive and can co-exist.
- 11 A Māori ward is a representation structure which allows Māori electors enrolled on the Māori electoral roll to directly elect a councillor to Council. The person standing for the Māori Ward vacancy does not have to identify as mana whenua or tangata whenua; however, only those on the Māori electoral roll can nominate that person and vote for the person to be elected.

The Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act

- 12 The Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act received royal assent on 30 July 2024 and made the following amendments to the LEA:
 - 12.1 Re-introducing the ability for electors to demand polls for councils wishing to establish a Māori ward and requiring all councils that have established a Māori ward since 2020 without a poll to hold a poll at the next local body elections in 2025.
 - 12.2 Requiring councils that have resolved to establish a Māori ward without a poll to affirm or rescind this decision (or disestablish their Māori ward) before 6 September 2024.
- 13 On 6 August 2024, Council considered its options provided by the Act and affirmed its decision from 14 November 2023 to establish a Māori ward for electoral purposes ahead of the 2025 local body elections. This meant that the representation review process already underway continued as planned and Council will be required to conduct a poll of its electors on the future of the Māori ward at the 2025 local body elections.²

Representation Review process steps and timeline milestones

- 14 To review and confirm the arrangements in place provide fair and effective representation, the LGC recommends that councils engage with their community early and conduct preliminary community engagement to inform Council's initial proposal rather than elected members considering the initial proposal without insights into the views of the community. This preliminary engagement process is not mandated by legislation and it takes place before beginning the formal statutory process outlined in the LEA.
- 15 As Council undertook a comprehensive representation review in 2021, reconsidering all possible representation arrangements so soon was not seen as necessary and Council approved a staff-led, streamlined preliminary community engagement approach that balanced the statutory requirements with limiting staff time, budget and resources spent to facilitate the process. The preliminary community engagement took place in March 2024 and formed the basis for the initial proposal considered by Council.
- 16 In line with the LEA, Council resolved its initial proposal on 30 July 2024 which was publicly notified on 8 August 2024. The public notice of the initial proposal commenced a formal community consultation from 8 August 2024 to 12 September 2024 to provide the community with the opportunity to submit on the proposal. The consultation involved a range of consultation activities such as media advisories, newspaper and radio advertising, webinar and face-to-face drop-in sessions, a consultation questionnaire available online and in hardcopy (at our service centres and libraries), a frequently asked questions document, website updates, and targeted letter drops for residents affected by the boundary changes.

²The outcome of the poll in 2025 will determine whether a further representation review is needed in 2027. If the poll confirms the continuation of the Māori ward, no further representation review would be needed until 2030. If the poll outcome requires the disestablishment of a Māori ward, a further representation review would be required in 2027.

- 17 Following this, Council provided those submitters that indicated they wished to present their submission to councillors the opportunity to do so at a formal and public submission hearing held on 24 September 2024.
- 18 In line with the LEA, Council is now required to approve a final proposal, within 8 weeks of submissions closing, that reflects the community's views on fair and effective representation by considering all submissions received during the formal consultation period. Once Council has resolved its final proposal, the proposal will again be publicly notified. If there are any changes to the initial proposal, any person or organisation may object to the final proposal. If the initial proposal is adopted as the final proposal, only those persons or organisations who made a submission on the initial proposal may appeal the final proposal. If an objection or appeal is received, or the approved final proposal arrangements do not comply with the fair representation criteria (the +/-10% rule), the final proposal must be referred to the LGC, who will determine the final representation arrangements by 10 April 2025.
- 19 The table below sets out key milestones and timeframes in the representation review process which are mandated through the LEA.

Key Milestones (as per the provisions of the LEA)	Delivery dates (including statutory timeframes)
Council resolution on initial proposal	30 July 2024 (no later than 31 July 2024)
Public notice of initial proposal (within 14 days of resolution)	8 August 2024 (no later than 8 August)
Community consultation period (minimum 1 month)	8 August to 12 September 2024
Community consultation close	12 September 2024
Analysis of submissions (maximum 8 weeks)	September/October 2024
Council resolution on final proposal (within 8 weeks of consultation closing)	31 October 2024
Public notice of final proposal (within 8 weeks of consultation closing, and no later than 3 November)	1 November 2024
Appeal/Objection period (Council could set a different closing date but must not give less than 1 month)	1 November to 6 December 2024
Latest date for Council to forward objections/appeals to LGC (if required)	By 20 December 2024
LGC considers proposals and determines representation arrangements (if required)	By 10 April 2025

Approach and timeline for Kāpiti Coast District Council representation review (from preliminary engagement to initial proposal and development of final proposal)

Preliminary Community Engagement

- 20 To conduct preliminary community engagement, a survey questionnaire was available to members of the public from 4 March to 2 April (5pm) 2024. The survey and the accompanying frequently asked questions document were available in both Te Reo Māori and English in hard copy at our libraries and service centres as well as online on Council's website. Further to that, drop-in sessions were held in each of the community board areas to provide the community with an opportunity to ask questions and get clarification ahead of responding to the survey questions.
- 21 The survey aimed to understand the community's views on how it would like to be represented by asking whether they community thought that the existing arrangements provided fair and effective representation, how the Māori ward should be included in the

representation arrangements and what the community thought about the current community board structure and membership arrangements.

- 22 In response to the preliminary engagement, Council received 285 responses which highlighted that the majority of respondents supported the status quo and did not believe that adjustments to the representation arrangements set in 2022 are required and would prefer minimal adjustments for the inclusion of the Māori ward. The majority of respondents also supported the existing community board structure and councillor to community board appointment arrangements.

Initial Proposal Options

- 23 Using the insights gained from the preliminary community engagement, the following practicable and lawful Council structure options were provided for consideration by councillors on 30 July 2024:

Option	Details
Based on existing ward structure	
1	Retain the same number of councillors - 10 councillors (2 at-large (districtwide) councillors, 7 general ward councillors and 1 Māori ward councillor) plus the Mayor
2	Increase the number of councillors - 11 councillors (3 at-large (districtwide) councillors, 7 general ward councillors and 1 Māori ward councillor) plus the Mayor
New structure presented to Council by a member of the community	
3	10 councillors (1 general ward with 9 general ward councillors (ward boundaries to match with district's boundaries) and 1 Māori ward councillor) plus the Mayor

- 24 All three options included retaining the existing community board structure of five community boards consisting of four elected representatives plus the existing councillor appointment arrangements.
- 25 In addition to the above, for options 1 and 2, it was further proposed that the ward boundaries at Te Horo and Emerald Glen/Valley Road be adjusted to incorporate Te Horo into the Ōtaki Ward and Emerald Glen/Valley Road into the Paekākāriki-Raumati Ward as follows:
- 25.1 The boundary between the Ōtaki Ward and the Waikanae Ward (and the respective community boards) was proposed to be moved south past Te Hapua Road and therefore include all of Te Horo in the Ōtaki Ward and Community Board area to provide more appropriate representation for Te Horo within the ward structures considering this community of interest has traditionally identified more strongly with Ōtaki.
- 25.2 The boundary between the Paekākāriki-Raumati Ward and the Paraparaumu Ward was proposed to move inland (east) to include Emerald Glen and Valley Road in the Paekākāriki-Raumati Ward and the Paekākāriki Community Board area to reflect that the community of interest has traditionally identified more strongly with Paekākāriki.
- 26 For option 3, the suggestion included removing all existing ward boundaries but also adjust the community board boundaries in the same manner as proposed for options 1 and 2 to reflect that the distinct communities of interest would be represented through the five community boards.
- 27 The proposed boundary changes to include Emerald Glen/Valley Road in the Paekākāriki-Raumati Ward are legislatively compliant with the effective and fair representation requirements. However, the boundary changes proposed to include Te Horo in the Ōtaki Ward are not compliant with the requirements.

- 28 Further to the above, to achieve a fair and equitable councillor to community board appointment structure, it was proposed that the current structure be retained, and the Māori ward councillor be appointable to community boards as an 'and/or' option.³ The current structure consists of five community boards and the membership of comprises four members directly elected from their relevant areas and a specified number of ward councillors. The arrangement of appointing either the general ward or Māori ward councillor back to community boards allows flexibility that is not further set and restricted at this point by the representation arrangement proposal. Council would be able to appoint the Māori ward councillor to all or none of the community boards as it considers most appropriate at the start of the triennium, and set its Governance Structure arrangements as follows:

Community Board	Councillor Appointments ⁴
Ōtaki Community Board	one appointed member from either the Ōtaki General Ward or the Kāpiti Coast Māori Ward
Waikanae Community Board⁵	one appointed member from either the Waikanae General Ward or the Kāpiti Coast Māori Ward
Paraparaumu Community Board⁶	two appointed members from the Paraparaumu General Ward and/or the Kāpiti Coast Māori Ward
Raumati Community Board	one appointed member from either the Paekākāriki-Raumati General Ward or the Kāpiti Coast Māori Ward
Paekākāriki Community Board	one appointed member from either the Paekākāriki-Raumati General Ward or the Kāpiti Coast Māori Ward

Initial Proposal Resolution

- 29 On 30 July 2024, Council resolved its initial proposal to be option 1 and for the Kāpiti Coast District Council:
- 29.1 to comprise of the Mayor (elected at large), ten councillors with two elected at large and seven elected from four general wards and one Māori ward councillor elected by the district's Māori electoral roll voters.
- 29.2 to be divided into five wards:
- 29.2.1 Kāpiti Coast Māori Ward represented by the Māori ward councillor,
- 29.2.2 Ōtaki General Ward represented by one general ward councillor
- 29.2.3 Waikanae General Ward represented by two general ward councillors
- 29.2.4 Paraparaumu General Ward represented by three general ward councillors
- 29.2.5 Paekākāriki-Raumati General Ward represented by one general ward councillor
- 29.3 to be divided into five community board areas and the community board membership to comprise four members elected from their relevant areas and a specified number of ward councillors as follows:
- 29.3.1 The Ōtaki Community Board will comprise four members elected from the Ōtaki Community Board area, and one appointed member of Council from either the Ōtaki General Ward or Kāpiti Coast Māori Ward.

³All community board areas in the Kāpiti Coast district have a concentrated Māori population, or facilities, projects, sites or taonga of significance to the Māori population. So, there is not an identified rationale for why one community board area would benefit more than others from the appointment of the Māori ward councillor to that community board.

⁴ It was proposed that the number of appointed councillors to community boards remain the same.

⁵ Under section 19F of the LEA, the number of appointed members must be less than half of the total number of members.

⁶ As above.

- 29.3.2 The Waikanae Community Board will comprise four members elected from the Waikanae Community Board area, and one appointed member of the Council from either the Waikanae General Ward or Kāpiti Coast Māori Ward.
- 29.3.3 The Paraparaumu Community Board will comprise four members elected from the Paraparaumu Community Board area, and two appointed members of the Council from either the Paraparaumu General Ward or Kāpiti Coast Māori Ward.
- 29.3.4 The Raumati Community Board will comprise four members elected from the Raumati Community Board area, and one appointed member of the Council from either the Paekākāriki-Raumati General Ward or Kāpiti Coast Māori Ward.
- 29.3.5 The Paekākāriki Community Board will comprise four members elected from the Paekākāriki Community Board area, and one appointed member of the Council from either the Paekākāriki-Raumati General Ward or Kāpiti Coast Māori Ward.
- 29.4 Further to the above, Council resolved that the ward and community board boundaries be adjusted at Te Horo and Emerald Glen/Valley Road to include all of Te Horo in the Ōtaki Ward and community board area and all of Emerald Glen/Valley Road in the Paekākāriki-Raumati Ward and the Paekākāriki Community Board area (Initial Proposal attached in Appendix 6).

Consultation Period and Final Proposal Development

- 30 After Council resolved its initial proposal, a public notice was issued on 8 August 2024 (latest date under LEA to do so) which commenced a formal submission period between 8 August and 12 September 2024. During this period, the public had an opportunity to consider and make submissions on the initial proposal.
- 31 The consultation involved a range of consultation activities such as media advisories, newspaper and radio advertising, webinar and face-to-face drop-in sessions, a consultation questionnaire available online and in hardcopy (at our service centres and libraries), a frequently asked questions document, website updates and a targeted letter drop for residents affected by the proposed boundary changes.
- 32 The formal consultation (by way of the consultation questionnaire attached in Appendix 7) aimed to understand the community's views on the initial proposal and specifically asked:
 - 32.1 Whether the community agreed with the number of councillors remaining at 10 which includes seven general ward councillors, two districtwide councillors and one Māori ward councillor plus the Mayor.
 - 32.2 What changes the community would like to make to the initial proposal.
 - 32.3 Whether the community agreed with keeping the number of community boards to five (represented by four elected members each and including a specified number of appointed councillors).
 - 32.4 Whether the community agreed with the boundary adjustments at Te Horo (Ōtaki and Waikanae Ward and community board boundary) and Emerald Glen/Valley Road (Paraparaumu and Paekākāriki-Raumati Ward and Paraparaumu and Paekākāriki Community Board boundary).
- 33 After close of submissions (5pm on 12 September 2024) the responses (attached in Appendix 1) were collated, analysed by Public Voice and summarised in an analysis report (attached in Appendix 3).
- 34 In line with the LEA, Council was required to provide reasonable opportunity for those who made submissions on the initial proposal to be heard. Submitters were provided the opportunity to speak to their submission at a submission hearing on 24 September 2024.

- 35 All submissions received (written and oral) have been taken into account to shape the final proposal outlined in this report. On 8 and 22 October 2024, public briefings were held to summarise the submissions received and provide councillors with an opportunity to discuss the submissions and indicate which submissions should be accepted and which will be rejected, including reasons for these decisions.

Next steps – Final Proposal and Local Government Commission

- 36 This report contains a final proposal for Council to consider and resolve in accordance with the provisions of the LEA. Once Council has resolved its final proposal, public notice of this must be issued within 8 weeks of the submission period closing (which was 5pm on 12 September 2024) and no later than 3 November 2024. A direct notice (via email or post) will be sent to all submitters on the initial proposal (if they have supplied contact emails or postal addresses), so they are aware of the content of the final proposal. The notice will be made available on the website and will contain details on how the public can object to the decision. Any objections can be sent to Council's governance inbox governance@kapiticoast.govt.nz. The objections period will be open for approximately one month until 6 December 2024.
- 37 Under the provisions of the LEA, if any objections are received, Council is required to refer these and all information on its final proposal to the LGC by 20 December 2024 for consideration and determination. Council is also required to refer the proposal to the LGC if it does not comply with the fair representation criteria (the +/-10% rule). If the decision is referred to the LGC, the commission may rectify any element of Council's final proposal that it does not consider complies with the statutory provisions.
- 38 The LGC may hold a hearing for members of the community to speak to the commission before it makes a determination on the representation structure, however, this is at the commission's discretion. To enable good diary management, the LGC has notified Council officers that it has tentatively held the 6 March 2025 to hold a hearing on the representation arrangements for the Kāpiti Coast District Council. A final and binding determination by the LGC, expected by 10 April 2025, may only be appealed on a point of law or on matters of process.
- 39 If the final proposal complies with the fair representation criteria and no objections are received the final proposal will become the basis for election at the 2025 local body elections.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 40 This report seeks Council to:
- 40.1 formally receive the submissions made in response to Council's initial proposal (both written and oral),
 - 40.2 deliberate on which submissions to accept or decline, and
 - 40.3 resolve its final proposal, which will be publicly notified on 1 November 2024 ahead of the legislated last date of 3 November 2024.

What needs to be considered in a representation review?

- 41 The representation review process is mandated by legislation (primarily section 19 of the LEA). Under section 19T, when reviewing its representation arrangements, Council must provide for 'effective representation of its communities of interest'⁷ and 'fair representation of electors'.

⁷ While the term 'communities of interest' is not defined in the LEA, the LGC guidelines include a definition describing it as a three-dimensional concept of perceptual, functional and political interests that make up a community. Communities of interest take into account distinct and recognisable geographical boundaries, similarities in activities and characteristics. Wards may contain more than one distinct community of interest, but these communities must have sufficient commonalities to be grouped together.

- 42 If the district is divided into wards⁸, the membership of the general wards is required to provide approximate population equality per member, which means each elected member representing a general ward should represent about the same number of people. This is referred to as the fair representation ‘+/-10% rule’. To calculate this each general ward’s general electoral population is divided by the number of general ward councillors elected in each general ward, which should produce a figure no more than 10% greater or smaller (+/-10%) than the total general electoral population of the district divided by the total number of general ward councillors (the quota). The quota requirement does not apply to the Māori ward and the LEA provides the calculation to determine whether a Council can establish a Māori ward based on its Māori electoral population compared to its general electoral population. The quota also does not apply to the Mayor, districtwide councillors and community boards.
- 43 Under the LEA, there are grounds for not complying with the ‘+/-10% rule’ if there are good reasons such as:
- 43.1 to provide effective representation of communities of interest within island communities or isolated communities
 - 43.2 where compliance would limit effective representation by either dividing a community of interest or grouping together communities of interest with few commonalities.
- 44 Further to the above, under the provisions of the LEA, councils must also determine whether there should be community boards in the district and, if so, the nature, structure and memberships of the community boards.
- 45 Ward boundaries and community board boundaries must coincide with current statistical meshblock areas determined by Statistics New Zealand.

Summary of Submissions

- 46 Council received 442 (433 written and 9 oral) submissions on the initial proposal. On Tuesday 24 September 2024, Council heard from submitters who, in their written submission, indicated that they wished to speak to elected members.
- 47 Public Voice was engaged to analyse all written submissions received and a summary of both quantitative and qualitative results are set out in a submission analysis report.
- 48 All written submissions received, the analysis of the written submission as well as the minutes and the tabled documents from the submission hearing have been appended to the report:
- 48.1 Written submissions – in Appendix 1.
 - 48.2 Unconfirmed Council Minutes and tabled documents from submission hearing – in Appendix 2.
 - 48.3 Analysis report – in Appendix 3.

Council and Community Board Structure Feedback

- 49 The consultation feedback indicates that the majority of respondents (76%) support keeping the number of councillors at 10 and support the proposed number and membership of community boards (80%). However, over half of respondents (55%) disagree with the proposed structure of having two districtwide, seven general ward and one Māori ward councillors. 39 % of those that disagreed with the proposed structure, disagreed with it because of the addition of the Māori ward, which was affirmed by Council and can no longer be rescinded.
- 50 The figure below shows a breakdown of responses to the question ‘*Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor?*’

⁸As per schedule 1A(2) of the LEA, Council must establish at least one general ward if it decides to establish a Māori ward. This is the case for the Kāpiti Coast District Council, which means a fully district-wide representation arrangement is no longer possible



Ward and Community Board Boundary Feedback

- 51 In relation to the proposed ward boundary adjustments, overall the majority of respondents support the alterations at both Te Horo (70%) and Emerald Glen/Valley Road (79%).
- 52 Of those directly affected by the changes, the majority also support the proposed alterations at Emerald Glen/Valley Road (67%), but the majority oppose the proposed changes at Te Horo (71%).

Mana Whenua Feedback on Māori Ward Name

- 53 In response to the initial proposal, Council's mana whenua partners submitted a letter dated 12 September 2024 (attached in Appendix 9) confirming that they:
 - 53.1 are supportive of the name proposed for the Māori Ward subject to removing the macron from Kapiti so the ward's name is changed to Kapiti Coast Māori Ward, and
 - 53.2 are supportive of the proposed boundary changes for the Ōtaki and Waikanae Wards and Community Boards, moving the boundary south to Te Hapua Road.

Submission Hearing Feedback

- 54 During the submissions hearing on 24 September 2024, presenters expressed the following views to councillors and community board members in attendance:
 - 54.1 In relation to the proposed boundary adjustment at Te Horo, two submitters expressed a preference for the status quo or giving consideration to moving the boundary north to Ōtaki River instead. One submitter also highlighted that the view of the residents directly affected by the boundary adjustment should be weighted more when considering this matter;
 - 54.2 In relation to community boards, multiple submitters expressed support for the role they play in local democracy and one submitter suggested aligning community board boundaries (specifically at Raumati) with ward boundaries and considering combining the Paeākākriki and Raumati boards to strengthen their influence on Council decision-making;
 - 54.3 In relation to the proposed Council structure, one submitter presented an alternative structure which included more councillors and more wards and different ward boundaries as a result. They expressed that when Council was first formed in 1989, it was represented by more elected members that represented fewer constituents. They suggested that the number of councillors should increase to reflect adequate representation for a growing population. To accommodate that, they suggested that the districtwide positions should be removed and more wards with new boundaries should be established.
 - 54.4 Two submitters spoke in support of the establishment of the Māori ward and two in opposition. All four submitters either raised concerns with the legislative changes enacted by the Government in relation to Māori wards or the costs associated with holding a poll with some submitters suggesting Council explore a refusal to hold a referendum.

Consideration of Submissions

- 55 In line with legislative provisions, Council is required to consider all submissions received on its initial proposal and decide whether to accept or reject the submissions and either to confirm or amend its earlier proposal by way of giving public notice of its final proposal within 8 weeks of the closing date of submissions (and no later than 3 November 2024).

- 56 At public briefings held on 8 and 22 October 2024, elected members and mana whenua representatives discussed the submissions and possible amendments to the initial proposal. Elected members considered the different options to respond to oral and written submissions and provided staff with direction to reject aspects of the initial proposal and retain other aspects of the proposal.
- 57 Elected members specially discussed the following submission topics and provided guidance to officers on a preferred approach.

Submission Topics	Discussion and Preferred Approach
Majority support for number of councillors	Retain proposed number of councillors at 10 plus the Mayor.
Majority disagreement with the proposed Council structure of two at-large (districtwide), seven general ward and one Māori ward councillor	Retain proposed Council structure of two at-large (districtwide), seven general ward and one Māori ward councillors.
Majority support for proposed community board arrangements	Retain the proposed community board structure of five community boards (at Ōtaki, Waikanae, Paraparaumu, Raumati and Paekākāriki) comprising four elected representatives but amend the councillor to community board appointment structure and reduce the number of appointees to the Paraparaumu Community Board to one from either the Paraparaumu General Ward or the Kapiti Coast Māori Ward.
Majority support for boundary alterations at Emerald Glen/Valley Road to move the five meshblocks back into the Paekākāriki-Raumati Ward and the Paekākāriki Community Board area	Retain proposed boundary alterations at Emerald Glen/Valley Road.
Majority support for the boundary alterations at Te Horo to move the fifteen meshblocks south to Te Hapua Road into the Ōtaki Ward and Community Board area, but majority disagreement with the proposal by residents directly affected by the alterations	Adjust proposal and revert back to the existing ward and community board boundaries down School Road and Te Horo Beach Road.
Support by mana whenua to rename the Māori Ward Kapiti Coast Māori Ward, without the proposed macron	<p>Receive the name gifted by mana whenua for the Māori ward and rename the ward Kapiti Coast Māori Ward without the macron.</p> <p>This will mean the name of the Māori ward is not in line with Council's current Macron Usage Policy. Council commits to reviewing the policy in 2025.</p>

Ngā kōwhiringa | Options

- 58 When determining whether to amend the initial proposal and resolve a final proposal, Council is required to do so in accordance with the provision in the LEA and the consultation and decision-making provisions of the LGA. As noted above, this includes considering all submissions received and clearly stating which submissions are accepted and which are

rejected and the reasons for the acceptance or rejection. Each acceptance and rejection decision must be specified in Council's public notice of the final proposal. Council is also required to provide reasons for any amendments to its initial proposal and amendments may only be made to reflect feedback from submissions. If Council wishes to amend other aspects of its initial proposal it must do so based on submissions received through the formal consultation process.

- 59 In addition to the general decision-making provisions in the LGA, Council must also give effect to the provision relating to engagement with iwi/Māori⁹ and give effect to the principles of Te Tiriti o Waitangi (the Treaty of Waitangi).¹⁰

Consideration of options

- 60 The discussions by elected members at the 8 and 22 October 2024 public briefings centred around largely retaining the initial proposal but re-considering the name of the Māori ward, the placement of the boundary between the Waikanae and Ōtaki Wards and the councillor to community board appointment structure to achieve consistency across all community boards.

Māori Ward Name

- 61 In response to the formal consultation on the initial proposal, Council's mana whenua partners submitted that they support the name of the Māori ward subject to the removal of the macron on 'Kāpiti'. Council must consider the submission and decide whether to accept or reject the submission. In line with the provisions of the LGA, considering the views of Council's mana whenua partners, is seen as appropriate when deciding the name of the Māori ward.
- 62 Council can consider the following options in relation to the name of the Māori ward:

Name of Māori Ward	Advantages	Disadvantages
Kāpiti Coast Māori Ward	As per the initial proposal and in line with Council's current macron usage policy ¹¹ .	Not in line with the submission of Council's mana whenua partners (A.R.T confederation members).
Kapiti Coast Māori Ward	As per the submission of mana whenua. Under the provisions of the LGA, and the memorandum of partnership, it is considered appropriate for councillors to consider the views of mana whenua when deciding a name for the Māori ward (and any other decisions in relation to the final proposal).	Not in line with Council's current macron usage policy. The policy is overdue for a review, which is considered timely and necessary in line with ongoing discussions with Council's mana whenua partners.

Ōtaki-Waikanae Ward and Community Board boundary

- 63 The analysis of the submissions received in response to the formal consultation on the initial proposal highlighted that the majority of submitters support the proposed boundary alteration between the Waikanae and Ōtaki Wards. However, the majority of respondents (71%)

⁹ Section 81 of the LGA provides that councils must provide opportunities for Māori to contribute in the decision-making processes of the local authority. Further to that, Section 82 provides that councils must ensure processes for consulting with Māori are in place when consultation is undertaken in relation to any decision.

¹⁰ Section 4 of the LGA provides that councils must take appropriate account of the principles of the Treaty of Waitangi and maintain and provide opportunities for Māori to contribute to local government decision-making processes.

¹¹ The macron usage policy was created in 2011 and last reviewed in 2020. The policy notes that 'Council passed a resolution on 22 April 2010 to use a macron in any spelling of the word Kāpiti in any Council papers, publications, maps or signage.' This approach is in line with advice on the usage of the macron by the New Zealand Geographic Board. The policy is overdue for a review. On 22 October 2024, a public briefing was held to summarise the background to the macron usage and outline the impacts and opportunities in relation to the removal of the macron.

directly affected by the change (those that are identified as owning property or residing in the area) disagree with the boundary alteration and would prefer the status quo or for the boundary to be moved north to Ōtaki river instead.

- 64 As a result of the feedback received, the following lawful and practicable boundary options are provided in this report for consideration by councillors:

Option	Advantages	Disadvantages
Option A - Move boundary south to Te Hapua Road (as per Initial Proposal)	<p>This option ensures the community of interest at Te Horo is not split between two wards and community boards.</p> <p>This option aligns the representation boundaries more closely with iwi boundaries.</p> <p>This option was considered during the last representation review and presented to the LGC during the hearing held to determine Council's final representation arrangements.</p> <p>70% of all submitters supported this option but only 29% of those residents directly affected by the change are in favour of this option.</p>	<p>This option does not comply with the fair representation requirements (+/-10% rule) prescribed in the LEA.</p> <p>30% submitters are not in favour of this option.</p> <p>71% of residents directly affected by the proposed changes are not in favour of this option</p>
Option B - Retain current boundary	<p>This option complies with the fair representation requirements (+/-10% rule) prescribed in the LEA.</p> <p>This option was determined by the LGC, in 2022, to provide fair and effective representation for the Kāpiti Coast District.</p> <p>9.6% of submitters in favour of this option.¹²</p>	<p>This option splits the community of interest at Te Horo with the residents south of School Road and Te Horo Beach Road voting in the Waikanae Ward and community board and the residents north of these roads voting in the Ōtaki Ward and community board.</p>
Option C - Move boundary north to Ōtaki River	<p>This option ensures the community of interest at Te Horo is not split between two wards and community boards.</p>	<p>This option does not comply with the fair representation requirements (+/-10% rule) prescribed in the LEA.</p> <p>Ngā Hapū o Ōtaki do not agree with moving the boundary north to Ōtaki river as it will separate one of the five Ōtaki hapū, Ngāti Huia</p>

¹²42 of 433 respondents indicated that there is no need for change, that Te Horo aligns with Waikanae or that they prefer the status quo. We are unable to comment whether other submitters would agree or disagree with this option as the question asked in the consultation questionnaire pertained to whether submitters support the initial proposal, i.e. moving the boundary south to Te Hapua Road.

2.5% of submitters in favour of this option.¹³

ki Katihiku, from the rohe of their iwi Ngāti Raukawa ki Te Tonga.

- 65 The relevant population data and statistics and maps showing the different boundary options are appended in Appendix 8.

Councillors to community board appointments

- 66 The analysis of the responses received highlights that the majority of submitters (80%) support the proposed community board structure and membership, including the councillor appointments to community boards.
- 67 At the briefings on 8 and 22 October 2024, councillors discussed the discrepancy between the number of appointees to the community boards whereby two of the three ward councillors are appointed to the Paraparaumu Community Board but only one ward councillor is appointed to the other community boards.
- 68 Council is able to amend its initial proposal if submissions have been received during the formal consultation period. In total, five submissions commenting on councillor appointments to community boards have been received.
- 68.1 Two written submissions were received outside the system and both submissions state the disparity between the appointment arrangements (both submissions use the same wording but were counted twice as the submitters/signatories were different):
- “There is disparity in the appointment process of councillors to community boards already – Paraparaumu has the right for two whilst Waikanae can only have one. Change this inequity so both councillors in both wards are seconded to the community board.”*
- 68.2 Three submissions were received commenting on removing councillors from community boards:
- ‘Community Boards should be realigned in sync with my suggestion to remove councillors.’*
- ‘While the current Community Board representation structure has worked well for the Kapiti Coast District the process of appointing Councillors to Community Boards causes friction.’*
- ‘Councillors are not elected and have a minimal role, if any. They diminish the role of elected community board members.’*
- 69 While the number of submissions on the subject is not significant, aligning the number of appointees to only appoint one councillor to each community board from either the General Ward or the Māori Ward creates a more equitable and consistent appointment structure.

Treatment of submissions

- 70 At the public briefings on 8 and 22 October 2024, councillors signalled an intention to largely retain the initial proposal but alter three aspects of the representation arrangements, in line with submissions received, as follows:
- 70.1 change the name of the Māori ward to Kapiti Coast Māori Ward (without the macron on Kapiti),
- 70.2 retain the current boundary line at Te Horo, as per the determination of the LGC in 2022, and

¹³ 11 of 433 respondents suggested in their submission that the boundary should be moved to Ōtaki river. We are unable to comment whether other submitters would agree or disagree with this option as the question asked in the consultation questionnaire pertained to whether submitters support the initial proposal, i.e. moving the boundary south to Te Hapua Road.

- 70.3 adjust the councillor appointment to community board structure to appoint one councillor to the Paraparaumu Community Board.

71 The discussions by elected members result in the following treatment of submissions:

Treatment	Reason
Accept the majority of submissions who agree with retaining 10 councillors and the Mayor and reject the minority of submissions who disagree with this view.	The minority view is rejected in favour of the majority view who consider 10 councillors plus the Mayor a number of representatives that is working as it provides fair representation and diversity but does not create inefficiencies and bureaucracy.
Reject the majority of submissions who disagree with the Council structure of two at-large (districtwide), seven general ward and one Māori ward councillor and accept the minority view of those who agree with the structure.	<p>The majority view is rejected in favour of the minority view who consider the structure to be fair and representative. This view is reflected in the submissions from the preliminary community engagement conducted in March 2024 that highlighted the community's overall support of the existing arrangements and a majority support for including the Māori ward councillor by replacing a at-large (districtwide) councillor.</p> <p>The majority view is also rejected as a greater number of those submissions disagreed with the proposed Council structure due to the addition of the Māori ward which Council affirmed in August 2024 and can no longer decide to rescind at this point in time.</p>
<p>Accept the majority of submissions who agree with the community board structure and membership and reject the minority view who disagree with this view.</p> <p>Council also decides to amend the councillor to community board appointment structure and reduces the number of appointees to the Paraparaumu Community Board to one from either the Paraparaumu General Ward or the Kapiti Coast Māori Ward.</p>	<p>The minority view is rejected in favour of the majority view who consider the community board structure and membership is working as it provides fair representation and is valuable to local democracy.</p> <p>Council accepts the submissions recommending that the discrepancy of councillors appointments to community boards be considered. The number of appointees to the Paraparaumu Community Board is reduced to one so it is consistent with all other community boards.</p>
Accept the majority of submissions who agree with the ward and community board area boundary changes resulting in the Emerald Glen/Valley Road meshblocks (2010100, 4013496, 4013497, 1997802 and 1997902) being included in the Paekākāriki-Raumati Ward and the Paekākāriki Community Board area. Council will also reject the minority of submissions who disagree.	The minority view is rejected in favour of the majority view who consider the changes appropriate considering the affected communities feel more strongly aligned with Paekākāriki.
Reject the majority of submissions who agree with the ward and community board area boundary changes resulting in the Te Horo meshblocks being included in the	The majority view is rejected in favour of the minority view who consider the boundary changes unnecessary and prefer to retain the status quo. This decision is giving special

<p>Waikanae Ward and Community Board area.</p> <p>Council will instead accept the minority of submissions disagreeing with the changes and suggest retaining the current ward and community board boundaries in place between Waikanae and Ōtaki.</p>	<p>consideration to the responses from residents that are directly affected by the boundary changes who support retaining the boundaries as they are.</p>
<p>Accept the submission made by Council's mana whenua partners to change the name of the Māori Ward to Kapiti Coast Māori Ward.</p>	<p>The submission is accepted as the views of Council's mana whenua partners are considered valuable and appropriate when considering the naming of the newly established Māori ward.</p>

Mana whenua

- 72 To consider the views of tāngata whenua, Council is guided by the partnership between elected members and mana whenua of the Kāpiti Coast District, namely, the iwi and hāpu of Te Āti Awa ki Whakarongotai Charitable Trust, Ngā Hapū o Ōtaki (Ngāti Raukawa ki Te Tonga) and Ngāti Toa Rangatira (the A.R.T Confederation).
- 73 As part of the representation review process, to understand what fair and effective representation arrangements for the Kāpiti Coast district look like, the project team sought advice from Council's iwi partners to understand their views. Apart from engaging with mana whenua on the same questions posed to the wider community around representation, Council's iwi partners have been specifically consulted on two key aspects of representation in the Kāpiti Coast district:
- 73.1 what the Māori Ward's name should be, and
 - 73.2 where the boundary lines between the Ōtaki General Ward and Waikanae General Ward (at Te Horo) should lie.
- 74 During the formal consultation period between 8 August and 12 September 2024, mana whenua provided a written submission (attached in Appendix 9), and confirmed that they:
- 74.1 are supportive of the name proposed for the Māori ward with the condition that the macron be removed from Kapiti changing the ward's name to Kapiti Coast Māori Ward instead.
 - 74.2 are supportive of the proposed boundary changes for the Ōtaki and Waikanae Wards and Community Boards which would entail moving the boundary south past Te Hapua Road.
- 75 Separate to the formal submission received from Council's mana whenua partners, Ngā Hapū o Ōtaki (Ngāti Raukawa ki Te Tonga) have verbally confirmed that they do not agree with moving the boundary north to Ōtaki river as it will separate one of the five Ōtaki hapū, Ngāti Huia ki Katihiku, from the rohe of their iwi Ngāti Raukawa ki Te Tonga.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 76 There are no climate change and environment considerations relevant to this report.

Ahumoni me ngā rawa | Financial and resourcing

- 77 Conducting a representation review has an impact on the budget which has been factored into the planning for the long-term plan. In November 2023, the total cost for the representation review was estimated at \$240,000 which included preliminary and formal community engagement costs. Due to the streamlined approach to the review process, savings have been realised throughout the process and it is estimated that the total cost will be \$160,000.

- 78 This budget includes costs incurred for technical advice being sought from our Electoral Officer (Election Services) as well as administration costs to cover printing, advertising, community engagement sessions during the preliminary community engagement and formal consultation phases. A referral of the final proposal to the LGC does not incur significant additional costs for Council but minor administrative costs that may be incurred have been included in the budget.
- 79 A poll on the future of the Māori ward will be included in the planning for the 2025 Local Body Elections and is not included in the budget to finalise the representation review. The poll is estimated to cost \$13,500. The poll will be held at the same time as the triennial elections which means it can be completed at a significantly lower cost than a standalone poll (around \$100,000 - \$120,000) as certain processes such as running educational campaigns, preparing electoral rolls, and organising the mail-out to electors occur regardless of whether a poll is included or not. The estimated amount covers extra printing costs and processing time required to calculate the poll results.

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

Legal Considerations

- 80 The parameters, deliverables and timeframes of the representation review are mandated by legislation under the LGA and LEA (primarily section 19). The review process has been planned and executed in accordance with these legislative requirements.
- 81 Once a local authority has resolved its final proposal, it must refer the proposal to the LGC for a binding determination by 10 April 2025 if it does not comply with the fair representation rule (+/-10% rule) or if any appeals or objections are received after the proposal has been publicly notified.
- 82 Under the amended provisions of the LEA¹⁴, Council will be required to hold a poll at the 2025 Local Body Elections to determine the future of the Māori ward. During consultation, submitters raised that Council should direct officers to seek legal advice on not conducting the poll. Council has not sought legal advice itself but is aware of legal advice that has been sought by Taituarā (New Zealand's membership network for local government professionals). The legal advice received confirms that councils are not in a position to decide not to hold a poll. The statutory requirement to hold a poll, once triggered, fully rests with the Electoral Officer who is independent of Council to ensure elections and polls are conducted in a politically neutral manner. Any decision not to hold a poll would result in non-compliance with legislation.

Risk Management

- 83 The representation review plan includes mitigations to ensure any risks to Council are addressed. One of the main mitigations is for the communications and engagement plan to contain the right information to ensure that constituents understand how to participate in the review process and to provide for high levels of engagement during the formal submission phase. This also aims to decrease the likelihood of opposition and objection to the final proposal agreed by Council.

Ngā pānga ki ngā kaupapa here | Policy impact

- 84 There will be no direct impact on any existing or planned policies as a result of this decision.
- 85 If Council decides to change the name of the Māori ward to Kapiti Coast Māori Ward without the macron on Kapiti, this decision will not be in line with Council's macron usage policy resulting in an inconsistency. This can be addressed by considering a review of the policy.

¹⁴ The LEA was amended on 30 July 2024 as a result of the enactment of the Local Government (Local Electoral and Māori Wards and Māori Constituencies) Amendment Act.

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

- 86 As per the provisions of the LEA, Council undertook a formal consultation process on the initial proposal to inform the final proposal.
- 87 The consultation period was open from 8 August to 5pm on 12 September 2024 and involved a range of consultation activities including:
- 87.1 A Statement of Proposal (explaining the submission process, outlining the proposal and rationale including maps to show changes)
 - 87.2 A formal submission consultation questionnaire
 - 87.3 Media advisories, newspaper, radio and online advertising (including Facebook)
 - 87.4 A consultation website using Council's Have Your Say platform
 - 87.5 Everything Kāpiti e-newsletter
 - 87.6 Webinar and face-to-face community drop-in sessions to ask questions of staff and elected members
 - 87.7 Targeted communications (email and letter-drop) for residents in areas affected by the proposed boundary changes.

Whakatairanga | Publicity

- 88 Community interest in this decision is expected to be high. The decision will be published through Council's usual channels and notified publicly. The LEA mandates that Council's decision on its final representation proposal must be publicly notified within 8 weeks of the submission period closing (and no later than 3 November 2024).
- 89 The final proposal decision will also be communicated by providing:
- 89.1 a written response to all submitters that have provided email or postal addresses to confirm Council's final proposal, and to provide information on the objections process;
 - 89.2 a media advisory from the Mayor outlining the final proposal and reasons for some of the changes (promoted through our e-newsletter Everything Kāpiti and other usual communications channels)
 - 89.3 updates to the website and digital channels (i.e. Facebook page).
- 90 Once Council's decision has been publicly notified, the community will have an opportunity to object to the decision by emailing Council directly (governance@kapiticoast.govt.nz). The objections process will be open for one month until 6 December 2024. After this date, any objections will be forwarded to the LGC to consider. If the final proposal complies with the fair representation criteria and no objections are received the final proposal will become the basis for election at the 2025 local body elections.

NGĀ ĀPITI HANGA | ATTACHMENTS

- 1. Appendix 1 - Formal Consultation Submissions (under separate cover) ➡
- 2. Appendix 2 - Unconfirmed Council Minutes and Tabled Documents ↴
- 3. Appendix 3 - Submissions Analysis Report ↴
- 4. Appendix 4 - Ward and Community Board Boundaries ↴
- 5. Appendix 5 - Section 19 Local Electoral Act 2001 ↴
- 6. Appendix 6 - Initial Proposal ↴
- 7. Appendix 7 - Consultation Questionnaire ↴
- 8. Appendix 8 - Population Data Statistics ↴
- 9. Appendix 9 - A.R.T Confederation Submission Letter ↴

COUNCIL MEETING MINUTES

24 SEPTEMBER 2024

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING****HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON TUESDAY, 24 SEPTEMBER 2024 AT 9:31 AM**

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

IN ATTENDANCE: Mr Bede Laracy, Mr Richard Mansell (via Zoom), Mr Bernie Randall, Mr Michael Moore, Mr Darren Edwards, Mr Mark de Haast, Ms Hara Adams, Ms Rach Wells (via Zoom), Ms Kris Pervan, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky

WHAKAPĀHA | APOLOGIES: Cr Rob Kofoed

LEAVE OF ABSENCE: Nil

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting.

2 KARAKIA | COUNCIL BLESSING

Cr Sophie Handford read the Council karakia.

3 WHAKAPĀHA | APOLOGIES**APOLOGY****RESOLUTION CO2024/125**

Moved: Cr Nigel Wilson
Seconder: Cr Shelly Warwick

That the apology received from Cr Rob Kofoed be accepted.

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

No declarations of interest were raised.

5 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) No leaves of absence were requested at this meeting.
- (b) No matters of an urgent nature were raised with the Chair prior to the commencement of the meeting.

6 NGĀ WHAKAWĀ | HEARINGS

Cr Cooper joined the meeting at 9:53am.

Deputy Mayor Lawrence Kirby left the meeting at 10:08am and returned at 10:09am.

Cr Kathy Spiers left the meeting at 10:17am and returned at 10:19am.

Cr Cooper left the meeting at 10:55am and returned at 10:57am.

COUNCIL MEETING MINUTES

24 SEPTEMBER 2024

6.1 2024 REPRESENTATION REVIEW INITIAL PROPOSAL SUBMISSIONS HEARING

Mr Pat Duignan (via Zoom) spoke to his personal submission and the submission of the Waikanae Peka Peka Residents Society Inc regarding the Ōtaki-Waikanae boundary changes in the initial proposal. In his submission, he suggests giving more weight to respondents directly affected by the boundary changes. He raised concerns that the consultation survey lacked contextual information on the Māori ward establishment and the proposed changes to the Ōtaki-Waikanae ward boundary. He tabled a document to support his submission and answered questions from elected members.

Mr Martin Whyte raised concerns regarding the implementation of the Māori wards and Māori representation in local government enacted by central government legislation. He answered questions from elected members.

Mr Richard Young queried the electorate population figures in the initial proposal and the community board representation structure for the Raumatī-Paekākāriki ward. He tabled a document to support his submission and answered questions from elected members.

Mr Steve La Hood spoke to his support for the Council's proposed representation structure, including the incorporation of a Māori ward, and suggested that the Māori ward councillor's integration into Council affairs must be well considered alongside iwi and hapū representation. He further suggested that Council reject to hold the binding referendum on the Māori ward at the 2025 election. He answered questions from elected members.

Mr Chris Mitchell tabled a document and presented a submission that fair and effective representation would be better achieved without districtwide councillors and that instead a fully ward based system should be explored. He further suggested that more councillors would ensure the Council size matches the growing population of the district. He answered questions from elected members.

Mr Stephen Blyth expressed support for the Māori ward. He suggested that Council reject to hold the binding referendum on the Māori ward at the 2025 election. He answered questions from elected members.

The meeting adjourned at 11:18am and resumed at 11:40am.

Cr Prvanov left the meeting during the adjournment and returned to the meeting at 11:41am.

Cr Spiers left the meeting at 11:50am and returned at 11:51am.

Mr John Andrews spoke to his views on representation, and expressed dissatisfaction with some of his interactions with Council staff. He answered questions from elected members.

The meeting adjourned at 11:52am and resumed at 12:04pm.

Mr Bernie Randall left the meeting during adjournment and did not return.

Cr Spiers left the meeting at 12:32pm and returned at 12:32pm.

Cr Warwick left the meeting at 12:45pm and returned at 12:46pm.

Mr Quentin Poole raised concerns about the cost implications of proposed changes to ward boundaries since another representation review may be necessary after the Māori ward referendum at the 2025 election. He expressed opposition to the creation of a Māori ward and a preference to shift the Ōtaki-Waikanae boundary north to the Ōtaki river, should there be a need for the boundary to be shifted. He answered questions from elected members.

Mr Aaron Packard expressed support for the implementation of a Māori ward as a mechanism to honour human rights. He answered questions from elected members.

Appendices

COUNCIL MEETING MINUTES**24 SEPTEMBER 2024**

- | | |
|---|---------------------------------|
| 1 | Pat Duignan Tabled Statement |
| 2 | Richard Young Tabled Statement |
| 3 | Chris Mitchell Tabled Statement |

7 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA

Mayor Janet Holborow closed the Council meeting with karakia.

The Kaunihera | Council meeting closed at 1:01pm.

.....
HEAMANA | CHAIRPERSON

UNCONFIRMED

KCDC Representation review 2024**Chris Mitchell submission speaking notes****2 points:**

1. All councillors to be elected on a ward system
2. More councillors

Some factual background relevant to these points:

KCDC was created in 1989 as part of a nationwide restructure of LG

It was an amalgamation of Otaki Borough, Horowhenua County and Kapiti Borough

The newly created KCDC had a mayor, and 14 councillors all elected on a ward basis – there were 5 wards.

At that time the district population was around 32,000. It is now just under 60,000.

In 1989 we had 1 councillor for every 2,285 people. Now it is one for every 5,900 people – and for ward councillors it is one for every 8,400 people.

The council itself reduced its membership to 10 councillors in 2004 and while it wanted all elected on a district wide basis the LGC determined a 5:5 split. This remained in place until 2022 when the LGC set the current 7:3 split.

The Council has now (2024) proposed an 8:2 split to fit a Māori ward.

The submission

The first statutory purpose of local government (ie why this Council exists) is

to enable democratic local decision-making and action by, and on behalf of, communities

The simple arithmetic above shows that the Council has deliberately chosen and re-chosen a representation model which is less and less designed to effectively represent its communities.

Whilst the governance group has been reduced by around a third, the population has nearly doubled and the organisation itself has grown considerably.

In recent history, there is virtually no analysis of the representation model in terms of this statutory purpose and the available options. The 'downsize' decision 20 years ago reflected the 'neo-liberal' view that any public service could be improved by making it more 'business like', and that governance, specifically, would be improved by getting better qualified 'good' people to replace people known in the various communities.

Leaving aside any broader discussion on where this approach has led us, there is no evidence at all that the 2004 decision helped to make the Council a better governed and/or better performing organisation than it was before. That surely should be a reference point as well.

Instead, the only justification I can see for continuing the current representation model is that there is no apparent public pressure to change it. And that conclusion is based on the statistically insignificant level of engagement on these issues as well as interpreting silence as support.

In reality, I suspect that it is a difficult or even impossible conversation for councillors because it involves terminating the roles of some existing councillors (elected on a district wide basis).

The issue is then whether, leaving aside personal interests, 10 ward councillors is a better form of representation than 8 ward councillors and 2 elected district wide; and if an all ward councillor model is better, whether it would be more effective if there were 12. A 12 ward councillor model would be an increase of 50% of ward representation over the Council's current proposal. But the increased costs of representation would be comparatively minimal.

In case you might be concerned that an increase would put the Council out of step, the following may help:

Horowhenua DC	pop.38,000	12	councillors ward system
Manawatu DC	pop.34,000	11	councillors ward system
Rangitikei DC.	pop.17,000	11	councillors ward system
Whanganui DC.	pop.49,000.	12	councillors ward system
Porirua City	pop. 62,000.	10	councillors ward system
Upper Hutt City	pop.48,000.	10	councillors district wide system

My submission is hardly a 'back to the future' request. Even with 12 ward councillors, the actual size of the governance group would remain significantly smaller and far more stretched than it was in 1989 given population growth and the extra responsibilities imposed on the Council since then.

But it would bring more community voices to the table, better representation of those communities, and ultimately a better council.

Chris Mitchell
24 September 2024

Pat Duignan for the Waikanae and Peka Peka Beach Residents Society Inc
Statement to KCDC re Submission on the Initial Representation Proposal

The submissions on the Initial Representation Proposal were posted on the KCDC website yesterday, 23 September 2024. An initial review of the submissions indicates the survey questions were unsatisfactory in terms of providing a sound basis for decisions on the KCDC Final Representation Proposal.

The most concerning aspect of the survey is that the information provided regarding the boundary changes asserted *"These proposed boundary changes are in line with community feedback following the Local Government Commission's decisions during our last representation review process and feedback received from members of these communities since the last elections in 2022."*

The response to my information request for all written feedback from the Kapiti Coast District residents or ratepayers regarding the Otaki Ward-Waikanae Ward boundary since the Local Government Commission's 2022 determination.

"In relation to the boundary changes suggested in the initial representation proposal for the Ōtaki-Waikanae General Ward boundary, one formal written submission (attached) was received as part of the preliminary community engagement undertaken."

The specific written submission simply state "Te Horo should be in Otaki Ward".

The Council's assertion regarding *"community feedback"* will have been interpreted by many survey respondents as indicating Te Horo residents had made substantial submissions to the Council favouring Te Horo being in Otaki Ward. The reality is that all the Council has is anecdotes regarding the issue. The assertion will have resulted in many respondents supporting the boundary change because they believe the Council have a robust knowledge of Te horo Residents views when in fact the Council did not have any detailed assessment of the residents views.

Submitter 12 comments that the questions on the should be only answered by Otaki and Waikanae ratepayers (or residents). Submitter 13 suggests there should have been a "Not applicable" choice available to the survey respondents. The appropriate approach would have been that Otaki and Waikanae residents and ratepayers were invited to respond regarding the Otaki Ward – Waikanae Ward boundary and Paraparaumu and Paekakariki-Raumati Residents and ratepayers were invited to respond regarding the Paraparaumu Ward - Paekakariki-Raumati Ward boundary. I suggest that the Councillors ask that responses on the boundaries be reported on the basis that the views that count regarding each of the two proposed boundary changes are those of the residents and ratepayers in the wards affected by each of the proposed boundary changes.

In this context I note that only 20 of the first 50 responses posted are from Otaki or Waikanae. The views on the Otaki Ward–Waikanae Ward boundary of the other 30

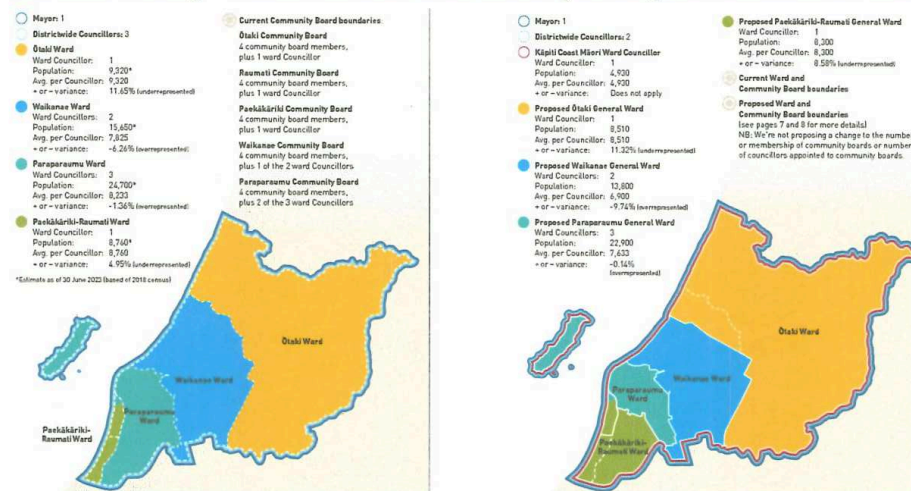
respondents who are not from the Otaki or Waikanae Wards should be consider much less relevant.

It is not clear to me whether the responses to the survey will reveal the views of Te Horo residents. I hope this will be clarified.

Pat Duignan

24 September 2024

Richard Young – Submission on boundary changes Paekākāriki-Raumati Ward



- Existing Ward of Paekākāriki-Raumati has 8,760
- Proposed change is to enlarge the Ward – any boundary change is to a bigger size
- Proposed Ward of Paekākāriki-Raumati has 8,300
- So 460 fewer people but a larger area.
- Are Council staff confident that they have the numbers right?
- Extra feedback – Congratulations on refusing to disestablish the Māori Ward.
- Will Councillors follow some other councils and ask staff to report on the implications of not undertaking a binding referendum on abolishing a Māori Ward.



Kāpiti Coast District Council

Me pēwhea te whakakanohi i a koe anō? – How would you like to be represented?

Initial proposal consultation

Summary of submissions

September, 2024

Representation review consultation — summary of submissions

1 Contents

1	Contents.....	1
2	Introduction.....	2
3	Methodology	6
4	Summary of findings.....	2
5	Who we heard from	7
6	Number of councillors	8
7	Proposed Council structure	12
8	Proposed arrangements – general feedback	16
9	Community boards	18
10	Ōtaki and Waikanae boundaries	22
11	Paekākāriki-Raumati and Paraparaumu boundaries.....	26
12	Additional feedback.....	30
13	Māori ward feedback.....	32

Representation Review 2024 – formal community consultation — summary of submissions

2 Introduction

Kāpiti Coast District Council (Council) is responsible for ensuring fair and effective representation for its communities through its representation arrangements. To ensure the representation arrangements remain fair and representative, and responsive to the evolving needs and demographics of the district, Council is required to conduct a representation review every six years. This process is mandated through the Local Electoral Act 2001 (LEA).

Council last completed a representation review in 2021, and the next review was scheduled for 2027. However, in November 2023, Council decided to establish a Māori ward for the 2025 local body elections. Under the LEA, this decision triggered an out-of-cycle representation review to assess the current representation arrangements and develop options for integrating the Māori ward into the structure.

In March and April 2024, Council gathered input from the community regarding various aspects of representation, including the number of councillors, how the councillors should be elected, how community boards should represent their communities and the integration of the Māori ward into the representation arrangements. Feedback received through this preliminary community engagement process shaped Council's initial representation proposal. On 30 July 2024, Council resolved its initial proposal for a representation structure for the 2025 local body elections and, in accordance with the LEA, sought feedback on the proposal between 8 August 2024 and 12 September 2024.

This report summarises the submissions received as part of the formal consultation on the initial proposal and outlines key themes that have emerged from the consultation.

Representation Review 2024 – formal community consultation — summary of submissions

2.1 Current representation structure

Council's current representation arrangements include:

- One mayor – elected by all voters of the district
- Four general wards represented by seven elected councillors:
 - Ōtaki Ward (1 councillor)
 - Waikanae Ward (2 councillors)
 - Paraparaumu Ward (3 councillors)
 - Paekākāriki-Raumati Ward (1 councillor)
- Three districtwide councillors
- Five community boards with four elected members each:
 - Paekākāriki Community Board
 - Paraparaumu Community Board
 - Raumati Community Board
 - Waikanae Community Board
 - Ōtaki Community Board



Figure 1: Current representation structure

2.2 Proposed changes

On 30 July 2024, the Council decided that the current structure should be largely retained, with some key changes to accommodate the new Māori ward. The proposed changes include:

1. Replacing one districtwide councillor position with the new Māori ward councillor.
2. Maintaining the existing four general wards with their current number of councillors.
3. Reducing the number of districtwide councillors from three to two.
4. Adding one Māori ward councillor to represent the entire Kāpiti Coast District.
5. Retaining the five community boards with their current structure.
6. Proposing some boundary changes:
 - Moving the Ōtaki and Waikanae general ward and community board boundaries at Te Horo further south past Te Hapua Road.
 - Adjusting the Paekākāriki-Raumati and Paraparaumu general ward and the Paekākāriki and Paraparaumu community board boundaries at Emerald Glen and Valley Road.

Representation Review 2024 – formal community consultation — summary of submissions

The proposed representation structure is therefore as follows:

- One mayor (unchanged)
- Four general wards represented by seven elected councillors (unchanged):
 - Ōtaki Ward (1 councillor)
 - Waikanae Ward (2 councillors)
 - Paraparaumu Ward (3 councillors)
 - Paekākāriki-Raumati Ward (1 councillor)
- Two districtwide councillors (reduced from three)
- One Māori ward councillor (new)
- Five community boards with four elected members each (unchanged):
 - Paekākāriki Community Board
 - Paraparaumu Community Board
 - Raumati Community Board
 - Waikanae Community Board
 - Ōtaki Community Board

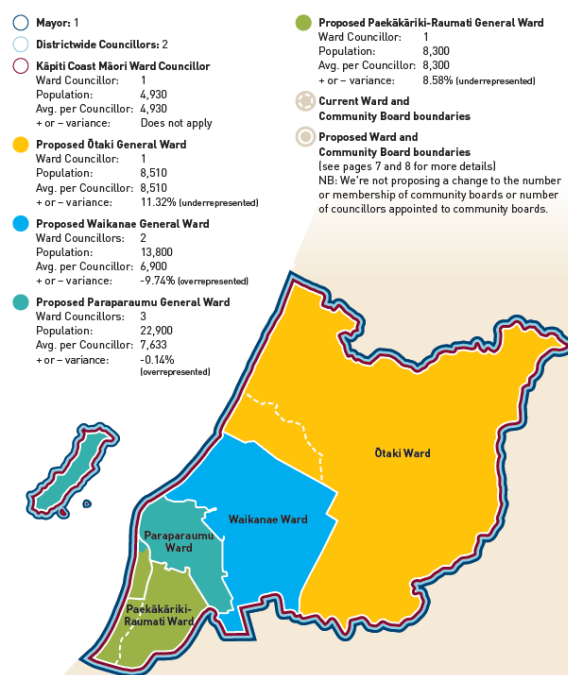


Figure 1: Proposed Council Structure

These proposed changes aim to integrate the new Māori ward while maintaining a similar overall structure and ensuring fair representation across the district. This aligns with the majority of feedback received during the preliminary community engagement conducted in March and April 2024.

2.3 Changes to legislation in relation to Māori wards

In April 2024, the Minister for Local Government announced the introduction of a Bill to amend the LEA. The aim of the Bill was to honour the Coalition Agreements between the New Zealand National Party, ACT and New Zealand First committing to “restore the right to local referendum on the establishment or ongoing use of Māori wards, including requiring a referendum on any wards established without referendum at the next local body elections”. This Bill was introduced into the House in May and received royal assent on 30 July 2024.

The amended provisions in the LEA, reintroduce the requirement for polls for councils wishing to establish Māori ward(s) and requiring all councils that have established a Māori ward without a poll to hold one at the next local body elections in 2025. Councils that had decided to establish a Māori ward without a poll were further required to affirm or rescind their decision before 6 September 2024.

Council decided to affirm its decision to establish a Māori ward on 6 August 2024 and continue the representation review process underway. Under the new provision of the LEA, this means that the Māori ward will be in place for the 2025 local body elections and a councillor will be elected to fill the vacancy. It further means that Council is required to hold a poll at the same time as the 2025 local body elections to determine the future of the Māori ward and whether it will still be in place at the 2028 local body elections.

Representation Review 2024 – formal community consultation — summary of submissions

2.4 Consultation objectives

The primary objectives of the representation review are to ensure fair and effective representation arrangements are in place for all communities within the Kāpiti Coast district. This includes:

- Determining the most appropriate number of councillors for effective governance.
- Evaluating the balance between ward-based and districtwide representation.
- Assessing the integration of the Māori ward into the representation structure.
- Reviewing the structure and membership of community boards.

To ensure fair and effective representation is achieved, throughout the review, feedback is gathered from the community to shape Council's decision-making. While not mandatory, Council conducted a preliminary community engagement to understand the community's views on how it would like to be represented. The feedback received as part of this engagement shaped the options Council considered when deciding on an initial representation proposal in July 2024. After resolving an initial proposal, Council was required to consult on this proposal with the community. This consultation process is mandated through the LEA and aimed to gather community feedback on the proposal, and specifically the proposed changes to the current representation arrangements.

Representation Review 2024 – formal community consultation — summary of submissions

3 Methodology

This section outlines the approach used to gather community feedback and analyse the submissions received on the initial representation proposal.

3.1 Consultation questionnaire design

A consultation questionnaire was designed to gather community feedback on various aspects of the initial representation proposal, including the proposed changes to the ward and community board boundaries. The questionnaire included both quantitative and qualitative questions to capture a broad range of perspectives.

Key areas addressed in the questionnaire included:

- Opinions on the number and allocation of councillors.
- Views on the proposed Council structure with the inclusion of the Māori Ward, including what changes should be made if the respondent did not agree with the initial proposal.
- Feedback on community board structure and membership.
- Views on proposed changes to ward and community board boundaries at Te Horo and Emerald Glen/Valley Road.

3.2 Data collection

3.2.1 Consultation questionnaire distribution

The questionnaire and an accompanying Frequently Asked Questions document was accessible to the community in both electronic and hard-copy form to ensure wide community reach:

- Online platform: The questionnaire was made available on Council's website.
- Physical copies: Paper questionnaires were distributed at Council offices, libraries, and service centres.

The consultation was advertised through newspaper, radio and online advertising (including Council's Everything Kāpiti e-newsletter). Consultation activities included a webinar drop-in session and a physical drop-in session for members of the community to ask questions of elected members and staff as well as targeted letter drops to residents affected by the proposed boundary changes.

Further to the above, a submissions hearing held on 24 September 2024, provided submitters the opportunity to talk to their submission verbally in front of councillors.

3.2.2 Timeframe

The consultation was open for responses from 8th August 2024 to 12th September 2024 (5pm).

Representation review consultation — summary of submissions

3.3 Data analysis

3.3.1 Quantitative analysis

Quantitative data from closed-ended questions were analysed using descriptive statistics, including frequency distributions and cross-tabulations.

3.3.2 Qualitative analysis

Open-ended responses were analysed using thematic analysis. This method follows five main steps:

1. Data familiarisation – Analysts read the data multiple times to grasp its content.
2. Initial coding – Data is sorted into labelled segments highlighting key points.
3. Theme identification – Segments are grouped into broader themes.
4. Theme review and refinement – Themes are checked for relevance and clarity.
5. Theme definition and naming – Each theme is carefully defined, with sub-themes identified where appropriate.

3.3.3 Reporting

Tables illustrating the frequency of the key themes have been included to demonstrate the significance of each theme. Comments with a frequency of 1 have been removed to focus on the key themes emerging from multiple respondents. Reporting of closed-ended quantitative questions is in the form of charts indicating the overall number of responses as well as the percentage of responses who have indicated a position in relation to the question asked.

3.3.4 Broader feedback which is out of scope for Council decision

Broader feedback outside of legislative parameters for the representation review process at this point in time was also received. This included:

- Opposition to the establishment of the Māori ward and race-based representation
- Support of the establishment of the Māori ward and opposition to Government's changes in legislation

The decision to establish a Māori ward was made in November 2023 and affirmed by Council on 6 August 2024¹. Both decisions were made in accordance with the provisions of the LEA at the time of making the decision and sit outside of the representation review consultation scope. At this time, Council is no longer able to decide to disestablish the Māori ward and the Māori ward must form part of the district's final representation arrangement proposal. Feedback related to the establishment of Māori wards has been removed and consolidated in a Māori ward feedback section on page 32.

¹ Council decided to affirm its decision to establish a Māori Ward on 6 August 2024. The amendments to the Local Electoral Act 2001 enacted by the Government in late July 2024 provided that councils that have decided to establish a Māori Ward without a referendum must affirm or rescind their decision to establish a Māori Ward before 6 September 2024. Councils deciding to affirm their decision must continue with their representation reviews and hold a poll at the 2025 local body election that will decide the future of the Māori Ward.

Representation Review 2024 – formal community consultation — summary of submissions

4 Summary of findings

442 submissions were received. Overall, the following key findings were identified:

- The majority of the community supports keeping the number of councillors to 10. However, over half of respondents disagree with the proposed structure of having two districtwide, seven general ward and one Māori ward councillors;
- The majority of the community supports the proposed number and membership of community boards;
- The majority of the community supports the proposed boundary alterations at Te Horo and Emerald Glen/Valley Road. Of those directly affected by the proposed changes, the majority also supports the boundary alterations at Emerald Glen/Valley Road, but the majority opposes the proposed changes at Te Horo.

Do you agree with keeping the number of councillors to 10?

10

Of the respondents, 76% (n=332) agreed with keeping the number of councillors to 10, while 24% (n=105) disagreed.

In relation to community feedback directly related to the proposal of keeping the number of councillors to 10, the following themes emerged from those who agreed:

- Belief that 10 councillors provide sufficient and effective representation for the district's size and population.
- General satisfaction with the current representation structure.
- Concerns that increasing the number of councillors could lead to higher costs and inefficiency.

In contrast, the following themes emerged from those who disagreed with keeping the number of councillors to 10:

- Financial concerns about the costs of maintaining 10 councillors, with calls for reduced spending to lower rates and suggestions that fewer councillors might improve efficiency as well as reduce expenses.
- Suggestions for an ideal number of councillors ranging from five to eleven, with eight being most frequently mentioned.
- Calls for changes to the representation structure, including removing or reducing districtwide councillors and addressing underrepresentation in specific wards such as Paekākāriki-Raumati and Ōtaki.

Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor?



Of the respondents, 45% (n=195) of respondents agreed with the proposal of having seven general ward councillors, two districtwide councillors and one Māori ward councillor, while 55% (n=240) disagreed.

Representation Review 2024 – formal community consultation — summary of submissions

In relation to community feedback on the proposed Council structure, the following themes emerged from those who agreed with the structure:

- Belief that the proposed distribution provides fair and effective representation for the district.
- General satisfaction with the current structure, highlighting the effective mix of ward and districtwide councillors.
- In addition to the above, respondents also mentioned the inclusion of the Māori ward as a rationale for their support of the proposed structure.

In contrast, the themes from those who disagreed with the proposed Council structure include:

- A preference for reducing the overall number of councillors to streamline the Council and improve efficiency and save costs to lower rates.
- Concerns about the Council ignoring majority opinions and dissatisfaction with the decision-making process.
- Suggestions for an ideal number of councillors, with a preference for seven or nine in total.
- In addition to the above comments, many respondents also mentioned the inclusion of the Māori ward as the rationale for the opposition to the proposed structure.

If you did not agree to 1 or 2, what changes to the initial proposed arrangements would you make?



In relation to community feedback on what changes to the initial proposed arrangements respondents would suggest, the following themes emerged from the consultation:

- A preference for reducing the overall number of councillors (suggested numbers are between seven and nine in total), particularly districtwide councillors, to improve efficiency and reduce costs.
- Suggestions for alternative Council structures such as:
 - maintaining the status quo (i.e. not implementing the proposed changes, either by not establishing a Māori ward or by adding the Māori ward to the existing structure and not reducing the number of districtwide councillors),
 - having one councillor per ward,
 - combining rural areas and establishing a rural ward, and
 - addressing underrepresentation in areas like Ōtaki and Paekākāriki-Raumati.
- Concerns about Council ignoring majority opinions.
- Concerns about Council's financial management.

Representation Review 2024 – formal community consultation — summary of submissions

Do you agree with keeping the number and membership of community boards to five represented by four elected representatives each, and retaining the number of councillors appointed to community boards?



Of the respondents, 80% (n=349) agreed with keeping the current community board structure to five community boards represented by four elected members each and retaining the number of councillors appointed to community boards, while 20% (n=87) disagreed.

In relation to community feedback directly related to the community board structure and membership, the following themes emerged from those who agreed with the current structure and membership:

- Support for maintaining the status quo, expressing general agreement with the existing structure.
- Belief that community boards provide fair and effective representation and are important to local democracy.
- Emphasis on the value of community boards in ensuring local representation and championing community opinions.
- Calls to include Māori representation on community boards.

In contrast, the following themes from those who disagreed with the current community board structure emerged:

- Preference for reducing the size and number of community boards, with some questioning their purpose altogether.
- Financial concerns about the costs associated with community boards and suggesting that reducing the number and membership of community boards could save money.
- Concerns about discrepancies in the number of Councillors appointed between different wards, with calls made to rectify the discrepancy.
- Suggestions for alternative structures and memberships, such as removing councillor appointments from community boards or merging existing boards.
- Calls to improve community engagement and responsiveness of community board representatives.

Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae?



Of the respondents, 70% (n=272) of respondents agreed with the proposed general ward and community board boundary line changes for the Ōtaki and Waikanae wards and community boards (at Te Horo), while 30% (n=115) disagreed.

Community feedback from those who agreed with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae included the following themes:

Representation Review 2024 – formal community consultation — summary of submissions

- Support for unifying areas that identify with Ōtaki, including Te Horo and Te Horo Beach, to better reflect communities of interest.
- Agreement that the proposed boundaries align with school zones, community assets, and traditional iwi boundaries.
- Belief that the changes improve representation and better align community boards with councillor representation.
- Belief that Te Horo aligns more naturally with Ōtaki than Waikanae.

In contrast, the following themes from those who disagreed with the proposed boundary changes emerged:

- Preference for maintaining the status quo, expressing that there is no need for change.
- Concerns about fair and effective representation due to the proposed size of the Ōtaki ward compared to the Waikanae ward.
- Belief that Te Horo aligns more naturally with Waikanae rather than Ōtaki.
- Suggestions to use the Ōtaki River or alternative locations (no specific suggestions) as the boundary instead.
- Financial concerns about rate increases and calls for prioritising essential services rather than boundary line adjustments.

Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards?



Of the respondents, 79% (n=273) of respondents agreed with the proposed general ward boundary line changes for the Paekākāriki-Raumati and Paraparaumu wards, and the Paekākāriki and Paraparaumu community boards (at Emerald Glen and Valley Road), while 21% (n=71) disagreed.

Community feedback from those who agreed with the proposed general ward boundary line changes for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards included:

- General agreement with the proposed changes, with some believing they improve democratic representation for the affected community and align representation with communities of interest.
- Belief that Emerald Glen more naturally aligns with Paekākāriki.
- Support for the combined Paekākāriki-Raumati ward.

In contrast, the following themes from those who disagreed with the proposed boundary changes emerged:

- Belief that there is no need for change.
- Concerns about how funding would be allocated under the new boundaries.
- Concerns about democratic representation and a lack of information and clear rationale behind the proposal.

Representation Review 2024 – formal community consultation — summary of submissions

- Preference for maintaining the status quo, with suggestions to merge certain areas or fully include Raumati in Paraparaumu instead.

Is there anything else you would like to say to guide councillors' thinking on the representation review?



The following additional feedback themes that the community wanted to share with councillors to guide their decision-making on the representation arrangements for the district emerged:

- Calls for Council to listen more to the community and concerns that majority opinions are being ignored.
- Emphasis on restoring democratic processes and acting in a democratic and unbiased manner to reflect local demographics and aspirations.
- Advocacy for reduced Council spending, focusing on core services and infrastructure.
- Calls for fair representation, with an emphasis on all representatives being elected and a variety of opinions on the ideal number of councillors.
- Concerns about the reliability of and access to relevant information during the consultation process.
- Suggestions for alternative ward boundaries, emphasising the importance of community cohesion and practical geographic considerations.
- Calls for increased elected member visibility in the community and encouraging regular interaction with constituents.

5 Who we heard from

442 submissions were received.

- 433 (98%) submissions were received via the online portal Have Your Say
- 8 submissions were received via letter and/or email
- 1 submission was received as a hard copy form and could not be entered into the online system. This submission did not include contact information or directly relevant feedback apart from answering one quantitative question. This submission has been included in the analysis in relation to the question answered.

5.1 Submissions by ward

Figure 1 and Table 1 show the ward distribution of the consultation respondents across the Kāpiti Coast district. Most respondents were from Waikanae, with Ōtaki having the least number of respondents.

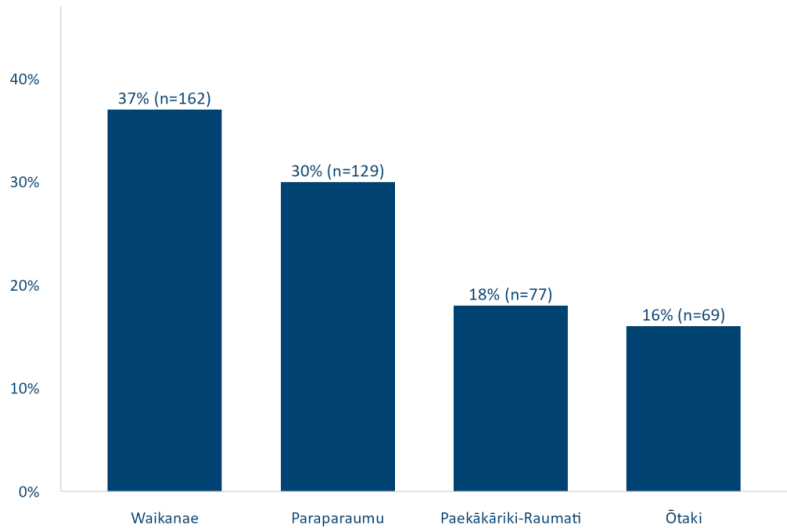


Figure 1: Respondent ward distribution

Ward	Count	Percentage
Waikanae	162	37%
Paraparaumu	129	30%
Paekākāriki-Raumati	77	18%
Ōtaki	69	16%

Table 1: Respondent ward distribution

Detailed submission analysis

This section provides a comprehensive analysis of the submissions received during the representation review consultation period. It breaks down the responses to each question, offering insights into the community's preferences and opinions on various aspects of the proposed representation arrangements.

It's important to note that while 442 submissions were received in total, not all submitters responded to every question and not all respondents provided commentary to explain their choice. As a result, the totals for individual questions may not add up to 442.

6 Number of councillors

6.1 Do you agree with keeping the number of councillors to 10?

Community members were asked whether they agreed with keeping the number of councillors to 10. Of the respondents, 76% (n=332) agreed, while 24% (n=105) disagreed. Figure 2 displays the results.

Overall, the feedback indicates a preference for maintaining the status quo.



Figure 2: Do you agree with keeping the number of councillors to 10?

Table 2 provides a breakdown of responses by ward. Support for the proposed number of councillors was similar across all wards.

Response	Ōtaki n = 68	Paekākāriki-Raumati n = 77	Paraparaumu n = 129	Waikanae n = 162	Total n = 437
Yes	76% 52	81% 62	71% 92	77% 125	76% 332
No	24% 16	19% 15	29% 37	23% 37	24% 105

Table 2: Do you agree with keeping the number of councillors to 10? by Ward

6.2 Key themes from submissions supporting 10 councillors

Table 3 contains the results of the thematic analysis of the comments received from those who support the proposal to keep the number of councillors to 10. The analysis emphasises that the majority of respondents agreed with the current number of councillors and shared the view that maintaining 10 councillors provides fair and effective representation for the district's size and that fewer councillors enable more efficient decision-making. Some respondents also expressed apprehension about the potential costs of increasing the number of councillors.

Representation Review 2024 – formal community consultation — summary of submissions

Theme	Comments	Frequency
FAIR AND EFFECTIVE REPRESENTATION		117
	Sufficient representation for district size	68
	General agreement	32
	Support current structure but fewer councillors could be beneficial	10
	Provides fair/effective representation	5
	Support current democratic representation	2
FINANCIAL CONCERNS		15
	Concern about financial implications of adding more councillors	15
COUNCIL PERFORMANCE		14
	Support current structure as fewer councillors more efficient for decision-making	11
	Concern regarding councillor performance	3

Table 3: Do you agree with keeping the number of councillors to 10? by Ward - Yes - Tell us more

6.2.1 Detailed analysis of key themes: Rationale for supporting 10 councillors

Effective and fair representation: Respondents generally believe that the current number of 10 councillors is appropriate for the district's size and population and do not see a need for more representation. Some mention this number of representatives is important for diversity and ensuring equal representation for different areas and groups. There is also a sentiment that reducing the number of councillors could be beneficial in terms of cost and efficiency.

"I think that all areas and all groups are well represented by 10 councillors"

Financial concerns: Respondents believe keeping the number of councillors at 10 is important to manage costs, especially during a cost-of-living crisis. They argue that having more councillors could lead to unnecessary and expensive projects and some suggest that reducing the number of councillors could be considered to help control these costs.

"I agree with keeping the number of Councillors at 10, mindful of the costs of additional council members at this time, and the reasonable representation proposed."

Council performance: Respondents support the proposed number of councillors and emphasise that having a smaller Council is more efficient and prevents decision-making from becoming too complex. They believe that larger councils can lead to unnecessary bureaucracy and more debate, especially if decent candidates cannot be attracted. They emphasise the need for councillors who prioritise the interests of the community and possess the necessary skills.

"Smaller rather than larger is most efficient"

6.3 Key themes from submissions that do not support 10 councillors

In contrast, Table 4 contains the results of the thematic analysis of the comments received from those who do not support the proposal to keep the number of councillors to 10. The analysis shows a preference for reducing the overall number of councillors, with many respondents indicating that having fewer councillors would be more cost-effective and ultimately lower rates. Preferences for the ideal number of councillors varied, with eight being the most frequently suggested number, followed by nine, six, eleven, and five.

Representation Review 2024 – formal community consultation — summary of submissions

In terms of what respondents believe to be fair and effective representation, some respondents suggest removing districtwide councillors or having one councillor per ward or even increasing the number of councillors to provide better and more equitable representation. Concerns about the underrepresentation of specific wards, such as the Paekākāriki-Raumati and Ōtaki wards were also raised.

Theme	Comments	Frequency
COUNCIL SIZE		50
	Reduce number of councillors	47
	Increase number of councillors	3
FINANCIAL CONCERNS		32
	Fewer councillors more cost effective	22
	Calls for reduced spending and lower rates	10
IDEAL NUMBER OF COUNCILLORS		26
	Eight	9
	Nine	6
	Six	5
	Eleven	4
	Five	2
FAIR AND EFFECTIVE REPRESENTATION		24
	Remove one or all districtwide councillors	9
	Concerns about equitable representation across wards	6
	One councillor per ward	3
	Paekākāriki-Raumati ward is underrepresented	2
	Ward councillors only and no districtwide representatives	2
	Ōtaki ward is underrepresented	2
COUNCIL PERFORMANCE		14
	Fewer councillors more efficient	9
	Concerns about elected member performance and influence	5

Table 4: Do you agree with keeping the number of councillors to 10? by Ward - No - Tell us more

6.3.1 Detailed analysis of key themes: Rationale for not supporting 10 councillors

Council size: Respondents generally suggest reducing the number of councillors. While the specific proposed numbers varied, most suggestions ranged from 6 to 9 councillors.

“We should reduce the number of councillors.”

Financial concerns: Respondents express concerns about the high number of councillors and emphasise the need to reduce costs. They believe that fewer councillors would be more cost-efficient and effective, and that Council should prioritise necessary works over vanity projects. Many respondents also mention increasing rates and the burden they place on ratepayers, suggesting that reducing the number of councillors would help alleviate this financial strain.

“We need to cost cut and feel this is not really required. We don’t need all these wards surely Council should be looking at all works required for each area.”

Representation Review 2024 – formal community consultation — summary of submissions

Ideal number of councillors: Respondents believe that the ideal number of councillors should be 8 or 9. Some suggest reducing the number to 6 or 5, while others argue for an increase of councillors to 11 considering the inclusion of a Māori ward councillor.

“The Council would be more effective and more accountable if there were fewer councillors say no more than six.”

Fair and effective representation: Respondents comment that certain wards are underrepresented, such as the Paekākāriki-Raumati and Ōtaki wards, while the Paraparaumu ward is overrepresented. There are differing views on the need for or number of districtwide councillors required for effective representation and others express concerns about the cost and effectiveness of having multiple councillors per ward. Some respondents believe that a Māori ward councillor should be added rather than replace a districtwide councillor seat.

“I question the need for 2 districtwide councillors. The mayor is effectively a districtwide representative, so 1 other districtwide councillor adequately provides for an overarching view. With ever-increasing rates, this is one way in which that burden can be offset, however modest the cost saving.”

Council performance: Respondents feel that there are too many councillors, which slows and complicates decision-making and leads to wasteful spending. In their view, a smaller number of councillors would be more efficient and effective in managing the region’s infrastructure and Council services. Respondents emphasise the need for accountability and practical decision-making and question whether the current representatives are able to effectively influence decisions once elected.

“Seems such a waste of resources when councillors have little if any influence in Council decisions once they are voted in.”

Representation Review 2024 – formal community consultation — summary of submissions

7 Proposed Council structure

7.1 Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor?

Figure 3 shows the level of agreement with the proposed Council structure. 45% (n=195) of respondents agreed with having seven general ward councillors, two districtwide councillors and one Māori ward councillor, while 55% (n=240) disagreed.

Overall, the feedback indicates that the majority of respondents do not support the proposed Council structure and would prefer a different composition. This contrasts with the responses received during the preliminary community consultation, where 74% of respondents supported the statement that the existing representation arrangements provide fair and effective representation, and a majority of respondents supported the statement that the replacement of a districtwide councillor with the Māori ward councillor would be the best option for the inclusion of the Māori ward.



Figure 3: Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor?

Table 5 provides a breakdown of responses by ward. Overall, there was disagreement with the proposal in all wards apart from respondents residing in the Paekākāriki-Raumati ward who are more approving of the proposed structure.

Response	Ōtaki n = 68	Paekākāriki-Raumati n = 77	Paraparaumu n = 129	Waikanae n = 161	Total n = 435
Yes	46% 31	57% 44	39% 50	43% 70	45% 195
No	54% 37	43% 33	61% 79	57% 91	55% 240

Table 5: Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor?

7.2 Key themes from those that agree with the proposed Council structure

Table 6 contains the results of the thematic analysis of the comments received from those who support the proposed Council structure of seven general ward councillors, two districtwide councillors and one Māori ward councillor. The respondents in support of the structure believe the distribution provides fair and effective representation and provides a good mix of ward and districtwide councillors. A small number of respondents, while supportive, also suggest alternative structures.

In addition to the above, respondents also mention the inclusion of the Māori ward as the rationale for their support of the proposed Council structure.

Theme	Comments	Frequency
FAIR AND EFFECTIVE REPRESENTATION		43
	Provides fair/effective representation	31
	General agreement with proposed structure	6
	Good mix of ward and districtwide councillors	4
	Suggestions for alternative structures	2

Table 6: Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor? - Yes - Tell us more

7.2.1 Detailed analysis of key themes: Rationale for supporting proposed Council structure

Fair and effective representation: Respondents feel that the proposed representation structure provides fair and effective representation for the district. There is broad agreement that the current arrangements work well, with respondents expressing satisfaction with the balance between ward and districtwide councillors, allowing for both local and districtwide perspectives in Council decision-making. Overall, the sentiment is that the proposed structure, which includes a Māori ward councillor, effectively represents the diverse needs and interests of the community and build on the current structure.

“It is a fair way to represent our district, and crucial to have a Māori voice around the Council table.”

7.3 Key themes from those that disagree with the proposed Council structure

Table 7 contains the results of the thematic analysis of the comments received from those who did not support the proposed Council structure of seven general ward councillors, two districtwide councillors and one Māori ward councillor. A few respondents number of respondents advocate for reducing the overall number of councillors, including ward and/or districtwide councillors, to streamline the Council structure. Concerns expressed include that areas like Ōtaki are underrepresented and costs associated with the size of the Council with respondents suggesting a preference for seven or nine councillors in total. Concerns raised also include Council ignoring majority opinions and dissatisfaction with the decision-making process.

In addition to the above, respondents also mention the inclusion of the Māori ward as the rationale for their disagreement with the proposed Council structure.

Representation Review 2024 – formal community consultation — summary of submissions

Theme	Comments	Frequency
COUNCIL SIZE		23
	Reduce number of councillors	14
	Reduce number of ward councillors	9
FAIR AND EFFECTIVE REPRESENTATION		21
	Remove districtwide councillors	7
	Remove 1 districtwide councillor	5
	Ōtaki underrepresented	4
	Increase number of districtwide councillors	3
	Preference for status quo	2
DECISION-MAKING CONCERNS		15
	Council ignoring majority opinions	15
COST IMPLICATIONS		14
	Concern financial implications of more councillors	11
	Concerns about Council's financial management	3
IDEAL NUMBER OF COUNCILLORS		9
	Seven	5
	Nine	4

Table 7: Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor? - No - Tell us more

7.3.1 Detailed analysis of key themes: Rationale for not supporting proposed Council structure

Council size: Respondents express a strong desire to reduce the overall number of councillors, wither by reducing ward councillors and/or districtwide councillors, arguing that fewer councillors would ensure better decision-making and reduce costs. Respondents believe that districtwide councillors are unnecessary.

"I would suggest 4 ward councillors and 2 districtwide councillors. These districtwide councillors could cover small wards like Paekakariki/Raumati and Paraparaumu wards or contribute to the larger wards."

Decision-making concerns: Respondents express concerns that Council is ignoring the community's views and ignores majority feedback when making decisions. Comments include concerns that Council has acted undemocratically and without a proper mandate during this review. The importance of political transparency, clarity of democratic processes adhering to the principles of democracy and opness is raised.

"I don't think that the Council should be trying to bulldoze this through when a lot of people don't want it"

Fair and effective representation: Respondents suggest removing one districtwide councillor to streamline representation, whereas others propose increasing the number of districtwide councillors to ensure a broader representation of the community. Some respondents feel that certain areas like Ōtaki and Paekākāriki-Raumati are underrepresented and need additional councillors. A preference for maintaining the status quo with the current distribution of councillors (often without the inclusion of the Māori ward) is also expressed by some. Additional suggestions include combining rural areas into a single ward.

Representation Review 2024 – formal community consultation — summary of submissions

“PekaPeka, Te Horo Beach and Te Horo should together have 1 ward councillor. Reikorangi could be added. That way the rural communities are better represented.”

Cost Implications: Respondents express concerns over the financial implications of increasing the number of councillors with the inclusion of the Māori ward, arguing that it will lead to unnecessary expenses and higher rates without delivering additional benefits. Respondents also raise concerns about the efficiency and productivity of staff and elected members.

“... too many councillors don’t improve our regions progress and add unnecessary expenses to rate payers”

Ideal number of councillors: Respondents have differing opinions on the ideal number of councillors. The most commonly suggested number is seven councillors, while others suggest that nine councillors would be sufficient, allowing for a balanced representation of the community. Some comments suggest reducing the number to eight or even five to achieve a more streamlined and efficient Council structure.

“Seven councillors is more than adequate for the total region. Five councillors, two district and one Māori.”

Representation Review 2024 – formal community consultation — summary of submissions

8 Proposed arrangements – general feedback

8.1 If you did not agree to 1 or 2, what changes to the initial proposed arrangements would you make?

Table 8 contains the results of the thematic analysis of the comments received from those who did not agree with question 1 or 2, i.e. the proposed changes to the initial representation proposal.

The majority of respondents did not answer this question. Respondents for this question advocate for reducing the overall number of councillors, particularly districtwide councillors, believing this would provide better representation for the district's size and be more cost-effective. In terms of what an alternative fair and effective representation structure looks like, opinions differ, with some respondents wanting to maintain the status quo, without the inclusion of a Māori ward, and others suggesting one councillor per ward would be sufficient or suggesting changes to ensure areas like Ōtaki and Paekākāriki-Raumati are better represented. The ideal number of representatives is quoted as being seven or nine councillors in total. Further, concerns are raised about Council ignoring majority opinions and Council's performance, financial management and consultation approach.

Theme	Comments	Frequency
DECISION-MAKING CONCERNS		31
	Concerns about Council's financial management	11
	Concerns about Council ignoring majority opinions	7
	Concerns regarding Council performance	7
	Fewer councillors more cost effective	4
	Concern regarding consultation	2
FAIR AND EFFECTIVE REPRESENTATION STRUCTURE		29
	Maintain status quo, without inclusion of Māori ward	7
	One councillor per ward	6
	Fair and effective representation for size	3
	Additional districtwide councillor	3
	Combine rural areas	3
	Ōtaki underrepresented	3
	Paekākāriki-Raumati underrepresented	2
	Support for districtwide councillors	2
COUNCIL SIZE		25
	Reduce number of districtwide councillors	11
	Reduce total number of councillors	10
	Reduce number of ward councillors	2
	Remove ward councillors	2
IDEAL NUMBER OF COUNCILLORS		6
	Seven	4
	Nine	2

Table 8: If you did not agree to 1 or 2, what changes to the initial proposed arrangements would you make?

Representation Review 2024 – formal community consultation — summary of submissions

8.1.1 Detailed analysis of key themes: Rationale from those that did not agree to 1 or 2 and their changes to the initial proposed arrangements

Decision-making concerns: Respondents express concerns that Council is ignoring majority opinions and making decisions despite public dissent. Many criticise Council's performance, financial management and some suggest that commissioners might be a more effective form of governance. Respondents further raise concerns about Council's consultation approach and the lack of transparency in decision-making processes. One respondent suggests that senior staff members should be elected and held accountable, and others propose reducing elected member salaries to alleviate the financial burden on the community. There's a call for better public engagement and fiscal management to cut costs and adhere to democratic principles.

"Councillors should be elected on merit not race, either reduce the numbers or their pay, at the moment getting into Council is a get rich quick scheme. the Kapiti coast population is not wealthy and the people can not afford the rates hikes that are consistently happening."

Fair and effective representation: Some respondents prefer maintaining the status quo, while others suggest having one councillor per ward for more effective representation of local communities. Some recommend increasing the number of districtwide councillors to ensure a broader strategic perspective. There are suggestions to enhance representation by removing one councillor from Paraparaumu and increasing representation for the Ōtaki and Paekākāriki-Raumati wards. Other ideas include combining community boards and introducing a rural ward to address the needs of these communities better.

"To satisfy the concerns about representation, I would have one councillor for each ward, whose function would be to work with their community board to understand the issues of their rohe and to act as a conduit to ensure local issues which may have escaped the attention of Council officers and other councillors are taken into consideration when making decisions."

Council size: Respondents express that the current Council structure is sufficient for the district's size while others express a preference for reducing the overall number of councillors, by removing districtwide or ward councillors, with some even suggesting removing all ward councillors (i.e. adopting a fully districtwide structure). Respondents believe fewer councillors would lead to more efficient governance and reduced costs. However, a few respondents also support increasing the number of councillors to ensure better representation.

"The KCDC councillors should only be 7 district and ward councillors. TOTAL of 7 people! Also save money and reduce rates please."

Ideal number of councillors: Respondents have varied opinions on the ideal number of councillors. The most commonly suggested number is seven, while others propose having nine councillors to provide more balanced representation. A few respondents suggest reducing the number to six for a smaller Council, while others believe that twelve or thirteen councillors are necessary for effective governance.

Representation Review 2024 – formal community consultation — summary of submissions

9 Community boards

9.1 Do you agree with keeping the number and membership of community boards to five represented by four elected representatives each, and retaining the number of councillors appointed to community boards?

Figure 4 shows the community's preferences for the community board structure and membership. 80% (n=349) agreed with keeping the current structure and membership, while 20% (n=87) disagreed.



Figure 4: Do you agree with the current community board's structure?

Table 9 provides a breakdown of responses by ward. Support for the proposal was high across all wards, with respondents from Ōtaki showing the highest approval.

Response	Ōtaki n = 68	Paekākāriki-Raumati n = 77	Paraparaumu n = 129	Waikanae n = 162	Total n = 436
Yes	85% 58	84% 65	74% 95	81% 131	80% 349
No	15% 10	16% 12	26% 34	19% 31	20% 87

Table 9: Do you agree with keeping the number and membership of community boards to five represented by four elected representatives each, and retaining the number of councillors appointed to community boards?

Representation Review 2024 – formal community consultation — summary of submissions

9.2 Key themes from those that agree with the current community board's structure and membership

Table 10 contains the results of the thematic analysis of the comments received from respondents who agree with the proposed community boards structure and membership. The majority of respondents support maintaining the status quo, expressing general agreement with the proposal and strong support for the role of community boards. Emphasis is placed on the importance of these boards in the democratic process, with several respondents highlighting their value in ensuring local representation. Respondents, while supportive of the community board structure and membership, also raise concerns about the boards' performance and a lack of understanding of the role of community boards. Additionally, there are calls to include Māori representation on community boards.

Theme	Comments	Frequency
COMMUNITY BOARD STRUCTURE AND MEMBERSHIP		81
	Maintain status quo	36
	General agreement for proposal	20
	Support community boards	18
	Support democratic representation	7
PERFORMANCE CONCERNS		9
	Concern regarding board performance	3
	Lack of understanding about community boards	2
	Reduce Council spending/lower rates	4
MĀORI REPRESENTATION		2
	Include Māori representation	2

Table 10: Do you agree with keeping the number and membership of community boards to five represented by four elected representatives each, and retaining the number of councillors appointed to community boards? - Yes - Tell us more

9.2.1 Detailed analysis of key themes: Rationale from those that agree with the current community board's structure

Community board structure and membership: Respondents express satisfaction with the current structure and membership of the community boards and see no need for change. They believe the boards are working well and provide good community representation. They believe that community boards play a vital role in championing local opinions.

"It seems to work well and give good representation."

Performance concerns: While the respondents indicate a support of community board, they raise that unbiased people without political agendas are needed for the role. Some respondents feel that more clarification is needed regarding the function of community boards.

"I think more work needs to be done to clarify the functions of the community boards."

Māori representation: Respondents express a desire for mana whenua to play a role on community boards, either as members or in advisory positions.

"The Paekākāriki Community Board is in favour of retaining a councillor appointed to the board. We have a great relationship with our councillor, and value the input and perspective they bring to the board. The board would like to see a role for mana whenua on community boards, either as members or within paid advisory roles."

Representation Review 2024 – formal community consultation — summary of submissions

9.3 Key themes from those that disagree with the current community board's structure and membership

Table 11 contains the results of the thematic analysis of the comments received from those who disagree with the proposed community boards structure and membership. Respondents advocate for reducing the size and number of community boards, with some questioning their necessity altogether suggesting eliminating boards to save money.

Respondents also raise concerns about discrepancies in the number of Council representatives appointed to community boards in different wards and a general lack of understanding of the purpose of the boards. Some respondents propose alternative structures, such as removing councillor appointments from community boards or merging existing boards. A few comments focus on the need to improve community engagement, by increasing the visibility and responsiveness of board representatives. Additionally, there are also suggestions to include Māori representation on community boards.

Theme	Comments	Frequency
REDUCE OR REMOVE COMMUNITY BOARDS		61
	Reduce number of representatives on each board	18
	Community boards not required	17
	Reduce number of community boards	13
	Reduce boards to save money	13
ALTERNATIVE BOARD STRUCTURES AND MEMBERSHIP		10
	Remove councillors from boards	3
	Increase number of representatives on each board	3
	Merge community boards	2
	Discrepancy of members between member wards	2
COMMUNITY BOARD ENGAGEMENT		7
	Lack of understanding of role of community boards	3
	Improve elected member visibility/responsiveness	2
	Scepticism about the value of providing input	2
MĀORI REPRESENTATION		2
	Include Māori representation on community boards	2

Table 11: Do you agree with keeping the number and membership of community boards to five represented by four elected representatives each, and retaining the number of councillors appointed to community boards? - Yes - Tell us more

9.3.1 Detailed analysis of key themes: Rationale from those that disagree with the current community board's structure and membership

Reduce or remove community boards: Respondents express the sentiment that the number of community boards should be reduced or that community boards should be fully disestablished due to concerns around cost and lack of value. They also suggest merging boards or reducing the number of elected members, to achieve better representation and more streamlined decision-making. In contrast, other respondents express the desire for a higher number of members on community boards to better represent a growing population.

"It's great to have the community boards but we do not need so many reps on each community board."

Representation Review 2024 – formal community consultation — summary of submissions

"I am sure that we only need 1 for the Paekakariki Raumati South and Beach wards. 1 Paraparaumu then 1 Waikane Otaki. From what I have seen they have meetings for nice to haves but no actual plans. Save the money."

"I'm not convinced of the purpose of community boards. Ten councillors seem enough representation."

Alternative board structure and membership: Respondents believe that the current structure of community boards needs to be revised. They suggest removing councillor appointments and realigning the boards to serve the community better. They feel that having separate boards for different areas is not effective, and they express a lack of understanding of the value and purpose of community boards and question their role and power in decision-making. One respondent highlights the disparity in the appointment process of councillors to community boards and suggests changing this inequity.

"There is no logical sense having separate Community Boards for Paekākāriki and Raumati - one Community Board per Ward is equitable."

Community board engagement: Respondents raise concerns about the lack of visibility and engagement from community board members, specifically in Paekākāriki. They express disappointment in not getting to know the new board members and feel they have not tried to connect with the community. Some suggest merging the Paekākāriki Community Board with Raumati and electing representation from both areas.

"I have approached our community board rep. several times and he hasn't ever responded."

Māori representation: Respondents call for Māori representation at the community board level.

"There should be a local iwi representative at community board level too."

Representation Review 2024 – formal community consultation — summary of submissions

10 Ōtaki and Waikanae boundaries

10.1 Do you agree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae?

Figure 5 shows the level of agreement with the proposed general ward and community board boundary line changes between Ōtaki and Waikanae. 70% (n=272) of respondents agreed with the proposed changes, while 30% (n=115) disagreed.



Figure 5: Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae?

Table 12 provides a breakdown of responses by those respondents residing in the wards affected by the change and those not affected by the change. Support for the proposal was higher among those not affected by the change, although both groups support the proposal.

Response	Wards affected by change (Ōtaki, Waikanae) n = 214	Wards not affected by change (Paraparaumu, Paekākāriki-Raumati) n = 172	Total n = 387
Yes	64% 137	78% 135	70% 272
No	36% 77	22% 37	30% 115

Table 12: Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae? by Affected by change

Table 13 provides a breakdown of responses by those directly impacted by the change, i.e. those who live within the area proposed to move from the Waikanae ward back to the Ōtaki ward, and those not directly impacted by the change. Disagreement with the proposal was higher among respondents who were directly impacted by the change.

Response	Directly impacted ² n = 21	Not-directly impacted n = 366	Total n = 387
Yes	29% 6	73% 266	70% 272
No	71% 15	27% 100	30% 115

Table 13: Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae? by Impacted by change

² This analysis was limited to respondents who provided their address information. Directly impacted respondents were identified based on address data provided in their submissions. Only submissions that specifically noted an address in the affected area (e.g. Te Horo and specific roads in the affected area) were classified as directly impacted.

Representation Review 2024 – formal community consultation — summary of submissions

10.2 Key themes from those that agree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae.

Table 14 contains the results of the thematic analysis of the comments received from those who agree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae. Many respondents support unifying areas that identify with Ōtaki, including Te Horo and Te Horo Beach, to better reflect the communities of interest. There is also agreement as the proposal aligns with school zones, community assets, and traditional iwi boundaries.

Theme	Comments	Frequency
COMMUNITIES OF INTEREST		27
	Unifying areas that identify with Ōtaki	10
	Unifying Te Horo and Te Horo Beach	9
	Alignment of communities of interest	3
	Alignment with school zones and community assets	3
	Alignment with traditional iwi boundaries	2
FAIR AND EFFECTIVE REPRESENTATION		26
	General agreement with proposal	19
	Improves representation	5
	Alignment of community board and councillor representatives	2
OTHER		3
	Should be answered by relevant residents	3

Table 14: Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae? - Yes - Tell us more

10.2.1 Detailed analysis of key themes: Rationale from those that agree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae.

Communities of interest: Respondents suggest that it is logical to consider realigning Te Horo Beach and Te Horo with Ōtaki, as they share common interests, and the proposed change re-aligns the boundary with school zones and community assets. They argue that Te Horo and Te Horo Beach have more in common with rural areas like Ōtaki than suburban areas like Waikanae and therefore support redrawing the boundaries to put Te Horo into the Ōtaki ward, as it better represents their community and its needs.

“Moving the Ōtaki Ward Boundary South reinstated the previous Ōtaki Ward boundary. It ensures that boundaries closer align with traditional iwi boundaries.”

Fair and effective representation: Respondents believe that the proposed adjustments to the boundary is logical and that re-drawing the line at Peka Peka would distribute the population more evenly and provide better representation.

“It appears to distribute the population more evenly per councillor.”

Other: Respondents feel that only Ōtaki and Waikanae residents, especially residents at Te Horo, should answer this question, as it is a issue effecting them directly.

“I think the people of Ōtaki and te horo who are affected need to be specifically asked over and above this, their access to hospital and transport is affected.”

Representation Review 2024 – formal community consultation — summary of submissions

10.3 Key themes from those that disagree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae.

Table 15 contains the results of the thematic analysis of the comments received from those who disagree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae. Respondents prefer maintaining the status quo, expressing there is no need for change. Respondents raise concerns about effective democratic representation for such a large ward. Some respondents believe Te Horo aligns more naturally with Waikanae and suggest using the Ōtaki River as an alternative boundary instead to ensure the community at Te Horo is not split.

Theme	Comments	Frequency
FAIR AND EFFECTIVE REPRESENTATION		54
	Preference for status quo	20
	Concerns about democratic representation	12
	No need for change	10
	Concerns about community cohesion	10
	Concerns about effective management of large areas	2
COMMUNITIES OF INTEREST		22
	Te Horo alignment with Waikanae	22
ALTERNATIVE BOUNDARIES		18
	Suggestion for Ōtaki River as boundary	11
	Suggestion for alternative boundary location	4
	Concerns about costs and financial management	3
OTHER		2
	Should be answered by relevant residents	2

Table 15: Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae? - Yes - Tell us more

10.3.1 Detailed analysis of key themes: Rationale from those that disagree with the proposed general ward and community board boundary line changes for Ōtaki and Waikanae.

Fair and effective representation: Respondents express a preference for the status-quo and that a change is unnecessary and not cost-effective. They argue that the current boundaries provide fair and effective representation and that a change may result in reduced representation for certain areas and create a 'grey zone' for services. Respondents either suggest keeping the boundaries as they are or propose specific alternatives, such as using the Ōtaki River as a boundary instead.

"This has not solved the over/under representation issue, for this reason it's an unnecessary change."

"We would prefer to remain in the Waikanae ward which better represents our area of interest and where our vote is worth more."

Communities of interest: Respondents express a strong desire for the Te Horo community to be kept together and not divided between Ōtaki and Waikanae. They argue that Te Horo is more closely aligned with Waikanae and would benefit from continuing to be in the Waikanae ward. There is a sense of

Representation Review 2024 – formal community consultation — summary of submissions

frustration and disappointment with the constant shifting of boundaries and a lack of direct representation for Te Horo.

"I live south of Te Horo and rarely travel north for anything. I do all shopping, health, banking etc in Waikanae as it is closer. Also to access the expressway in both directions I need to travel south, it is an extra 4-5 minutes to drive north to Otaki to then commute south on the expressway rather than travel through Waikanae."

Alternative boundaries: Respondents suggest moving the boundary to Ōtaki River and argue that this would keep the community of interest at Te Horo together and provide better representation and funding for this community, through the Waikanae ward and Community Board. The current boundary, splitting Te Horo down School Road and Te Horo Beach Road, is seen as artificial and does not reflect this community of interest.

"Move the Te Horo boundary to the Otaki River. Keeps likeminded communities together and given the attention and funding Te Horo has received until the split down School road, this is a good thing to extend to the rest of Te Horo. Putting Te Horo with Ōtaki implies less focus and funding for an area that needs it. When combined with Ōtaki, that's less likely to happen"

Other: A number of respondents comment that they are not aware of the topic and do not live in the relevant area.

"I put no because I'm not aware of this and I don't live in those areas"

Representation Review 2024 – formal community consultation — summary of submissions

11 Paekākāriki-Raumati and Paraparaumu boundaries

11.1 Do you agree with the proposed general ward boundary line changes for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards?

Figure 6 shows the level of agreement for the proposed general ward and community board boundary line changes between the Paekākāriki-Raumati and Paraparaumu wards, and the Paekākāriki and Paraparaumu community boards. 79% (n=273) of respondents agreed, while 21% (n=71) disagreed.



Figure 6: Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards?

Table 16 provides a breakdown of responses by those respondents residing in wards affected by the change and those not affected by the change. Support for the proposal was high among both groups.

Response	Wards affected by change (Paraparaumu, Paekākāriki-Raumati) n = 179	Wards not affected by change (Ōtaki, Waikanae) n = 164	Total n = 344
Yes	82% 146	77% 126	79% 273
No	18% 33	23% 38	21% 71

Table 16: Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards? by Affected by change

Table 17 provides a breakdown of responses by those directly impacted by the change, i.e. those who live within the area proposed to move from the Paraparaumu ward back into the Paekākāriki-Raumati ward and the Paekākāriki Community Board area, and those not directly impacted by the change. The majority of respondents across both groups support the proposal.

Representation Review 2024 – formal community consultation — summary of submissions

Response	Directly impacted ³ n = 3	Not-directly impacted n = 341	Total n = 344
Yes	67% 2	79% 271	79% 273
No	33% 1	21% 70	21% 71

Table 17: Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards? by Impacted by change

11.2 Key themes from those that agree with the proposed general ward boundary line changes for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards.

Table 18 contains the results of the thematic analysis of the comments received from those who agree with the proposed general ward and community board boundary line changes for Paekākāriki-Raumati and Paraparaumu ward, and the Paekākāriki and Paraparaumu Community Boards. Most respondents, whether directly affected by the change or not, agree with the changes, commenting that they improve the community of interest's representation, and that Emerald Glen and Waterfall Road have traditionally been more aligned with Paekākāriki

Theme	Comments	Frequency
FAIR AND EFFECTIVE REPRESENTATION		37
	General agreement with proposal	18
	Align representation with communities of interest	8
	Emerald Glen alignment with Paekakariki	6
	Improves representation	3
	Support for Paekākāriki-Raumati ward	2
OTHER		8
	Not affected by the change	6
	Concerns about democratic representation	2

Table 18: Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards? - Yes - Tell us more

11.2.1 Detailed analysis of key themes: Rationale from those that agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards?

Fair and effective representation: Respondents support the boundary adjustments commenting the proposal makes sense and provides fair and effective representation. Respondents specifically support

³ This analysis was limited to respondents who provided their address information. Directly impacted respondents were identified based on address data provided in their submissions. Only submissions that specifically noted an address in the affected area proposed to move from the Paraparaumu ward back into the Paekākāriki-Raumati ward and the Paekākāriki Community Board area were classified as directly impacted.

Representation Review 2024 – formal community consultation — summary of submissions

including Emerald Glen, Waterfall Road and Whareroa in the Paekākāriki Community Board area, as these communities feel a strong sense of belonging with the Paekākāriki community. They argue that their needs and interests align more with Paekākāriki than with Paraparaumu emphasising the historical connections, geographic location, and financial contributions they have made to Paekākāriki.

“For those living in the Valley Road/Emerald Glen Road our needs are not at all aligned with those in Paraparaumu with most issues affecting us were things happening in Paekākāriki, where we shop, eat, drink, catch the train, socialise and have previously voted in local councillors and community board members that we have everything in common with. The new proposed boundaries are much more sensible and we can again feel part of our community.”

“Looks reasonable in terms of relative representation and communities of interest.”

Other: Respondents express a lack of knowledge about the topic. One respondent raises concerns about the difference in representation levels across wards.

“Only thought is Paraparaumu ward due size has greater representation whereas Otaki being a bigger ward but a smaller population seems under represented and always seems to lose out.”

11.3 Key themes from those that disagree with the proposed general ward boundary line changes for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards.

Table 19 contains the results of the thematic analysis of the comments received from those who disagree with the proposed general ward and community board boundary line changes for the Paekākāriki-Raumati and Paraparaumu wards, and the Paekākāriki and Paraparaumu Community Boards. Respondents question the need for change suggesting maintaining the status quo and criticise the lack of information available around the rationale for the proposed changes. Comments made include suggestions for merging certain areas with Raumati or Paraparaumu instead whereas other comments call for aligning all community board and ward boundaries for consistency.

Theme	Comments	Frequency
FAIR AND EFFECTIVE REPRESENTATION		37
	No need for change	19
	Concerns about funding allocation	6
	Concerns about fair and effective democratic representation	5
	Concerns about lack of information and rationale for proposal	5
	Opposition to community boards and boundaries	2
ALTERNATIVE BOUNDARY SUGGESTIONS		8
	Areas should be merged	3
	Suggest Raumati be included in Paraparaumu	3
	Align community board and ward boundaries	2

Table 19: Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards? - Yes - Tell us more

Representation Review 2024 – formal community consultation — summary of submissions

11.3.1 Detailed analysis of key themes: Rationale from those that disagree with the proposed general ward boundary line changes for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards?

Fair and effective representation: Respondents express concerns about the costs associated with the boundary adjustments, the lack of separate representation for Raumati, and the need for more information on the rationale for the proposed changes. Respondents question the need for the changes and the potential bias and motivations behind the decision to alter the boundaries.

“Changing boundary lines should not be a priority right now. Demonstrate some austerity to keep rates increases pegged to no more than inflation first.”

Alternative boundary suggestions: Respondents suggest including Raumati in the Paraparaumu ward, as parts of Raumati is already part of the Paraparaumu ward and this arrangement would provide better representation for the relevant communities of interest. Some respondents also suggest aligning all ward and community board boundaries and reducing the number and therefore cost of wards.

“The boundary lines for the wards and the community boards should align. I am in the Paraparaumu ward but in the Raumati community board. This diminishes the supposed value of community boards at least for this household.”

Representation Review 2024 – formal community consultation — summary of submissions

12 Additional feedback

12.1 Is there anything else you would like to say to guide councillors' thinking on the representation review?

Table 20 contains the thematic analysis of other commentary respondents shared to guide councillors' decision-making on fair and effective representation arrangements for the district. Themes that emerged are around Council performance, with many calling for Council to listen more to the community and expressing concerns that majority opinions are being ignored, and advocating for reduced Council spending, and instead focusing on core services and infrastructure.

In relation to what fair and effective representation looks like, respondents suggest that all representatives should be elected and stress the importance of a fair democratic process and consultation with the community. Other respondents express disagreement with recent legislative changes in relation to Māori wards and constituencies.

Theme	Comments	Frequency
DEMOCRATIC PROCESSES		73
	Calls for Council to listen to community	47
	Concerns about Council ignoring majority opinions	12
	Concerns about reliability of information	4
	Fewer councillors more efficient	3
	Support Council's approach to governing	3
	Concern regarding consultation	2
	Concerns about lack of information and rationale about proposal	2
FINANCIAL CONCERNS		54
	Reduce Council spending/lower rates	31
	Focus on core services and infrastructure	13
	Concerns about Council's financial management	7
	Suggestions for cost-cutting measures	3
FAIR AND EFFECTIVE REPRESENTATION		33
	Emphasis on democratic process	14
	All representatives should be elected	6
	Ensure fair representation	5
	Increase number of ward councillors	2
	Reduce number of councillors	2
	Remove districtwide councillors	2
	Disagreement with recent legislative changes	2
WARD BOUNDARIES		5
	Alternative boundary sought	3
	Suggestion for Ōtaki River as ward boundary	2
COMMUNITY ENGAGEMENT		3
	Calls for increased councillor visibility	3

Table 20: Is there anything else you would like to say to guide councillors' thinking on the representation review?

Representation Review 2024 – formal community consultation — summary of submissions

12.1.1 Detailed analysis of key themes: Those who had commentary to guide councillors' thinking on the representation review

Democratic processes: There is a call for Council to listen to the community and take submissions seriously to ensure decision-making reflects local aspirations. In contrast, others believe that a opinionated and fearful section of the community often dominates feedback and that such feedback should be weighted accordingly.

Respondents raise the idea of Kāpiti becoming a unitary Council, considering regional amalgamation and collaborating with Horowhenua District Council and Horizons District Council. They also express the importance of considering the alignment of governance and operational processes with mana whenua partners. Additionally, there are suggestions for appointing commissioners to govern Council instead of elected representatives.

"Think about joining with wellington"

"We need a better way of allowing community participation in local body decision making in order to improve participation. Many of us are currently disillusioned with the process, priorities and results of Council."

Financial concerns: Respondents express concerns about Council's fiscal management. They suggest reducing non-essential expenditure, reducing the number of Council staff and managers, and focusing on core services and infrastructure.

"KCDC needs to be more pro active in reducing rate increases to be in line with current inflation rates"

Fair and effective representation: Some respondents mention the importance of the democratic principle of one person, one vote, and they argue against any structure that does not have majority approval. In contrast, other respondents call for fair representation of tangata whenua and the need to consult and build relationships with local iwi. Respondents also raise concerns about the effectiveness of community boards and the population per councillor ratio.

"Important to make sure the ward councillor numbers fairly represent the population numbers for the general wards- unlike the situation pre 2022 where Waikanae was under represented."

Ward boundaries: Respondents express concerns that the current boundaries are not logical and emphasise the importance of considering community cohesion when creating wards. They urge for a more practical boundary between the Ōtaki and Waikanae general ward and community board area.

"Consider communities staying together instead of splitting them when creating boundaries of representation. I believe numbers are secondary to communities in the creation of wards."

Community engagement: Respondents feel that councillors should be more visible in the public arena to allow people to get to know them. They believe that many councillors are only present during election times and should be doing more for their communities. They also suggest that councillors should listen to their voters and interact with them regularly and make decisions based on information rather than fear. Additionally, respondents express a need to learn more about local government decision-making and believe that more should be done to encourage people to engage in local body politics. Other respondents express concerns about misinformation regarding Māori wards and the lack of transparency around the cost of the proposed changes.

Representation Review 2024 – formal community consultation — summary of submissions

*“Councillors should be out in the public arena more so we all can get to know who you are
Most of you are only present at voting times”*

13 Māori ward feedback

13.1 Comments related to the establishment of a Māori ward

At this point of the representation review process, the establishment of the Māori ward has been affirmed by Council, in line with the amended provisions in the LEA. This means that the decision to establish a Māori ward can, at this point in time, not be reversed. While the consultation included reference to the Māori ward in the overall proposed structure, feedback around whether to establish a Māori ward can no longer be considered as part of Council’s decision on its final representation proposal.

Many respondents provide feedback about Māori wards as part of their submission. Although these comments are no longer in scope of what can be directly considered by Council, they provide insight into community perspectives on this topic. Table 21 summarises the key themes and frequency of comments related to Māori wards:

Theme	Comments	Frequency
Oppose Māori Wards		346
	Oppose Māori ward(s)	137
	Opposed to race-based representation	83
	Principles of equality and democracy	66
	Challenge legislative requirement for Māori ward	38
	Concerns about race-based policies	22
Support Māori Wards		140
	Support Māori ward(s)	93
	Essential for proper representation	13
	Fulfils Te Tiriti o Waitangi obligations	11
	Implement two or more Māori wards	9
	Concern one Māori councillor insufficient	6
	Ensures Māori perspectives are included	5
	Māori ward councillor should be additional	3
Other		106
	Await poll before implementing Māori ward	61
	All representatives should be elected	36
	Council should challenge poll for Māori ward	7
	Advocacy for allowing all to vote in Māori wards	2

Table 21: Māori ward feedback

13.1.1 Detailed analysis of key themes: Comments related to the establishment of a Māori ward

Oppose Māori ward(s): Respondents oppose the establishment of a Māori ward, stating that it is undemocratic, divisive, and unnecessary. They believe that all councillors should be elected based on their qualifications and not their ethnicity and that the decision goad against the democratic principle of one person one vote. Some respondents also express concerns about the cost of implementing a Māori ward

Representation Review 2024 – formal community consultation — summary of submissions

and raise that previous community feedback showed a clear opposition to the establishment of a Māori ward.

“We are ONE people and ONE community. There is no reason to have a Māori Ward”

“Representation on the basis of race is repugnant to the belief that all people are equal.”

“In a democratic society there should be no political position based on race . if a person wants to get elected they must stand for a position and be elected by the public.”

Support Māori ward(s): Respondents express support for the establishment of a Māori ward, citing the importance of fair representation, the need for Māori perspectives and voices to be heard, and for Council to honour the principles of Te Tiriti o Waitangi. Some respondents highlight the positive leadership shown by Council in making this decision and the establishment of the Māori ward is seen as a step toward inclusiveness and respect and is expected to benefit the district overall.

“The establishment of a Māori ward is important because while government thinks its representation of Māori needs and values is satisfactory, it isn’t. Pakeha government officials still do not fully understand Māori. Therefore, a Māori voice through a dedicated ward will express Māori needs and values more effectively.”

“Strongly support Māori ward, tangata whenua representation is critical here in Aotearoa. Also think other councillors cover our rohe well”

“Things appear to be working well. I believe that having a Māori ward councillor offers us all an opportunity to show respect to te Tiriti and the Māori people.”

Other: Respondents express disagreement with the establishment of a Māori ward without a democratic vote. They believe that a poll should be held to determine whether to establish a Māori ward. Some respondents criticise the Council for not listening to the community and wasting time and money on a proposal that is likely to be rejected when the required poll is conducted.

Respondents believe all representatives, including councillors and community board members, should be elected rather than appointed. They argue that this ensures democracy is upheld, prevents race-based policies, and allows ratepayers to have a say in decision-making. Some respondents express concerns about the lack of transparency and accountability in Council decision-making, calling for performance management, and proof of benefit to the communities being established when making a decision.

“The Māori ward should be deferred until a referendum has been held. The high likelihood of Māori wards being unsuccessful at a referendum suggests it would be prudent not to adjust the status quo until clarity in this issue is resolved via a public vote. It is poor sighted legislation from a Council and Mayor not thinking long term or strategically for the betterment of democracy and the region.”

“Because what you are neglecting to point out is that the 5th unelected person will be Māori. It’s either 4 elected councillor or 5 elected councillors”

Representation Review 2024 – formal community consultation — summary of submissions

Produced by PublicVoice Limited

Suite 2, 5 Bouverie Street

Petone

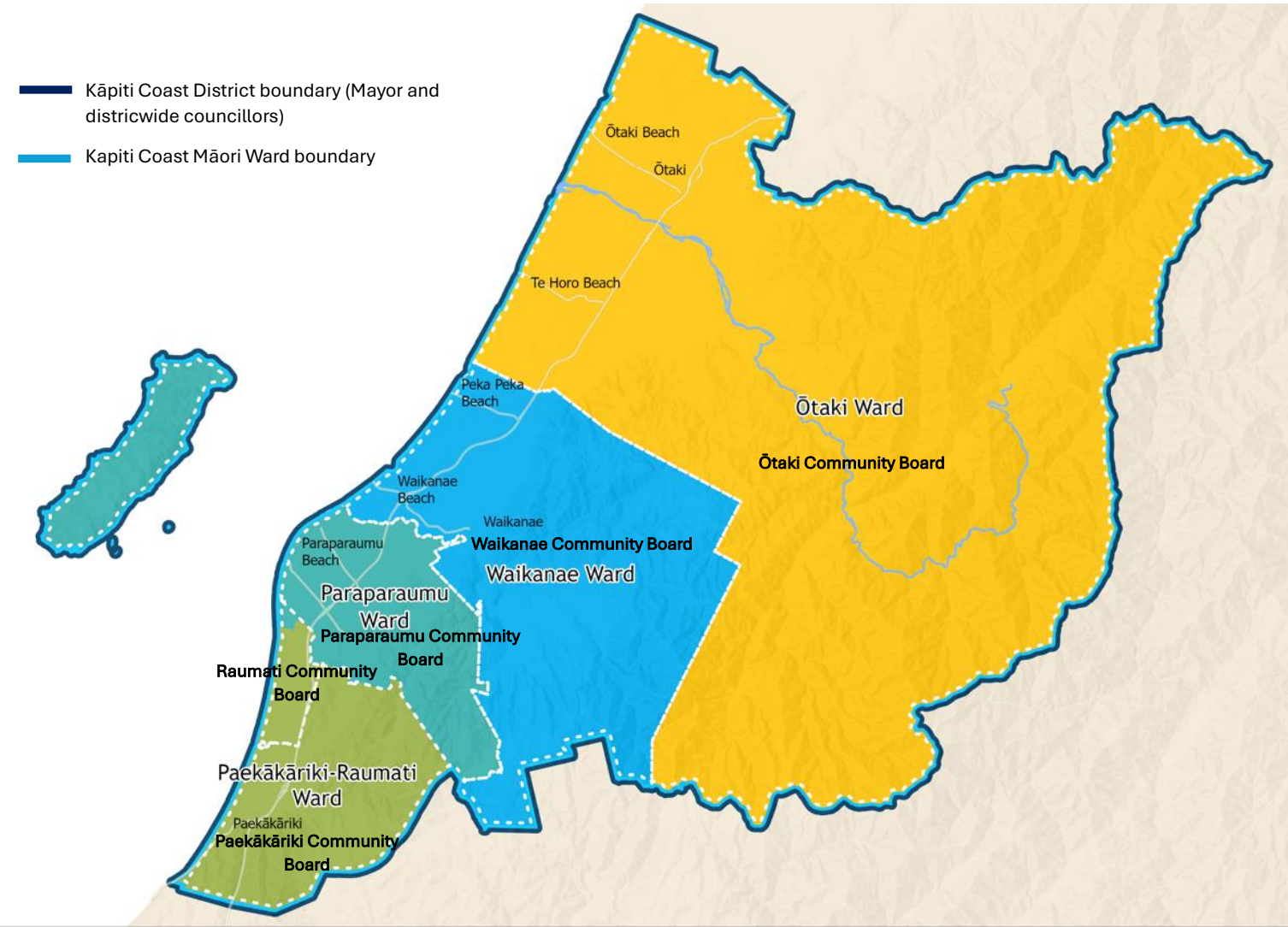
Lower Hutt, 5012

Ph: (04) 909 7463

Email: info@publicvoice.co.nz

The views expressed in this report are those of the author(s) and do not necessarily reflect the position of the Kāpiti Coast District Council. Nor does the Kāpiti Coast District Council accept any liability for claims arising from the report's content or reliance on it.

Appendix 4 – Ward and Community Board Boundary Maps



Part 1 s 19AA

Local Electoral Act 2001

Version as at
23 December 2023*Duties of programmers and certifiers*

Heading: inserted, on 7 July 2004, by section 6 of the Local Electoral Amendment Act 2004 (2004 No 62).

19AA Duties of programmers

Every person responsible for the design of a counting program intended to implement the New Zealand method of counting single transferable votes must take all reasonable steps to ensure that the program produces outcomes that are consistent with the process specified in Schedule 1A of the Local Electoral Regulations 2001.

Section 19AA: inserted, on 7 July 2004, by section 6 of the Local Electoral Amendment Act 2004 (2004 No 62).

19AB Duties of certifiers

A counting program may not be used at an election or poll under this Act, for the purpose of implementing the New Zealand method of counting single transferable votes, unless a certifier appointed for the purpose by the Secretary for Local Government has first certified that the program produces outcomes that are consistent with the process specified in Schedule 1A of the Local Electoral Regulations 2001.

Section 19AB: inserted, on 7 July 2004, by section 6 of the Local Electoral Amendment Act 2004 (2004 No 62).

Part 1A**Representation arrangements for elections of territorial authorities, regional councils, local boards, and community boards**

Part 1A: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Part 1A heading: amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19A Membership of territorial authorities

Every governing body of a territorial authority is to consist of not fewer than 6 members nor more than 30 members, including the mayor, who are the members of the territorial authority.

Compare: 1974 No 66 s 101C

Section 19A: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19B Basis of election of mayor of territorial authority

- (1) The mayor of a territorial authority is to be elected by the electors of the district as a whole.
- (2) The election of the mayor is to be held at the same time as the general election of the other members of the territorial authority.

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19EA

Section 19B: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19C Basis of election of members of territorial authority

- (1) A district of a territorial authority may be divided into wards for electoral purposes.
- (2) If a district is divided into wards, some of the members of the territorial authority may be elected by the electors of the district as a whole, but, in that case, the other members of the territorial authority must be elected by the electors of each ward of the district.
- (3) Each ward must elect at least 1 member of the territorial authority.
- (4) If a district is not divided into wards, the members of the territorial authority must be elected by the electors of the district as a whole.
- (5) If a district is divided into wards, each member of the territorial authority representing a ward must be elected by the electors of that ward.

Compare: 1974 No 66 ss 101D(1), (3), 101E(1), (3), (4)

Section 19C: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19D Membership of regional councils

Every governing body of a regional council is to consist of not fewer than 6 members nor more than 14 members, who are the members of the regional council.

Compare: 1974 No 66 s 101CA

Section 19D: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19E Basis of election of members of regional council

- (1) A region must be divided into constituencies for electoral purposes.
- (2) The members of a regional council must be elected by the electors of each constituency of the region.
- (3) The members of a regional council may not be elected partly by the electors of the region and partly by the electors of each constituency of the region.
- (4) Each constituency must elect at least 1 member of the regional council.
- (5) The members of the regional council representing the respective constituencies of the region must be elected by the electors of those constituencies respectively.

Compare: 1974 No 66 ss 101D(2), (3), 101E(1), (2)

Section 19E: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19EA Membership of local boards

- (1) Every local board—

Part 1A s 19EB **Local Electoral Act 2001** Version as at
23 December 2023

- (a) must consist of not fewer than 5 members nor more than 12 members, including the chairperson; and
 - (b) must include at least 5 elected members; and
 - (c) may, if an Order in Council under section 25 of the Local Government Act 2002 so provides, include 1 or more appointed members.
- (2) The maximum number of members appointed under subsection (1)(c) must be less than half the total number of members.
- (3) The persons who are appointed under subsection (1)(c) as members of the local board must—
- (a) be members of, and must be appointed by, the governing body for the district in which the local board area is situated; and
 - (b) be members of the governing body representing a ward that is wholly or predominantly within the local board area.

Section 19EA: inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19EB Basis of election of chairperson of local board in certain circumstances

- (1) This section applies if an Order in Council under section 25 of the Local Government Act 2002 provides that the chairperson of a local board is to be directly elected to that office.
- (2) If this section applies, the chairperson of the local board is to be elected by the electors of the local board area as a whole.
- (3) An election under subsection (2) is to be held at the same time as the general election of the other members of the local board.

Section 19EB: inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19EC Basis of election of members of local board

- (1) A local board area may be subdivided for electoral purposes.
- (2) Each subdivision must elect at least 1 member of the local board.
- (3) If a local board area comprises 2 or more whole wards, the elected members of the local board may be elected by the electors of each ward.
- (4) If the local board area is not subdivided for electoral purposes, the members of the local board must, unless they are to be elected in accordance with subsection (3), be elected by the electors of the local board area as a whole.
- (5) If a local board area is subdivided for electoral purposes or if the members of the local board are to be elected in accordance with subsection (3),—
 - (a) each member of the local board who represents a subdivision must be elected by the electors of that subdivision; and
 - (b) each member of the local board who represents a ward must be elected by the electors of that ward.

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19G

Section 19EC: inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19F Membership of community boards

- (1) Every community board—
 - (a) is to consist of not fewer than 4 members nor more than 12 members; and
 - (b) is to include at least 4 elected members; and
 - (c) may include appointed members.
- (2) The number of appointed members is to be less than half the total number of members.
- (3) The persons who are appointed under subsection (1)(c) as members of the community board must—
 - (a) be members of, and must be appointed by, the territorial authority for the district in respect of which the community is constituted; and
 - (b) if the territorial authority is divided into wards, also be members of the territorial authority representing a ward in which the community is situated.

Compare: 1974 No 66 s 101ZQ(1), (2), (5)

Section 19F: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19G Basis of election of members of community board

- (1) The part of a district in respect of which a community is constituted may be subdivided for electoral purposes.
- (2) Each subdivision must elect at least 1 member of the community board.
- (3) If a community comprises 2 or more whole wards, the elected members of the community board may be elected by the electors of each ward.
- (4) If the community is not subdivided for electoral purposes, the members of the community board must, unless they are to be elected in accordance with subsection (3), be elected by the electors of the community as a whole.
- (5) If a community is subdivided for electoral purposes or if the members of the community board are to be elected in accordance with subsection (3),—
 - (a) each member of the community board who represents a subdivision must be elected by the electors of the subdivision; and
 - (b) each member of the community board who represents a ward must be elected by the electors of that ward.

Compare: 1974 No 66 s 101E(5)

Section 19G: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Part 1A s 19H

Local Electoral Act 2001

Version as at
23 December 2023**19H Review of representation arrangements for elections of territorial authorities**

- (1) A territorial authority must determine by resolution, and in accordance with this Part,—
- (a) whether the members of the territorial authority (other than the mayor) are proposed to be elected—
 - (i) by the electors of the district as a whole; or
 - (ii) by the electors of 2 or more wards; or
 - (iii) in some cases by the electors of the district as a whole and in the other cases by the electors of each ward of the district; and
 - (b) in any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and
 - (c) in any case to which paragraph (a)(iii) applies,—
 - (i) the proposed number of members to be elected by the electors of the district as a whole; and
 - (ii) the proposed number of members to be elected by the wards of the district; and
 - (d) in any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,—
 - (i) the proposed name and the proposed boundaries of each ward; and
 - (ii) the number of members proposed to be elected by the electors of each ward; and
 - (e) the proposed number of elected members of any local board and, if an Order in Council under section 25 of the Local Government Act 2002 so provides, the proposed number of appointed members of that board; and
 - (f) whether the elected members of any local board are proposed to be elected—
 - (i) by the electors of the local board area as a whole; or
 - (ii) by the electors of 2 or more subdivisions of the local board area; or
 - (iii) if the local board area comprises 2 or more wards, by the electors of each ward; and
 - (g) in any case to which paragraph (f)(ii) applies,—
 - (i) the proposed name and the proposed boundaries of each subdivision; and
 - (ii) the number of members proposed to be elected by the electors of each subdivision; and

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19I

- (h) in any case to which paragraph (f)(iii) applies, the number of members of the local board proposed to be elected by the electors of each ward; and
- (i) the proposed name of any local board.
- (2) The determination required by subsection (1) must be made by a territorial authority,—
 - (a) on the first occasion, either in 2003 or in 2006; and
 - (b) subsequently, at least once in every period of 6 years after the year in which the first determination was made.
- (2A) To avoid doubt, subsection (2) is subject to sections 19K(1AA) and 19M(1).
- (3) This section must be read in conjunction with section 19ZH and Schedule 1A.

Compare: 1974 No 66 s 101H(1)

Section 19H: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19H(1)(d)(ii): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19H(1)(e): inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19H(1)(f): inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19H(1)(g): inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19H(1)(h): inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19H(1)(i): inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19H(2)(b): replaced, on 29 June 2013, by section 6(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19H(2A): inserted, on 29 June 2013, by section 6(2) of the Local Electoral Amendment Act 2013 (2013 No 40).

19I Review of representation arrangements for elections of regional councils

- (1) A regional council must determine by resolution, and in accordance with this Part,—
 - (a) the proposed number of constituencies; and
 - (b) the proposed name and the proposed boundaries of each constituency; and
 - (c) the number of members proposed to be elected by the electors of each constituency.
- (2) The determination required by subsection (1) must be made by the regional council,—
 - (a) on the first occasion, either in 2003 or in 2006; and

Part 1A s 19J

Local Electoral Act 2001

Version as at
23 December 2023

- (b) subsequently, at least once in every period of 6 years after the year in which the first determination was made.
- (2A) To avoid doubt, subsection (2) is subject to sections 19K(1AA) and 19M(1).
- (3) This section must be read in conjunction with section 19ZH and Schedule 1A.
Compare: 1974 No 66 s 101H(2)
Section 19I: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).
Section 19I(2)(b): replaced, on 29 June 2013, by section 7(1) of the Local Electoral Amendment Act 2013 (2013 No 40).
Section 19I(2A): inserted, on 29 June 2013, by section 7(2) of the Local Electoral Amendment Act 2013 (2013 No 40).

19J Review of community boards

- (1) A territorial authority must, on every occasion on which it passes a resolution under section 19H, determine by that resolution, and in accordance with this Part, not only the matters referred to in that section but also whether, in light of the principle set out in section 4(1)(a) (which relates to fair and effective representation for individuals and communities),—
 - (a) there should be communities and community boards; and
 - (b) if so resolved, the nature of any community and the structure of any community board.
- (2) The resolution referred to in subsection (1) must, in particular, determine—
 - (a) whether 1 or more communities should be constituted:
 - (b) whether any community should be abolished or united with another community:
 - (c) whether the boundaries of a community should be altered:
 - (d) whether a community should be subdivided for electoral purposes or whether it should continue to be subdivided for electoral purposes, as the case may require:
 - (e) whether the boundaries of any subdivision should be altered:
 - (f) the number of members of any community board:
 - (g) the number of members of a community board who should be elected and the number of members of a community board who should be appointed:
 - (h) whether the members of a community board who are proposed to be elected are to be elected—
 - (i) by the electors of the community as a whole; or
 - (ii) by the electors of 2 or more subdivisions; or
 - (iii) if the community comprises 2 or more whole wards, by the electors of each ward:

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19JAA

- (i) in any case to which paragraph (h)(ii) applies,—
 - (i) the proposed name and the proposed boundaries of each subdivision; and
 - (ii) the number of members proposed to be elected by the electors of each subdivision.
- (3) Nothing in this section limits the provisions of section 19F.
 Compare: 1974 No 66 s 101ZR(3)
 Section 19J: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19JAA Review of local board area boundaries by unitary authority

- (1) A unitary authority may, when it passes a resolution under section 19H, determine by that resolution not only the matters referred to in that section but also new proposed boundaries of local board areas in the district of the unitary authority.
- (2) In determining new proposed boundaries of local board areas, the unitary authority must ensure that—
 - (a) the population affected by the new proposed boundaries will not exceed the population transfer limit prescribed by regulations made under this Act; and
 - (b) the boundaries of the local board areas will—
 - (i) enable democratic local decision making by, and on behalf of, communities of interest throughout the district; and
 - (ii) enable equitable provision to be made for the current and future well-being of all communities of interest within the affected area; and
 - (c) the boundaries of local board areas coincide with boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
 - (d) so far as is practicable, local board area boundaries coincide with ward boundaries.
- (3) Regulations may—
 - (a) prescribe a population transfer limit by specifying a limit on the proportion of the population of an existing local board area that would, if the new proposed boundaries were to take effect,—
 - (i) cease to be included in the population of that local board area; or
 - (ii) be added to the population of that local board area;
 - (b) apply different population transfer limits in different circumstances;
 - (c) set out 1 or more methods by which the applicable population transfer limit is calculated.

35

Part 1A s 19JA

Local Electoral Act 2001

Version as at
23 December 2023

- (4) This section does not prevent a unitary authority from applying to the Local Government Commission for an alteration of the boundaries of local board areas as part of a local government reorganisation under the Local Government Act 2002 instead of determining new proposed boundaries of local board areas in accordance with this section.

Section 19JAA: inserted, on 31 August 2023, by section 11 of the Local Government Electoral Legislation Act 2023 (2023 No 57).

19JA Minor alterations to boundaries by territorial authority

- (1) A territorial authority may, in accordance with this section, determine by resolution new proposed boundaries of wards, communities, or subdivisions of local board areas or communities of the district of the territorial authority.
- (2) The territorial authority must be satisfied that,—
 - (a) since the existing boundaries of the wards, communities, or subdivisions of local board areas or communities took effect as the basis for election at the last triennial general election, there have been changes at or near those boundaries to the boundaries of 1 or more allotments; and
 - (b) the proposed boundaries of the wards, communities, or subdivisions constitute only minor alterations to the existing boundaries; and
 - (c) the minor alterations will maintain the effective representation of communities of interest affected by the changes to the boundaries of the allotments; and
 - (d) so far as is practicable, the proposed boundaries of the wards, communities, or subdivisions coincide with the boundaries of allotments; and
 - (e) so far as is practicable, ward boundaries coincide with community boundaries (if applicable).
- (3) Every meeting at which the territorial authority deliberates on the proposals contained in the resolution must be open to the public, except as provided by Part 7 of the Local Government Official Information and Meetings Act 1987.
- (4) The territorial authority must refer the resolution to the Commission, together with the information concerning the communities of interest and population of the district or local board area or community, and the proposed wards, communities, or subdivisions, that is held by the territorial authority and is necessary for the purposes of subsection (6).
- (5) However, the territorial authority must not refer the resolution and information to the Commission after 15 January in the year of a triennial general election.
- (6) On receiving the reference, the Commission must—
 - (a) consider the resolution and information forwarded to it; and
 - (b) determine whether to uphold the proposed boundaries of the wards, communities, or subdivisions.

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19JB

- (7) For the purposes of making its determination, the Commission may make any inquiries that it considers appropriate.
- (8) The Commission may determine to uphold the proposed boundaries only if it is satisfied of the matters specified in subsection (2).
- (9) The Commission must make its determination under subsection (6)(b) before 11 April in the year of the next triennial general election.
- (10) Section 19S applies to the Commission's determination as if it were made under section 19R(1)(b), and section 19Y(3) to (6) apply with any necessary modifications.
- (11) A territorial authority must not use this section if the territorial authority—
 - (a) is required to make a resolution under section 19H before the next triennial general election; or
 - (b) has, since the last triennial general election, made a resolution under section 19H; or
 - (c) has, since the last triennial general election, already made a resolution under this section that was upheld by the Commission under subsection (6)(b).

Section 19JA: inserted, on 29 June 2013, by section 8 of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19JA(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19JA(2)(a): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19JA(4): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19JB Minor alterations to boundaries by regional council

- (1) A regional council may, in accordance with this section, determine by resolution new proposed boundaries of constituencies of the region of the regional council.
- (2) The regional council must be satisfied that,—
 - (a) since the existing boundaries of the constituencies took effect as the basis for election at the last triennial general election, there have been changes at or near those boundaries to the boundaries of 1 or more allotments; and
 - (b) the proposed boundaries of the constituencies constitute only minor alterations to the existing boundaries; and
 - (c) the minor alterations will maintain the effective representation of communities of interest affected by the changes to the boundaries of the allotments; and
 - (d) so far as is practicable, the proposed boundaries of the constituencies coincide with the boundaries of allotments; and

37

Part 1A s 19K Local Electoral Act 2001 Version as at
23 December 2023

- (e) so far as is practicable, constituency boundaries coincide with the boundaries of 1 or more territorial authority districts or the boundaries of wards.
- (3) Every meeting at which the regional council deliberates on the proposals contained in the resolution must be open to the public, except as provided by Part 7 of the Local Government Official Information and Meetings Act 1987.
- (4) The regional council must refer the resolution to the Commission, together with the information concerning the communities of interest and population of the region, and the proposed constituencies, that is held by the regional council and is necessary for the purposes of subsection (6).
- (5) However, the regional council must not refer the resolution and information to the Commission after 15 January in the year of a triennial general election.
- (6) On receiving the reference, the Commission must—
 - (a) consider the resolution and information forwarded to it; and
 - (b) determine whether to uphold the proposed boundaries of the constituencies.
- (7) For the purposes of making its determination, the Commission may make any inquiries that it considers appropriate.
- (8) The Commission may determine to uphold the proposed boundaries only if it is satisfied of the matters specified in subsection (2).
- (9) The Commission must make its determination under subsection (6)(b) before 11 April in the year of the next triennial general election.
- (10) Section 19S applies to the Commission's determination as if it were made under section 19R(1)(b), and section 19Y(3) to (6) apply with any necessary modifications.
- (11) A regional council must not use this section if the regional council—
 - (a) is required to make a resolution under section 19I before the next triennial general election; or
 - (b) has, since the last triennial general election, made a resolution under section 19I; or
 - (c) has, since the last triennial general election, already made a resolution under this section that was upheld by the Commission under subsection (6)(b).

Section 19JB: inserted, on 29 June 2013, by section 8 of the Local Electoral Amendment Act 2013 (2013 No 40).

19K Requirements for resolution

- (1AA) A resolution under section 19H, 19I, 19J, or 19JAA that affects the next triennial general election of members of a territorial authority, regional council, local board, or community board must be passed no earlier than 20 December

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19L

of the year that is 2 years before the year of the election and no later than 31 July of the year that is immediately before the year of the election.

- (1) Every resolution specified in subsection (3) must include or be accompanied by a description of each proposed ward, constituency, community, or subdivision, and its proposed boundaries, so as to make each proposed ward, constituency, community, or subdivision readily identifiable to the public.
- (2) If any resolution under section 19H, 19I, 19J, or 19JAA proposes any change to the basis of election, membership, or boundaries of wards, constituencies, communities, local board areas, or subdivisions of local board areas which applied at the last triennial general election of members of the territorial authority, regional council, local board, or community board, that resolution must include an explanation of the reasons for the proposed change.
- (3) Subsection (1) applies to every resolution under any of the following provisions:
 - (a) section 19H(1)(a)(ii) or (iii) or (g):
 - (b) section 19I(1):
 - (c) section 19J(2)(a) to (e) or (h)(iii):
 - (d) section 19JAA(1).

Compare: 1974 No 66 s 101H(3), (4)

Section 19K: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19K(1AA): replaced, on 31 August 2023, by section 12(1) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19K(2): amended, on 31 August 2023, by section 12(3) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19K(2): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19K(3): replaced, on 31 August 2023, by section 12(4) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

19L Distribution of copies of resolution

If a territorial authority or regional council makes a resolution under section 19H, 19I, 19J, or 19JAA, that territorial authority or regional council must, as soon as practicable after making that resolution,—

- (a) send a copy of that resolution to—
 - (i) the Commission; and
 - (ii) the Surveyor-General; and
 - (iii) the Government Statistician; and
 - (iv) the Remuneration Authority; and

Part 1A s 19M **Local Electoral Act 2001** Version as at
23 December 2023

- (b) in the case of a resolution made by a regional council, send a copy of that resolution to every territorial authority whose district or a part of whose district is within the region; and
- (c) in the case of a resolution made by a territorial authority, send a copy of that resolution to any regional council for a region in which the district of the territorial authority or any part of that district is situated.

Compare: 1974 No 66 s 1011

Section 19L: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19L: amended, on 31 August 2023, by section 13(1) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19L(a)(iv): replaced, on 29 June 2013, by section 10 of the Local Electoral Amendment Act 2013 (2013 No 40).

19M Public notice of proposals and responsibilities in relation to submissions

- (1) A territorial authority or regional council that makes a resolution under section 19H, 19I, 19J, or 19JAA must, within 14 days after making the resolution (but, in the year immediately before the year of a triennial general election, not later than 8 August), give public notice of the proposals contained in the resolution.
- (2) The public notice must—
 - (a) include a statement about how persons interested in the proposals may inspect the full proposals; and
 - (b) specify the communities of interest considered by the territorial authority or regional council as required by section 19T and section 19V or, as the case may require, section 19U and section 19V; and
 - (c) specify the ratio of population to proposed members for each proposed ward (if any) or constituency or subdivision (if any), and the reasons for those proposals in terms of section 19V(2) and, if applicable, section 19V(3); and
 - (d) specify a period of not less than 1 month from the date of the first or only publication of the notice within which persons interested in the resolution may make submissions on the resolution to the territorial authority or regional council.
- (3) A territorial authority or regional council to whom subsection (1) applies must—
 - (a) ensure that any person who makes a submission on the proposal within the period referred to in subsection (2)(d)—
 - (i) is sent a written notice acknowledging receipt of that person's submission; and
 - (ii) is given a reasonable opportunity to be heard by the territorial authority or regional council (if that person so requests); and

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19N

- (b) ensure that the notice given to a person under paragraph (a) contains information—
 - (i) advising that person of that person's opportunity to be heard; and
 - (ii) explaining how that person may exercise that person's opportunity to be heard; and
- (c) ensure that, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987, every meeting at which submissions on a resolution referred to in subsection (1) are heard or at which the territorial authority or regional council deliberates on the proposal is open to the public; and
- (d) subject to the Local Government Official Information and Meetings Act 1987, make all written submissions on a resolution of that kind available to the public.

Compare: 1974 No 66 s 101J(1)

Section 19M: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19M(1): amended, on 31 August 2023, by section 14(a) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19M(1): amended, on 31 August 2023, by section 14(b) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

19N Response to submissions

- (1) The territorial authority or regional council must, within 8 weeks after the end of the period allowed for the making of submissions and specified in the notice given under section 19M,—
 - (a) consider all submissions received and may, by resolution, make such amendments to the resolution made under section 19H, 19I, 19J, or 19JAA, as the case may be, as it thinks fit; and
 - (b) give public notice of its proposals.
- (2) The public notice must—
 - (a) incorporate any amendments resolved under subsection (1)(a); and
 - (b) state both the reasons for the amendments and the reasons for any rejection of submissions; and
 - (ba) specify the communities of interest considered by the territorial authority (as required by sections 19T and 19V) or regional council (as required by sections 19U and 19V); and
 - (bb) specify the ratio of population to proposed members for each proposed ward, constituency, or subdivision, and the reasons for those proposals in terms of section 19V(2) and, if applicable, section 19V(3); and
 - (c) specify the right of appeal conferred by section 19O, including the place and closing date for the receipt of appeals; and

41

Part 1A s 19O **Local Electoral Act 2001** Version as at
23 December 2023

- (d) if the territorial authority or regional council has amended its proposals under subsection (1)(a), specify the right of objection conferred by section 19P, including the place and closing date for the receipt of objections.
- (3) The territorial authority or regional council by which the public notice was given must—
 - (a) send a copy of that notice to—
 - (i) the Commission; and
 - (ii) the Surveyor-General; and
 - (iii) the Government Statistician; and
 - (iv) the Remuneration Authority; and
 - (b) if that notice was given by a territorial authority, send a copy of that notice to any regional council for a region in which the district of the territorial authority or any part of that district is situated; and
 - (c) if that notice was given by a regional council, send a copy of that notice to every territorial authority whose district or a part of whose district is within the region.

Compare: 1974 No 66 s 101J(3), (6)

Section 19N: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19N(1): amended, on 31 August 2023, by section 15(1) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19N(1)(a): amended, on 31 August 2023, by section 15(2) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19N(2)(ba): inserted, on 29 June 2013, by section 11(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19N(2)(bb): inserted, on 29 June 2013, by section 11(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19N(3)(a)(iv): replaced, on 29 June 2013, by section 11(2) of the Local Electoral Amendment Act 2013 (2013 No 40).

190 Appeals

- (1) Any person who or organisation (including a local board or community board) that has made submissions on a resolution made under section 19H, 19I, 19J, or 19JAA may lodge a written appeal against the decision of the territorial authority or regional council at the principal office of the territorial authority or regional council on or before the date specified in the public notice of that decision.
- (2) That date—
 - (a) must not be earlier than 1 month after the date of the first or only publication of the public notice; and

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19Q

- (b) must not, in a year immediately before the year of a triennial general election, be later than 3 December.
- (3) An appeal lodged under this section—
 - (a) must identify the matters to which the appeal relates:
 - (b) may raise only those matters that were raised in the appellants' submissions.

Compare: 1974 No 66 s 101J(4)

Section 19O: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19O(1): amended, on 31 August 2023, by section 16(1) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19O(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19O(2)(b): amended, on 31 August 2023, by section 16(2) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

19P Objections

- (1) If the territorial authority or regional council has, under section 19N(1)(a), amended the resolution made by it under section 19H, 19I, 19J, or 19JAA, any interested person or organisation (including a local board or community board) may lodge a written objection to the amended resolution at the principal office of the territorial authority or regional council on or before the date specified in the public notice, which date must be the same date as that specified for the closing of receipt of appeals under section 19O.
- (2) An objection lodged under this section must identify the matters to which the objection relates.

Compare: 1974 No 66 s 101J(5)

Section 19P: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19P(1): amended, on 31 August 2023, by section 17 of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19P(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19Q Obligation to forward appeals and objections to Commission

If the territorial authority or regional council receives any appeal under section 19O or any objection under section 19P, the territorial authority or regional council must, as soon as practicable, but, in a year immediately before the year of a triennial general election, in no case later than 20 December, forward to the Commission—

- (a) the resolution made under section 19H, 19I, 19J, or 19JAA and any resolution made under section 19N(1)(a) that made amendments to the resolution made under section 19H or section 19I or section 19J; and
- (b) a copy of the public notice given under section 19N(1)(b); and

43

Part 1A s 19R **Local Electoral Act 2001** Version as at
23 December 2023

- (c) every submission made to the territorial authority or regional council on the resolution made by the territorial authority or regional council under section 19H, 19I, 19J, or 19JAA; and
- (d) every appeal and objection received by the territorial authority or regional council under section 19O or section 19P; and
- (e) such information concerning the communities of interest and population of the district or region or local board area or community, or any proposed ward or constituency or subdivision, as is held by the territorial authority or regional council and is necessary for the purposes of section 19R.

Compare: 1974 No 66 s 101J(7)

Section 19Q: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Q: amended, on 31 August 2023, by section 18(1) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19Q(a): amended, on 31 August 2023, by section 18(2) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19Q(c): amended, on 31 August 2023, by section 18(2) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Section 19Q(e): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19R Commission to determine appeals and objections

- (1) The Commission must—
 - (a) consider the resolutions, submissions, appeals, objections, and information forwarded to it under section 19Q; and
 - (b) subject to sections 19T and 19V in the case of a territorial authority, and to sections 19U and 19V in the case of a regional council, determine,—
 - (i) in the case of a territorial authority that has made a resolution under section 19H, the matters specified in that section:
 - (ii) in the case of a regional council that has made a resolution under section 19I, the matters specified in that section:
 - (iii) in the case of a territorial authority that has made a resolution under section 19J, the matters specified in that section:
 - (iv) in the case of a unitary authority that has made a resolution under section 19JAA, the matters specified in that section.
- (2) For the purposes of making a determination under subsection (1)(b), the Commission—
 - (a) may make any enquiries that it considers appropriate; and
 - (b) may hold, but is not obliged to hold, meetings with the territorial authority or regional council or any persons who have lodged an appeal or

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19T

objection and have indicated a desire to be heard by the Commission in relation to that appeal or objection.

- (3) The Commission must, before 11 April in the year of a triennial general election, complete the duties it is required to carry out under subsection (1).

Compare: 1974 No 66 s 101K(1), (2)

Section 19R: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19R(1)(b)(iv): inserted, on 31 August 2023, by section 19(3) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

19S Determination of Commission

- (1) Notice in writing of every determination made under section 19R(1)(b), setting out the reasons for the determination, must be given by the Commission to the territorial authority or regional council concerned, and by public notice.
- (2) As soon as practicable after the publication of a public notice under subsection (1), the Commission must send a copy of that notice to—
- (a) the Surveyor-General; and
 - (b) the Government Statistician; and
 - (c) the Remuneration Authority; and
 - (d) the Secretary for Local Government.
- (3) Subject to Part 2AA of the Local Government Act 1974 or Schedule 5 of the Local Government Act 2002, the determination of the Commission made under section 19R(1)(b) is final and comes into force for the next triennial general election, and continues in effect until a subsequent determination under this Part comes into effect.

Compare: 1974 No 66 s 101K(3)–(5)

Section 19S: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19S(2)(c): amended, on 29 June 2013, by section 12 of the Local Electoral Amendment Act 2013 (2013 No 40).

19T Requirement for effective representation and other factors in determination of membership and basis of election of territorial authorities and local boards

- (1) In determining the matters specified in paragraphs (a) to (d) of section 19H(1), the territorial authority and, where appropriate, the Commission must ensure—
- (a) that the election of members of the territorial authority (other than the mayor), in one of the ways specified in subparagraphs (i) to (iii) of section 19H(1)(a), will provide effective representation of communities of interest within the district; and

Part 1A s 19U **Local Electoral Act 2001** Version as at
23 December 2023

- (b) that ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
 - (c) that, so far as is practicable, ward boundaries coincide with any local board area or community boundaries.
- (2) In determining the matters specified in section 19H(1)(e) to (h), the territorial authority and, where appropriate, the Commission must ensure—
- (a) that the election of members of the local board, in one of the ways specified in section 19H(1)(f)(i) to (iii), will provide effective representation of communities of interest within the local board area; and
 - (b) that the boundaries of subdivisions coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
 - (c) that, so far as is practicable, subdivision boundaries coincide with ward boundaries.

Compare: 1974 No 66 s 101L(2), (4)

Section 19T: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19T heading: amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19T(1)(c): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19T(2): inserted, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19U Requirement for effective representation and other factors in determination of membership and basis of election of regional council

In determining the matters specified in paragraphs (a) to (c) of section 19I(1), the regional council and, where appropriate, the Commission must ensure—

- (a) that the number and boundaries of constituencies will provide effective representation of communities of interest within the region; and
- (b) that constituency boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
- (c) that, so far as is practicable, constituency boundaries coincide with the boundaries of 1 or more territorial authority districts or the boundaries of wards.

Compare: 1974 No 66 s 101L(1)

Section 19U: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19V

19V Requirement for fair representation and other factors in determination of membership for wards, constituencies, and subdivisions

- (1) In determining the number of members to be elected by the electors of any ward or constituency or subdivision, the territorial authority or regional council and, where appropriate, the Commission must ensure that the electors of the ward or constituency or subdivision receive fair representation, having regard to the population of every district or region or local board area or community and every ward or constituency or subdivision within the district or region or local board area or community.
- (2) For the purposes of giving effect to subsection (1), the territorial authority or regional council and, where appropriate, the Commission must ensure that the population of each ward or constituency or subdivision, divided by the number of members to be elected by that ward or constituency or subdivision, produces a figure no more than 10% greater or smaller than the population of the district or region or local board area or community divided by the total number of elected members (other than members elected by the electors of a territorial authority as a whole, if any, and the mayor, if any).
- (3) Despite subsection (2),—
 - (a) if the territorial authority or the Commission considers that 1 or more of the following apply, wards and subdivisions of a local board area or a community may be defined and membership distributed between them in a way that does not comply with subsection (2):
 - (i) non-compliance with subsection (2) is required for effective representation of communities of interest within island communities or isolated communities situated within the district of the territorial authority; or
 - (ii) compliance with subsection (2) would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions; or
 - (iii) compliance with subsection (2) would limit effective representation of communities of interest by uniting within a ward or subdivision 2 or more communities of interest with few commonalities of interest:
 - (b) if the regional council or the Commission considers that effective representation of communities of interest so requires, constituencies may be defined and membership distributed between them in a way that does not comply with subsection (2).
- (4) A territorial authority or regional council that decides under subsection (3) not to comply with subsection (2) must refer that decision to the Commission together with the information specified in section 19Q(a) to (e).
- (5) A reference under subsection (4) must be treated as if it were an appeal against the decision of the territorial authority or regional council, for the purposes of

47

Part 1A s 19W

Local Electoral Act 2001

Version as at
23 December 2023

sections 19R (other than subsection (1)(b)), 19S, and 19Y, which apply with any necessary modifications.

- (6) On receiving a reference under subsection (4), the Commission must determine, under section 19R(1), whether—
- (a) to uphold the decision of the territorial authority or regional council; or
 - (b) to alter that decision.

Compare: 1974 No 66 s 101L(3)

Section 19V: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19V(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19V(2): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19V(2): amended, on 7 July 2004, by section 7 of the Local Electoral Amendment Act 2004 (2004 No 62).

Section 19V(3)(a): replaced, on 29 June 2013, by section 13(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19V(3)(a): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19V(4): amended, on 29 June 2013, by section 13(2) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19V(4): amended, on 29 June 2013, by section 13(3) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19V(5): amended, on 29 June 2013, by section 13(3) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19V(6)(a): amended, on 29 June 2013, by section 13(3) of the Local Electoral Amendment Act 2013 (2013 No 40).

19W Factors in determination of matters in relation to community boards

In determining the matters specified in paragraphs (a) to (i) of section 19J(2), the territorial authority and, where appropriate, the Commission must ensure—

- (a) that, in the case of the matters specified in paragraphs (a) to (g) of section 19J(2), it has regard to such of the criteria as apply to local government reorganisation under the Local Government Act 1974 or the Local Government Act 2002 as the territorial authority or the Commission considers appropriate in the circumstances; and
- (b) that the election of members of the community board, in one of the ways specified in subparagraphs (i) to (iii) of section 19J(2)(h), will provide effective representation of communities of interest within the community and fair representation of electors; and
- (c) that the boundaries of every community, and of every subdivision of a community, coincide with the boundaries of the current statistical mesh-

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19Y

block areas determined by Statistics New Zealand and used for parliamentary electoral purposes.

Compare: 1974 No 66 ss 101ZH(2), 101ZL

Section 19W: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19W(a): amended, on 5 December 2012, by section 43 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

19X Certificate of Government Statistician

- (1) For the purposes of sections 19H to 19W, the certificate of the Government Statistician as to the population of any region, district, local board area, constituency, ward, community, or subdivision or any proposed constituency, ward, community, or subdivision is to be—
 - (a) a certificate of the ordinarily resident population as shown by the figures for the most recently published census (other than the figures for a census carried out in the year before a triennial general election of a territorial authority or regional council or the year in which such an election is to be held); or
 - (b) a certificate of the ordinarily resident population as assessed by the Government Statistician at any later date assessed by the Government Statistician.
- (2) Every territorial authority and every regional council must supply to the Government Statistician such information as may be required by the Government Statistician concerning the definition of any area to which any certificate of the kind referred to in subsection (1) is to relate.

Compare: 1974 No 66 s 101L(5)

Section 19X: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19X(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

19Y When determinations take effect

- (1) If there are no submissions on the proposal publicly notified under section 19M by a territorial authority or regional council, or if there are no appeals against, or objections to, a resolution publicly notified under section 19N(1) by a territorial authority or a regional council, the proposal or amended proposal, as the case may be, becomes the basis for election at the next triennial general election of the territorial authority or regional council or local board or community board, and continues in effect until a subsequent determination under this Part comes into effect, and the territorial authority or regional council must give public notice accordingly of that basis for election.
- (2) As soon as practicable after the publication of a public notice under subsection (1), the territorial authority or regional council by which that notice was given must—

Part 1A s 19Y

Local Electoral Act 2001

Version as at
23 December 2023

- (a) send a copy of that notice to—
 - (i) the Commission; and
 - (ii) the Surveyor-General; and
 - (iii) the Government Statistician; and
 - (iv) the Remuneration Authority; and
 - (v) the Secretary for Local Government; and
 - (b) if that notice was given by a territorial authority, send a copy of that notice to any regional council for a region in which the district of the territorial authority or a part of that district is situated; and
 - (c) if that notice was given by a regional council, send a copy of that notice to every territorial authority whose district or a part of whose district is within the region.
- (3) If a territorial authority or a regional council has, under subsection (1), or the Commission has, under section 19S(1), given public notice of the basis of election for the next triennial general election for a territorial authority or regional council or local board or community board, no such basis has effect unless—
 - (a) a description or plan of each ward or constituency or community or subdivision has been sent to the Surveyor-General; and
 - (b) the Surveyor-General, or a person appointed by the Surveyor-General, certifies that the description or plan is sufficient to render the boundaries of each ward or constituency or community or subdivision capable of identification.
- (4) If the description of any ward or constituency or community or subdivision to which subsection (3) applies is defective, but the Surveyor-General, or a person appointed by the Surveyor-General, certifies that it can be amended and the defect overcome without making any change in what was evidently intended to be the area comprised in the description, the description—
 - (a) may be so amended by resolution; and
 - (b) if so amended, has effect as if the provisions of subsection (3) had been complied with.
- (5) The territorial authority or regional council must reimburse the Commission for any costs incurred by the Commission in obtaining the certificate required by subsection (3) or must meet the cost of the production of that certificate if required to do so by the Surveyor-General.
- (6) The following provisions apply to every determination of the Commission under this section:
 - (a) it is to come into force at the next triennial general election, except so far as may be necessary to provide for that election; and

50

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19Z

- (b) a copy must be kept at the office of the territorial authority or regional council, and must be available for inspection without fee by any person during normal office hours.

Compare: 1974 No 66 s 101M

Section 19Y: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Y(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19Y(2)(a)(iv): amended, on 29 June 2013, by section 14 of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19Y(3): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Māori wards and Māori constituencies

Heading: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19Z Territorial authority or regional council may resolve to establish Māori wards or Māori constituencies

- (1) Any territorial authority may resolve that the district be divided into 1 or more Māori wards for electoral purposes.
- (2) Any regional council may resolve that the region be divided into 1 or more Māori constituencies for electoral purposes.
- (3) A resolution under this section,—
 - (a) if made after a triennial general election but no later than 23 November of the year that is 2 years before the next triennial general election, takes effect, subject to paragraph (c), for the purposes of the next triennial general election of the territorial authority or regional council; and
 - (b) in any other case, takes effect, subject to paragraph (c), for the purposes of the next but one triennial general election; and
 - (c) in either case, takes effect for 2 triennial general elections of the territorial authority or regional council, and for any associated election, and continues in effect after that until a further resolution under this section takes effect.
- (4) This section—
 - (a) is subject to clauses 2(5) and 4(4) of Schedule 1A; and
 - (b) does not apply in relation to a territorial authority or regional council if another enactment requires,—
 - (i) in the case of a territorial authority, that the district be divided into 1 or more Māori wards; or
 - (ii) in the case of a regional council, that the region be divided into 1 or more Māori constituencies.

51

Part 1A s 19ZA **Local Electoral Act 2001** Version as at
23 December 2023

- (5) In this section, **associated election**, in relation to any 2 successive triennial general elections of a territorial authority or regional council, means—
- (a) any election to fill an extraordinary vacancy in the membership of the body concerned that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election:
 - (b) an election of the members of the body concerned under section 258I or 258M of the Local Government Act 2002 that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election.

Section 19Z: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Z(3)(c): replaced, on 2 March 2021, by section 6(1) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(4): replaced, on 2 March 2021, by section 6(2) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(5): amended, on 2 March 2021, by section 6(3) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(5)(b): amended, on 5 December 2012, by section 43 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

19ZA Public notice of right to demand poll

[Repealed]

Section 19ZA: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZB Electors may demand poll

[Repealed]

Section 19ZB: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZC Requirements for valid demand

[Repealed]

Section 19ZC: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZD Territorial authority or regional council may resolve to hold poll

[Repealed]

Section 19ZD: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Version as at
23 December 2023

Local Electoral Act 2001

Part 1A s 19ZI

19ZE Limitation on division into Māori wards or Māori constituencies

[Repealed]

Section 19ZE: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZF Poll of electors

[Repealed]

Section 19ZF: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZG Effect of poll

[Repealed]

Section 19ZG: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZH Basis of election of territorial authority and regional council

If, for the purpose of a triennial general election,—

- (a) a district of a territorial authority is required to be divided into 1 or more Māori wards; or
- (b) a region of a regional council is required to be divided into 1 or more Māori constituencies,—

the provisions of this Part (other than those of sections 19B, 19G, and 19J, and those of this section) are subject to the provisions of Schedule 1A.

Section 19ZH: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Guidelines

Heading: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19ZI Guidelines in relation to reviews of representation or minor alterations to boundaries

- (1) The Commission must issue guidelines identifying factors and considerations for territorial authorities or regional councils to take into account in making determinations under any of the provisions of sections 19H to 19JB and Schedule 1A.
- (2) The Commission may, from time to time, amend or revoke any guidelines issued under subsection (1).
- (3) Any guidelines issued under subsection (1) may relate to territorial authorities or regional councils generally or to a specific class of territorial authorities or regional councils.
- (4) The Commission must, as soon as practicable after issuing any guidelines under subsection (1),—

53

Part 2 s 20

Local Electoral Act 2001

Version as at
23 December 2023

- (a) send a copy of those guidelines to every territorial authority and every regional council; and
- (b) publish in the *Gazette* a notice—
 - (i) stating that the guidelines have been issued; and
 - (ii) naming the place or places at which copies of the guidelines are available for inspection free of charge or for purchase or both.
- (5) The Commission must ensure that, so long as the guidelines remain in force, copies of the guidelines are available—
 - (a) for inspection by members of the public free of charge; and
 - (b) for supply to members of the public either free of charge or for purchase at a reasonable price.
- (6) The provisions of subsections (4) and (5) apply, with all necessary modifications, in respect of any amendment or revocation of any guidelines issued under subsection (1).

Section 19ZI: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19ZI heading: amended, on 29 June 2013, by section 15(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19ZI(1): amended, on 29 June 2013, by section 15(2) of the Local Electoral Amendment Act 2013 (2013 No 40).

Part 2

Local elections and polls

Electoral rights

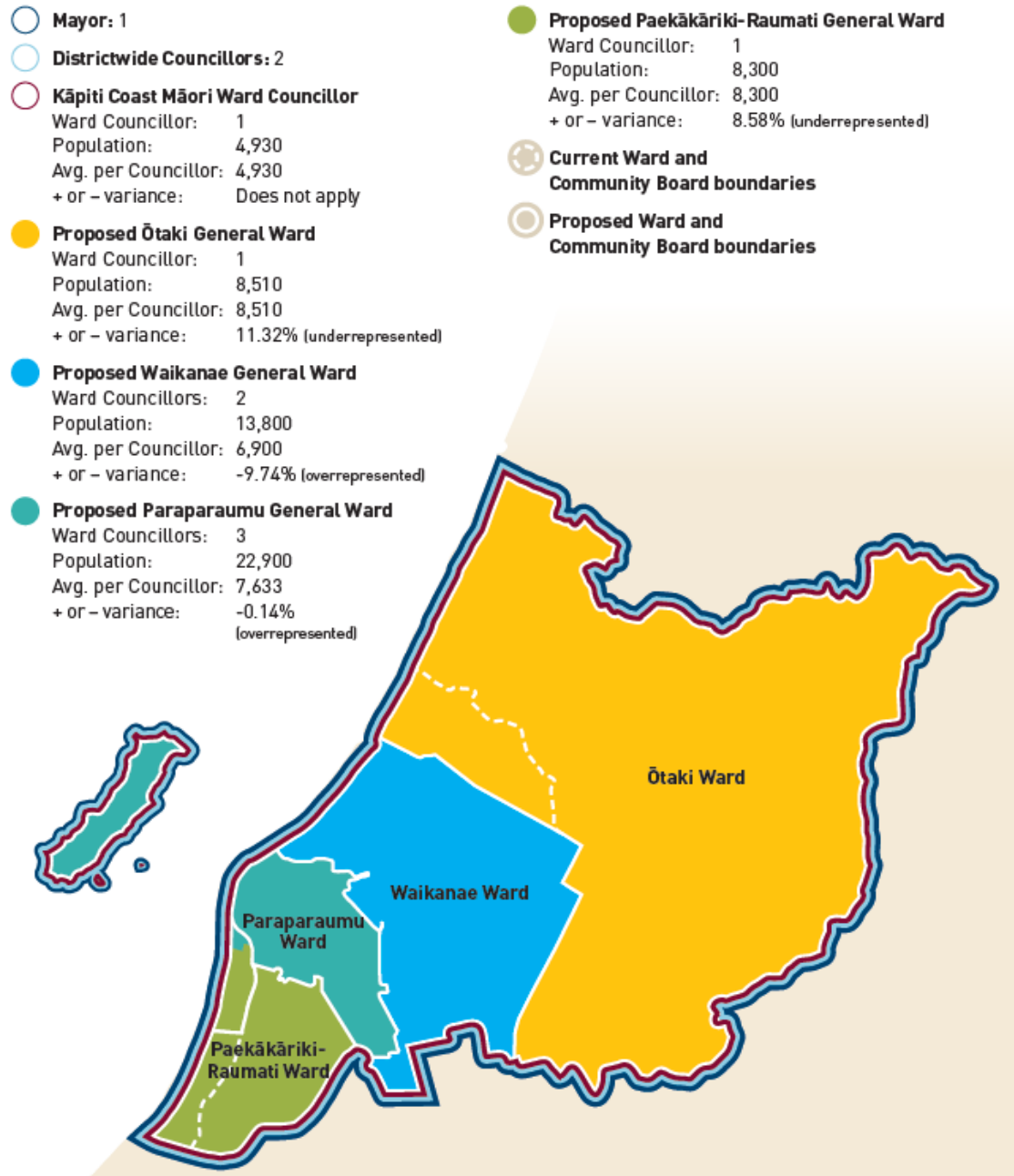
20 Right to vote in election or poll

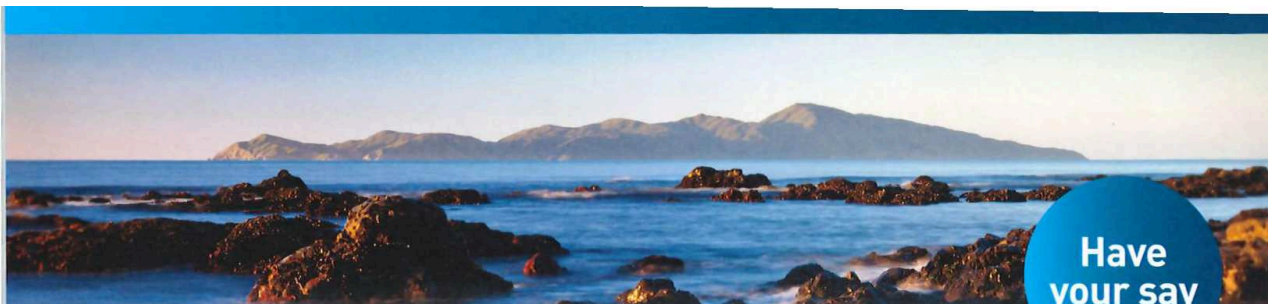
- (1) Every person whose name appears on the electoral roll in force in any district of a territorial authority or in the local government area of any other local authority as a residential elector or a ratepayer elector is, unless the person has ceased to possess a qualification as a residential elector or ratepayer elector, an elector and is entitled to exercise 1 vote—
 - (a) at every election for which that roll indicates the elector is qualified to exercise a vote; and
 - (b) at every poll for which that roll indicates the elector is qualified to exercise a vote.
- (2) Every person who has qualified as a residential elector before the close of voting, and who applied to enrol as an elector not later than the day before the close of voting but whose name does not appear on the electoral roll or whose voting entitlements are incorrectly recorded on that roll, is an elector and is entitled to exercise 1 vote—

54

Proposed Representation Arrangements

OPTION ONE





Me pēwhea te whakakanohi i a koe anō? How would you like to be represented?

Collectively, councillors determine the Kāpiti Coast district's overall strategic direction, approve budgets, set rates, and make bylaws, policies and plans aimed at meeting community needs. So, it's important to let us know how you'd like to be represented.

Following the decision to create a Māori ward last year, we are now reviewing our representation arrangements for the 2025 local government elections. This process is called a Representation Review.

What's a representation review?

Council has a duty to ensure fair and effective representation of our communities through the way our Council structure is set up. We must review our representation arrangements every six years.

Fair representation means each elected general ward councillor should represent a similar number of people, within plus or minus 10 percent (the +/- 10 percent rule). We can be outside this (if the Local Government Commission agrees) provided we can justify our decisions with good reasons, such as the need to retain communities of interest. Effective representation is also about fair access to councillors and how they can hear from you.

This representation review

Council completed a comprehensive review of its representation arrangements in 2021 and was not due for another review until 2027. However, due to an amendment in 2021 to the Local Electoral Act (2001), Council was able to make a decision to establish a Māori ward without requiring a poll in November last year. As a result of that decision, Council is required to do a representation review this year for the Māori ward to be in place for the 2025 local government elections.

Early engagement

We began our process with early engagement between 4 March and 2 April 2024 to ask the community their

thoughts on how they'd like to be represented. This included seeking feedback on how many councillors we should have, whether they're elected from general wards, districtwide (elected by all voters of the district), or a combination of both, whether the district has community boards, and how the new Māori ward could fit into the arrangements.

We received 285 submissions, with the majority indicating the current arrangements work well and supporting the inclusion of the new Māori ward with minimal changes to the current Council structure. The majority also supported retaining the current councillor to community board appointment structure.

Current Council structure

In Kāpiti, we currently have:

- One mayor
- Four general wards represented by seven elected councillors
- Three districtwide councillors
- Five community boards with four elected members each and a specified number of ward councillors appointed to the boards.

In total this equates to ten councillors, one mayor and twenty community board members (see page 5).

Initial proposal

On 30 July, as a result of the early engagement, Council decided the current structure should be largely retained, proposing the following representation arrangements for the 2025 local government elections:

- One mayor
- Four general wards represented by seven elected councillors
- Two districtwide councillors
- One Māori ward councillor
- Five community boards with four elected members each and a specified number of ward councillors appointed to the boards.

In total this equates to ten councillors, one mayor and twenty community board members, with one districtwide seat replaced at the Council table by the new Māori ward seat (see page 6).

Proposed boundary changes

We're also proposing to change:

- the Ōtaki and Waikanae ward and community board boundaries at Te Horo moving it further south past Te Hapua Road, and
- the Paekākāriki-Raumati and Paraparaumu ward boundaries at Emerald Glen and Valley Road
- this will also change the Paekākāriki and Paraparaumu community board boundaries.

We believe these boundary changes will better reflect the communities of interest – people who have a common geographical, economic, social, historical, or other bond. For example, where they live and associate with.

These proposed boundary changes are in line with community feedback following the Local Government Commission's decisions during our last representation review process and feedback received from members of these communities since the last elections in 2022. Our proposed changes to the boundary between the Ōtaki and Waikanae wards don't meet the fair representation criteria (the +/- 10 percent rule). Council is able to make this change however, our final proposal will need to be referred to the Local Government Commission to consider the district's final representation arrangements.



Community boards

We are not proposing any changes to our community board arrangements, apart from the proposed boundary alterations. Community boards work with ward councillors to represent your interests. They have 'delegated authority' for some things such as awarding local grants, but they can't vote at Council.

Councillors appointed to community boards

We believe that every triennium, the newly elected Council should have the ability to consider appointing a specified number of ward councillors to its community boards in a fair and equitable way that considers workload and specific skills. We therefore propose to leave the current councillor to community board appointment structure in place and for the new Council to decide which ward councillors (either the new Māori ward councillor and/or the general ward councillor(s)) should be appointed to community boards.



What do the Government's changes to legislation mean for our representation review?

On 4 April 2024, local government minister Simeon Brown announced the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill which was confirmed as legislation on 30 July 2024. The Bill reinstates a requirement for councils to hold polls at the 2025 local government elections for any Māori wards established without a poll. It also requires councils to re-affirm or reverse (rescind) their decision to establish Māori wards. At an extraordinary Council meeting on 6 August 2024, Council re-affirmed their decision to establish a Māori ward. This means continuing with this representation review to determine our arrangements, including establishing the new Māori ward, for the 2025 local government elections. During the 2025 elections we will hold a poll to determine the future of the Māori ward for the 2028 and 2031 elections.

Establishing the Māori ward

The decision to establish a Māori ward has been made, re-affirmed, and is not part of this representation review. Under the new legislation, Council will need to hold a poll to determine whether

or not the Māori ward remains in place for the 2028 and 2031 local government elections. Depending on the outcome of the poll, Council may have to undertake another representation review in 2027.

Who will I vote for?

In the 2025 elections, people on the Māori electoral roll will vote in the new Māori ward instead of a general ward and people on the general electoral roll will vote in their general ward instead of the Māori ward. Both Māori and general electoral roll voters will still vote for the mayor, districtwide councillors, and community board representatives for the area they live in. People can change what roll they're on any time up to three months before a local or national election date. Our next local government elections will be held on 11 October 2025.

Our proposed boundary changes will not affect the number of general ward councillors residents in Ōtaki (1), Waikanae (2), Paraparaumu (3) or Paekākāriki-Raumati (1) will vote for. Nor will they affect the one Māori ward councillor those on the Māori electoral roll will vote for.

The number of districtwide councillors you vote for will reduce from three to two.



Have your say

We're seeking feedback from our community on our initial proposal for a new Council structure. Have we got the number of councillors, community boards, and ward and community board boundaries right?

To provide feedback, you can fill out our survey online, on paper, or in person at one of our libraries or service centres.

Submissions are open until **Thursday 12 September 2024, 5pm**.

Those wishing to speak to their submission may do so at our hearings on **Tuesday 24 September 2024**.

Councillors will consider all feedback before making their final decision on **Thursday 31 October**.

To learn more about the representation review, and to have your say, visit:
haveyoursay.kapiticoast.govt.nz/RepresentationReview

Information sessions

If you would like to chat to an elected member about our proposed Council structure, please join us for our:

- Webinar, **Thursday 29 August, 6pm**.
- Drop-in session, **Saturday 31 August, 10am–12 noon**, Paraparaumu Library.

What happens to my feedback?

Following feedback from this round of community engagement, Council will hold public hearings before making a final proposal decision on representation arrangements for the 2025 local government elections on 31 October 2024.

If an appeal or objection to the final proposal is received or if the adopted structure does not meet the fair representation requirements (+/- 10% rule) the binding determination on the district's representation arrangement will be referred to the Local Government Commission (LGC) for consideration. The principle of a Māori ward cannot be appealed. A decision by the LGC will be given no later than 10 April 2025.

Timeline

The process to follow and the milestones to meet for a representation review are mandated through legislation.



How you're represented now: Current Council structure

○ Mayor: 1

○ Districtwide Councillors: 3

● Ōtaki Ward

Ward Councillor: 1
Population: 9,320*
Avg. per Councillor: 9,320
+ or - variance: 11.65% (underrepresented)

● Waikanae Ward

Ward Councillors: 2
Population: 15,650*
Avg. per Councillor: 7,825
+ or - variance: -6.26% (overrepresented)

● Paraparaumu Ward

Ward Councillors: 3
Population: 24,700*
Avg. per Councillor: 8,233
+ or - variance: -1.36% (overrepresented)

● Paekākāriki-Raumati Ward

Ward Councillor: 1
Population: 8,760*
Avg. per Councillor: 8,760
+ or - variance: 4.95% (underrepresented)

*Estimate as of 30 June 2023 (based of 2018 census)

● Current Community Board boundaries:

Ōtaki Community Board

4 community board members,
plus 1 ward Councillor

Raumati Community Board

4 community board members,
plus 1 ward Councillor

Paekākāriki Community Board

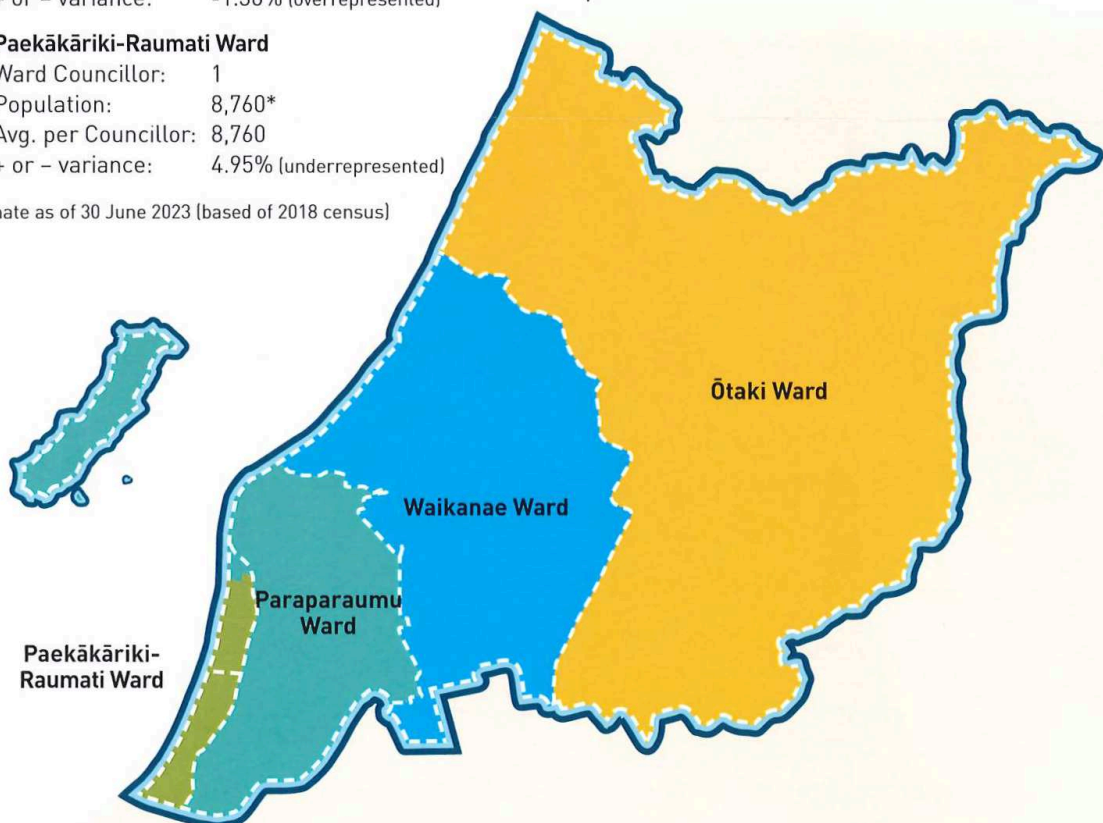
4 community board members,
plus 1 ward Councillor

Waikanae Community Board

4 community board members,
plus 1 of the 2 ward Councillors

Paraparaumu Community Board

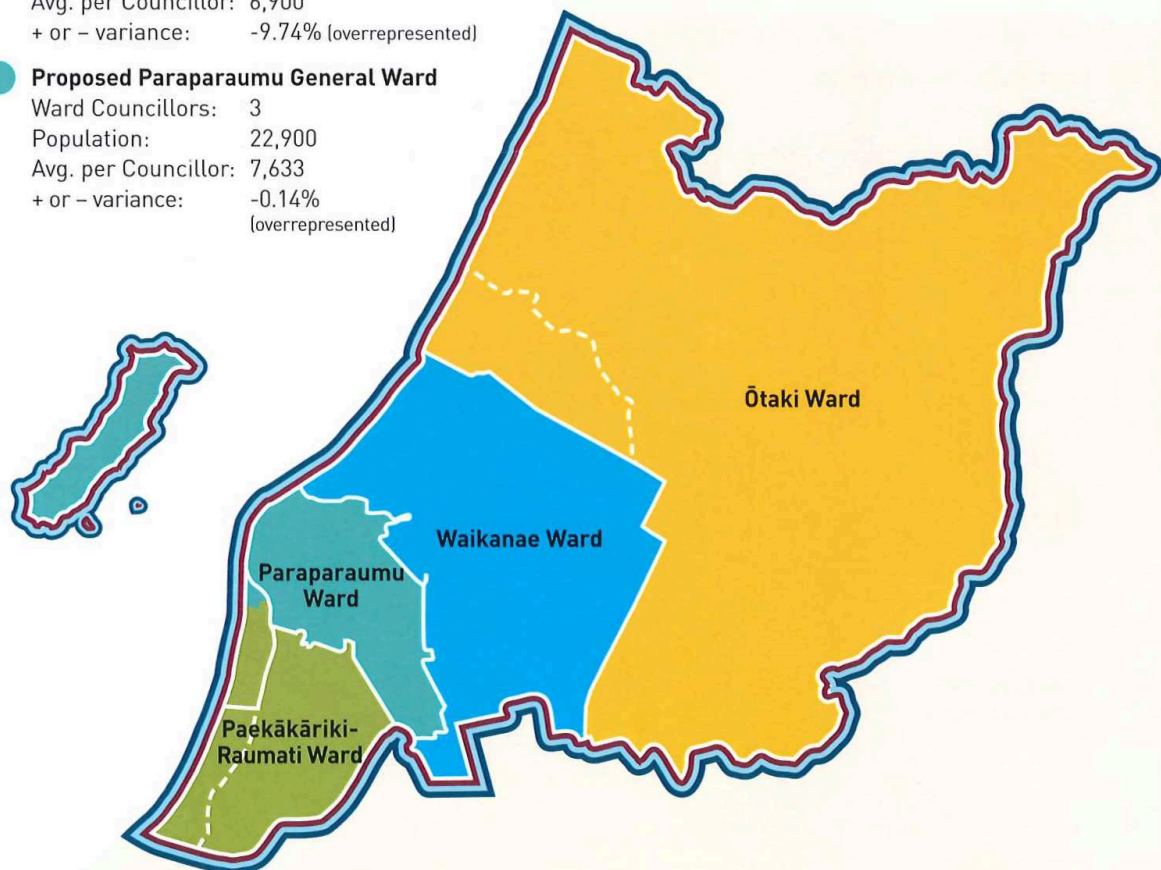
4 community board members,
plus 2 of the 3 ward Councillors



Note: Community board boundaries typically align with our ward boundaries, with the exception of Paekākāriki and Raumati which are two separate community boards. The Raumati Community Board straddles two wards.

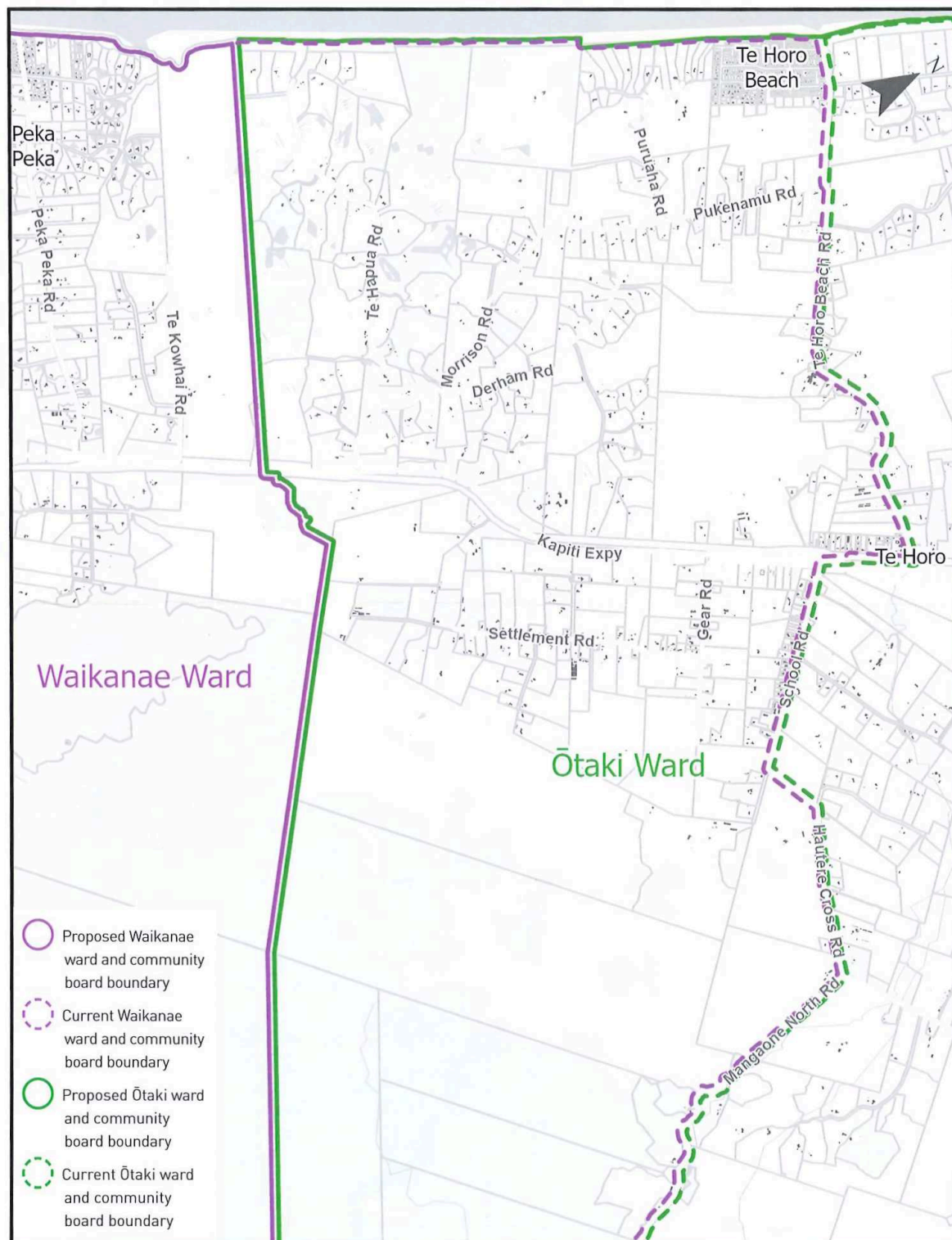
Our proposed Council structure for the 2025 elections

- **Mayor: 1**
- **Districtwide Councillors: 2**
- **Kāpiti Coast Māori Ward Councillor**
Ward Councillor: 1
Population: 4,930
Avg. per Councillor: 4,930
+ or – variance: Does not apply
- **Proposed Ōtaki General Ward**
Ward Councillor: 1
Population: 8,510
Avg. per Councillor: 8,510
+ or – variance: 11.32% (underrepresented)
- **Proposed Waikanae General Ward**
Ward Councillors: 2
Population: 13,800
Avg. per Councillor: 6,900
+ or – variance: -9.74% (overrepresented)
- **Proposed Paraparaumu General Ward**
Ward Councillors: 3
Population: 22,900
Avg. per Councillor: 7,633
+ or – variance: -0.14% (overrepresented)
- **Proposed Paekākāriki-Raumati General Ward**
Ward Councillor: 1
Population: 8,300
Avg. per Councillor: 8,300
+ or – variance: 8.58% (underrepresented)
- **Current Ward and Community Board boundaries**
- **Proposed Ward and Community Board boundaries**
(see pages 7 and 8 for more details)
NB: We're not proposing a change to the number or membership of community boards or number of councillors appointed to community boards.



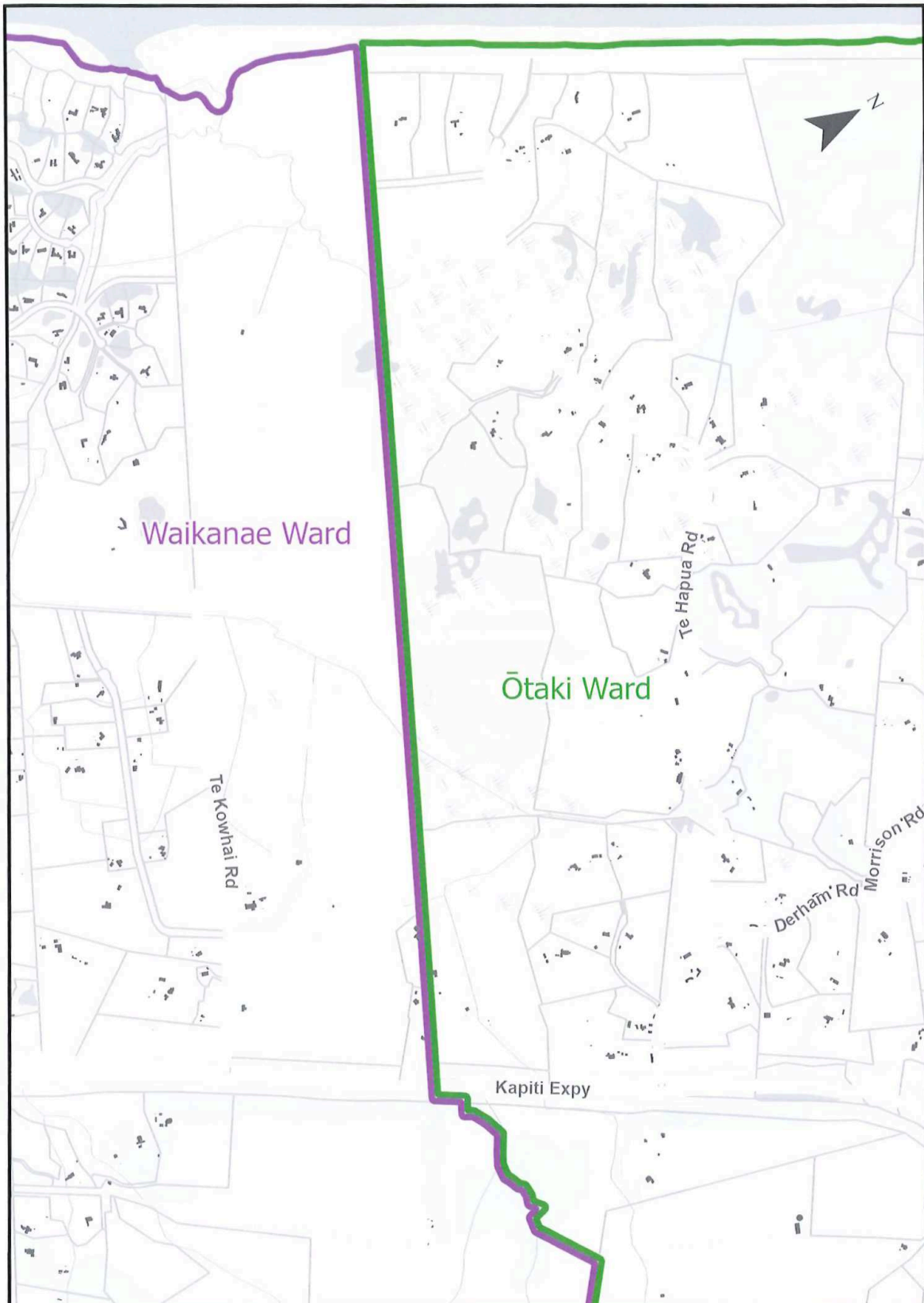
Note: We are not proposing any changes to our community boards. Community board boundaries typically align with our general ward boundaries, with the exception of Paekākāriki and Raumati which are two separate community boards. The Raumati Community Board straddles both the Paekākāriki-Raumati and the Paraparaumu general wards.

Proposed Waikanae and Ōtaki general ward and community board boundaries



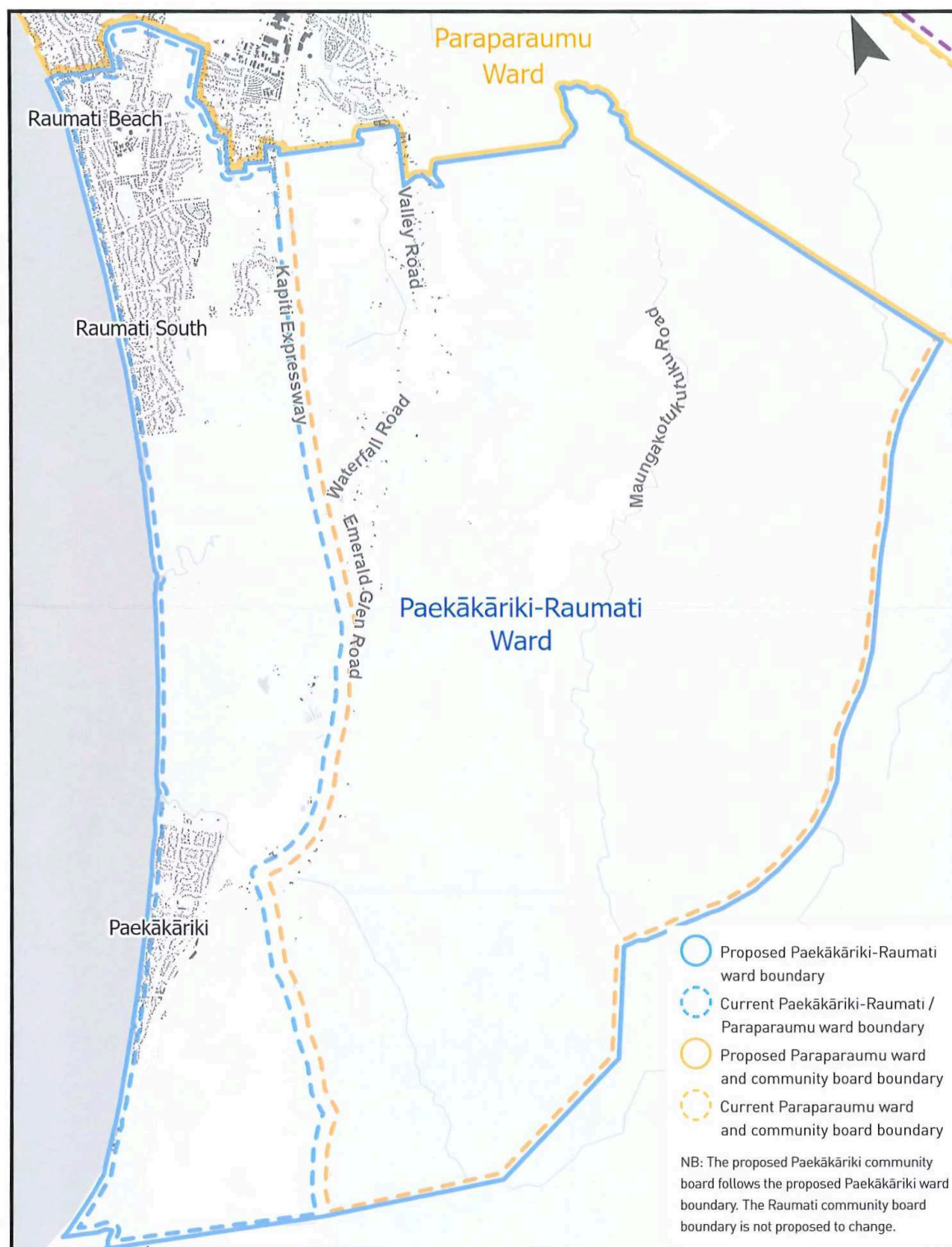
7

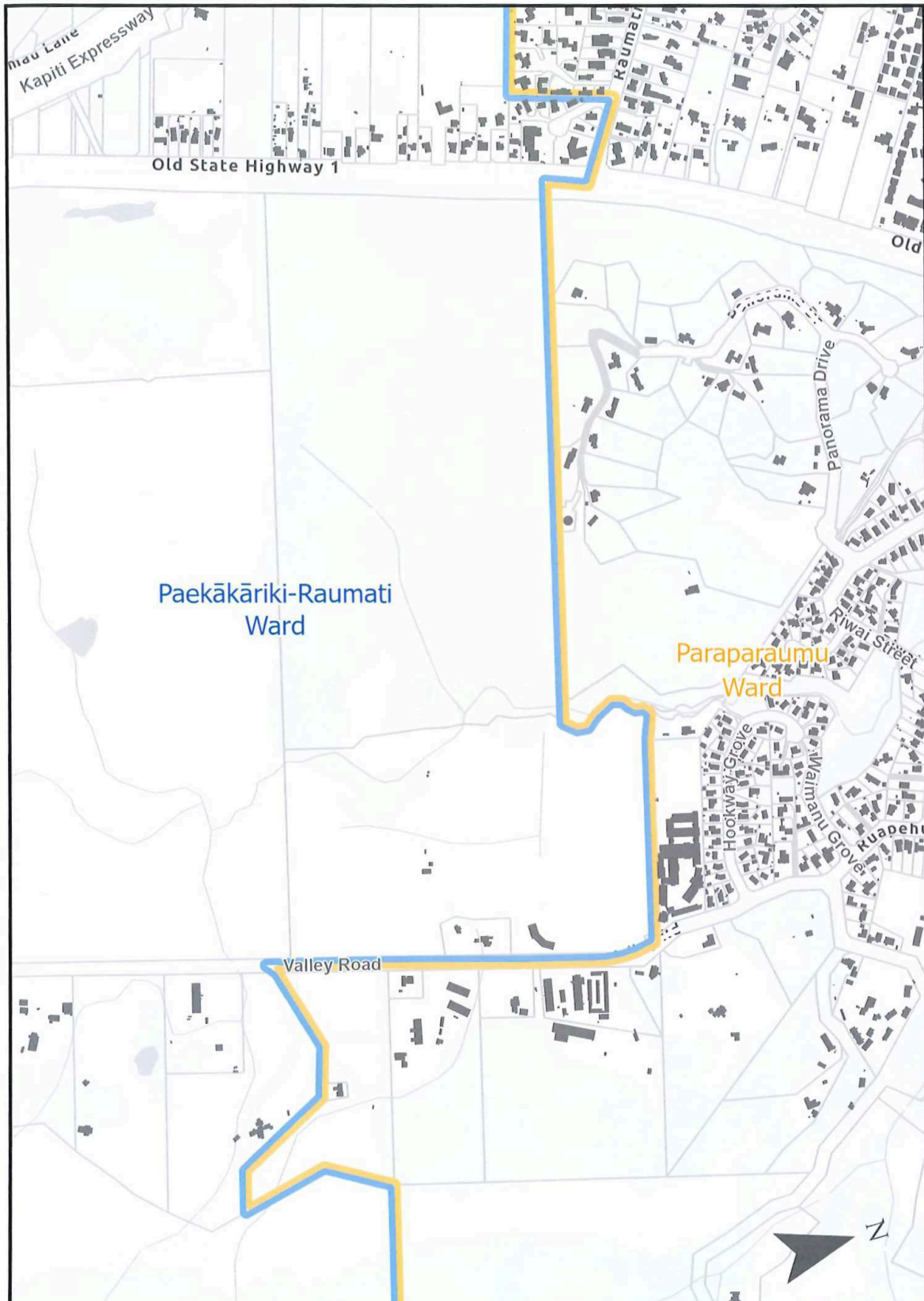
Kāpiti Coast District Council | Representation Review: How would you like to be represented?



8 Kāpiti Coast District Council | Representation Review: How would you like to be represented?

**Proposed Paekākāriki-Raumati and Paraparaumu general ward boundaries
and Paekākāriki community board boundary**





10 Kāpiti Coast District Council | Representation Review: How would you like to be represented?

Have your say

There are several ways for you to provide your feedback on our proposed Council structure, including completing this survey and returning it to us, complete the survey on our website, or completing it at one of our libraries or service centres by Thursday 12 September 5pm.



For more information visit
haveyoursay.kapiticoast.govt.nz/RepresentationReview

Have
your say

Me pēwhea te whakakanohi i a koe anō? How would you like to be represented?

Your feedback on the following questions will help Council make their final decision on 31 October 2024 on the representation arrangements for the 2025 local government elections. The decision to establish a Māori ward has been made and is not part of this review. Under new legislation, Council will need to hold a poll at the 2025 local government elections to determine if the Māori ward remains in place for the 2028 and 2031 local government elections.

1. Do you agree with keeping the number of councillors to 10?

☐ Yes ☐ No

Tell us more:

2. Do you agree with having seven ward councillors, two districtwide councillors and one Māori ward councillor?

☐ Yes ☐ No

Tell us more:

3. If you did not agree to 1 or 2, what changes to the initial proposed arrangements would you make?

Note: In line with legislation, arrangements must include one Māori ward councillor and at least one general ward councillor.

4. Do you agree with keeping the number and membership of community boards to five represented by four elected representatives each, and retaining the number of councillors appointed to community boards?

☐ Yes ☐ No

Tell us more:

Continued over page...

5. Do you agree with the proposed general ward and community board boundary lines for Ōtaki and Waikanae?
See page 7.

☐ Yes ☐ No

Tell us more:

6. Do you agree with the proposed general ward boundary lines for Paekākāriki-Raumati and Paraparaumu, and the Paekākāriki and Paraparaumu community boards? See page 8.

☐ Yes ☐ No

Tell us more:

7. Is there anything else you would like to say to guide councillors' thinking on the representation review?

8. Would you like to speak to your submission in person on Tuesday 24 September 2024?

☐ Yes ☐ No

Please remember to fill out your details below if you'd like to speak to your submission. We will need to be able to contact you to arrange a specific time to have your say on the district's representation arrangements.

Your details

First name:

Surname:

Email:

Phone:

Postal address:

Postcode:

What ward do you reside in?

☐ Ōtaki ☐ Waikanae ☐ Paraparaumu ☐ Paekākāriki-Raumati

Publishing feedback

Your name and feedback will be publicly available in Council reports which will be included in Council meeting agendas unless you ask for your name to be withheld.

☐ I do not want my name published with my feedback.

Population Data Tables and Maps – Representation Options

Option A - Initial Proposal – move Ōtaki-Waikanae Ward boundary South to Te Hapua Road

Population Data						
(Initial Proposal – move Ōtaki-Waikanae boundary South to Te Hapua Road)						
Ward	Māori Electoral Population	General Electoral Population	Members	Population per Member	Difference from Quota (7,644)	% Difference from Quota
Ōtaki General Ward	N/A	8,510	1	8,510	866	11.32% (underrepresented)
Paraparaumu General Ward	N/A	22,900	3	7,633	-11	-0.14% (overrepresented)
Waikanae General Ward	N/A	13,800	2	6,900	-744	-9.74% (overrepresented)
Paekākāriki-Raumati General Ward	N/A	8,300	1	8,300	656	8.58% (underrepresented)
Kāpiti Coast Māori Ward	4,930	N/A	1	4,930	N/A	The quota requirement does not apply to the Māori ward.
District Total	4,930 (Māori electoral population) + 53,510 (General electoral population) = 58,440					

Option B – status quo – no boundary changes for the Ōtaki-Waikanae Wards

Population Data						
(no boundary changes for Ōtaki-Waikanae Wards)						
Ward	Māori Electoral Population	General Electoral Population	Members	Population per Member	Difference from Quota (7,651)	% Difference from Quota
Ōtaki General Ward	N/A	7,410	1	7,410	-241	-3.16% (overrepresented)
Paraparaumu General Ward	N/A	22,900	3	7,633	-18	-0.24% (overrepresented)
Waikanae General Ward	N/A	14,950	2	7,475	-176	-2.31% (overrepresented)
Paekākāriki-Raumati General Ward	N/A	8,300	1	8,300	649	8.48% (underrepresented)
Kāpiti Coast Māori Ward	4,930	N/A	1	4,930	N/A	The quota requirement does not apply to the Māori ward.
District Total	4,930 (Māori electoral population) + 53,560 (General electoral population) = 58,490					

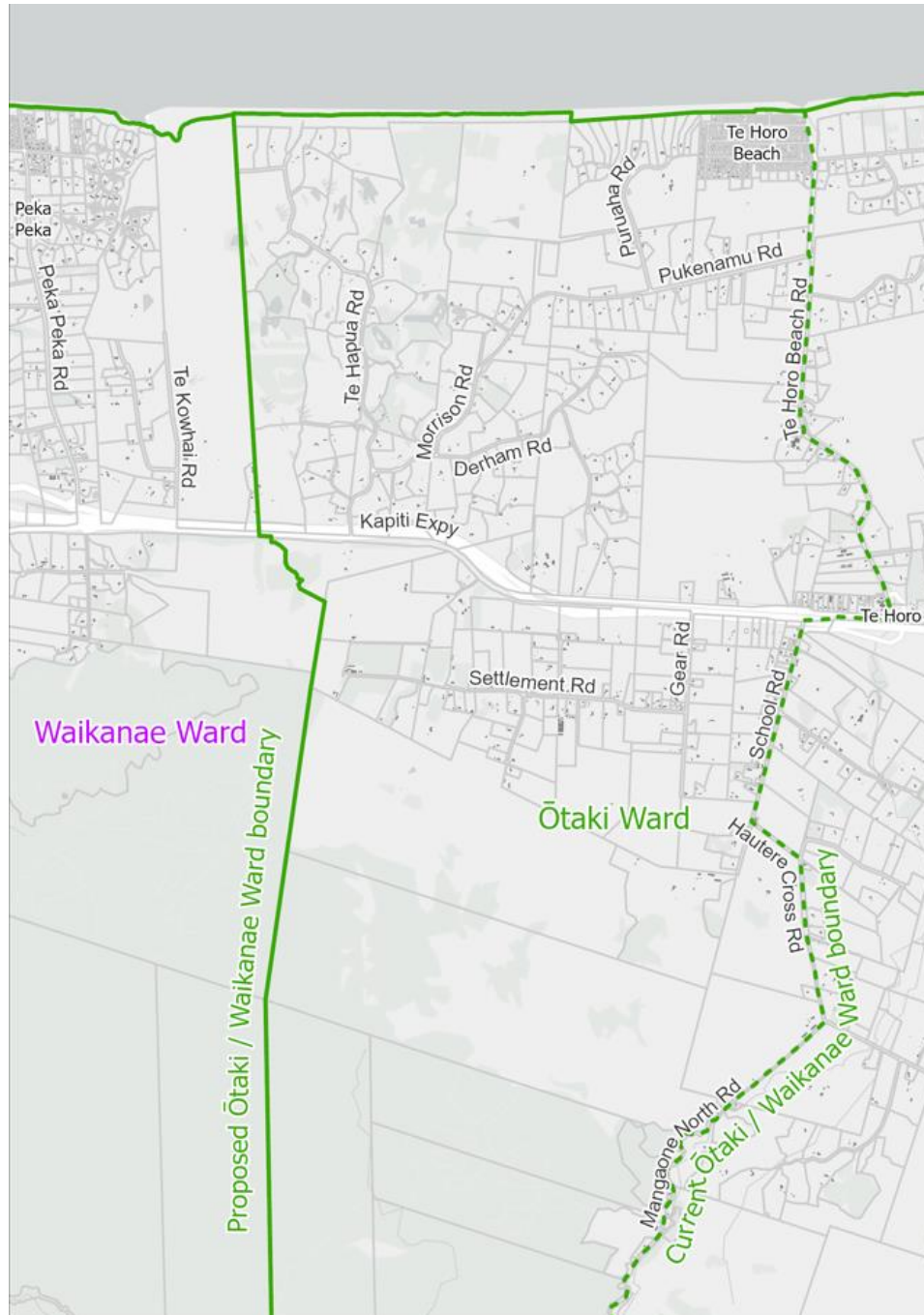
Population Data Tables and Maps – Representation Options

Option C – Alternate suggestion in submissions – move Ōtaki-Waikanae Ward boundary North to Ōtaki river

Population Data						
(move Ōtaki-Waikanae boundary North to Ōtaki river)						
Ward	Māori Electoral Population	General Electoral Population	Members	Population per Member	Difference from Quota (7,651)	% Difference from Quota
Ōtaki General Ward	N/A	6,310	1	6,310	-1,341	-17.53% (overrepresented)
Paraparaumu General Ward	N/A	22,900	3	7,633	-18	-0.24% (overrepresented)
Waikanae General Ward	N/A	16,050	2	8,025	374	4.88% (underrepresented)
Paekākāriki-Raumati General Ward	N/A	8,300	1	8,300	649	8.48% (underrepresented)
Kāpiti Coast Māori Ward	4,930	N/A	1	4,930	N/A	The quota requirement does not apply to the Māori ward.
District Total	4,930 (Māori electoral population) + 53,560 (General electoral population) = 58,490					

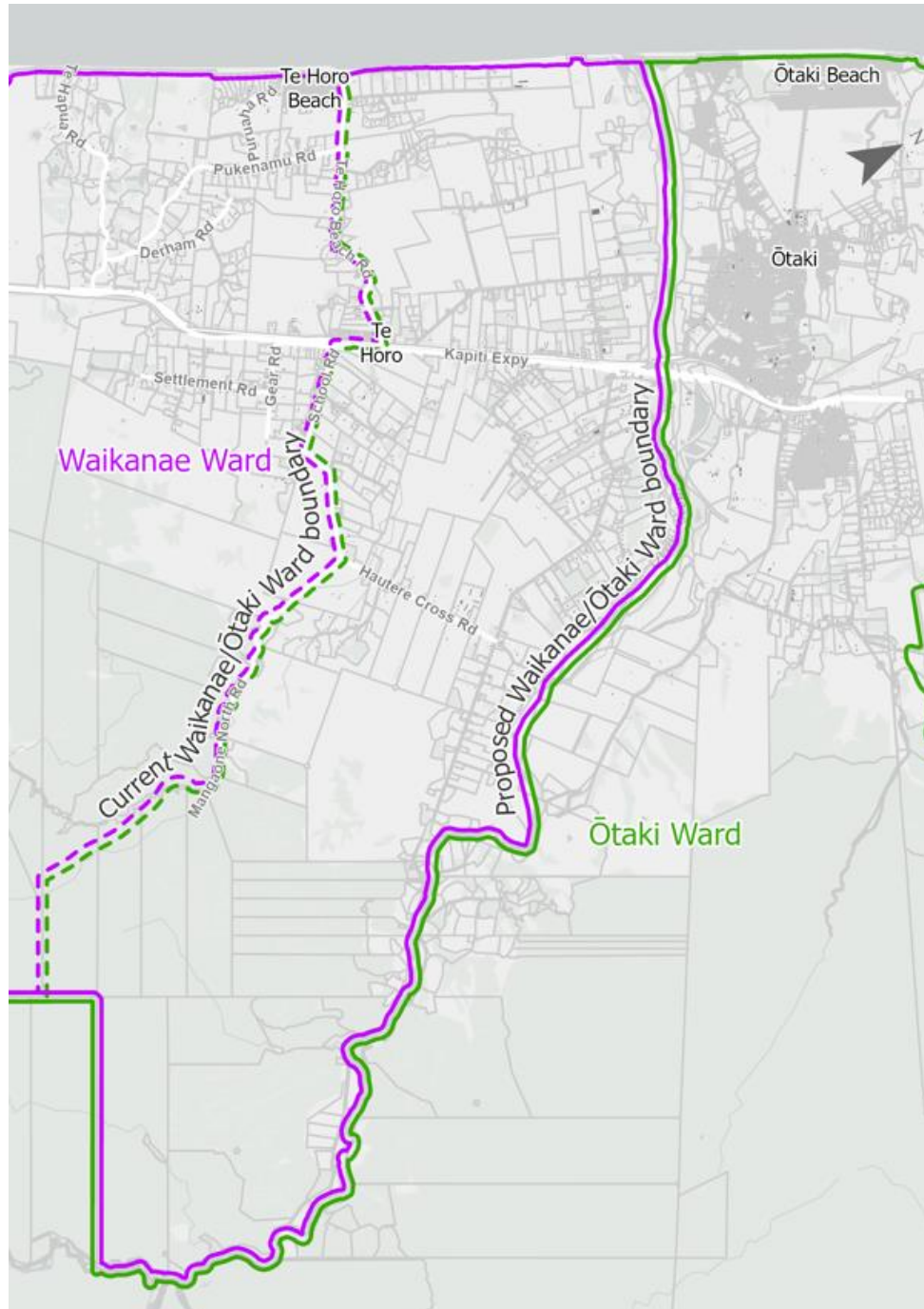
Population Data Tables and Maps – Representation Options

Map showing boundary line for Option A (move boundary south past Te Hapua Road – continuous line) and Option B (status quo – no boundary changes – broken line)



Population Data Tables and Maps – Representation Options

Map showing boundary line for Option B (status quo – boundary changes – broken line) and Option C (move boundary north to Ōtaki river – continuous line)





P O Box 39
88 Mill Road
Ōtaki
5512

12 September 2023

Tēnā koe,

Re: Māori Ward Name and Boundary Adjustment

The ART Confederation, comprised of Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki, and Ngāti Toa Rangatira, formally supports the Kāpiti Coast District Council's proposed name for the Māori Ward as Kapiti Coast Māori Ward, subject to the macron correction.

Ngā Hapū o Ōtaki and Ātiawa ki Whakarongotai, with the support of Ngāti Toa Rangatira, would also like to formally request an adjustment to the boundary shared between Waikanae and Ōtaki, moving it from School Road, Te Horo to Te Hapua Road, Te Horo. This adjustment better aligns with the shared iwi boundary along the course of the old Kukutauāki Stream. Importantly, this will ensure that our hapū, whānau, whenua and wai are appropriately included within their respective iwi rohe, better reflecting the mana whenua of our iwi on the Kapiti Coast.

Thank you for your commitment to this take, and we look forward to your continued collaboration and meaningful engagement as this process progresses.

Nāku noa, nā,

Denise Hapeta
Chairperson

10.3 WAIKANAĒ PROPERTY FUND

Kaituhi | Author: **Morag Taimalietane, Principal Advisor Customer and Community**

Kaiwhakamana | Authoriser: **Brendan Owens, Group Manager Customer and Community**

TE PŪTAKE | PURPOSE

- 1 This report provides options for projects the Waikanae Property Fund could be used to fund in the 2024/25 financial year, ensuring these projects are based in the Waikanae Ward and are occurring on Council-owned properties.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 The Waikanae Property Fund (the Fund) is a restricted equity reserve created for the purpose of funding improvements to Council-owned properties in Waikanae.
- 3 The Fund is currently the only ward specific property fund and has not been used in recent years.
- 4 There is currently \$154,000 capex remaining in the Fund, and this report focuses on options for projects the Waikanae Property Fund could be used to fund in the 2024/25 financial year (FY 2024/25), with the intention of disestablishing the Fund this financial year.

TE TUKU HAEPAPA | DELEGATION

- 5 Council has delegated authority to consider this under section A of the 2022-2025 Triennium Governance Structure and Delegations.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council note the projects that are supported by the Waikanae Community Board for use of funding from the Waikanae Property Fund.
- B. That Council approve the use of funding from the Waikanae Property Fund in accordance with:
 - B.1 Option A
 - B.2 Option B
 - B.3 Option C
 - B.4 Option D
- C. That Council approve the disestablishment of the Waikanae Property Fund, following the full utilisation of funding as agreed through recommendation B.

TŪĀPAPA | BACKGROUND

- 6 The Waikanae Property Fund is a restricted equity reserve created for the purpose of funding improvements to Council-owned properties in Waikanae. The source of the Fund is the proceeds from the sale of other Council property in the Waikanae ward (excluding districtwide funded properties).
- 7 The Fund, which totalled \$189,000 capex for FY 2024/25, is currently the only ward specific property fund and has not been used in recent years.
- 8 At the Council hui on 27 June 2024, the 'Reports and Recommendations from Committees and Subcommittees' paper included a recommendation from the Waikanae Community Board to allocate \$35,000 of the total \$189,000 to assist with the cost of installing a playground at the Reikorangi Hall.

- 9 A recommendation was also included in the 27 June 2024 paper, that requested Council officers investigate the possibility of delegating the authority to administer and disburse the Waikanae Property Fund to the Waikanae Community Board by providing the Mayor with advice on the options.
- 10 The 'Reports and Recommendations from Committees and Subcommittees' paper was left to lie on the table, with no further work undertaken by Council staff on the report's recommendations.
- 11 However, while no further work was undertaken by Council staff on the report recommendations, Council was provided with further contextual information about the Waikanae Property Fund during a briefing on 23 July 2024.
- 12 This briefing included background information about the Fund, thoughts about an approach going forward for the use and proposed disestablishment of the Fund in FY 2024/25, and potential projects in Waikanae which the Fund could be used to support (additional to the playground at the Reikorangi Hall).
- 13 At the Council hui on 25 July 2024 the 'Reports and Recommendations from Committees and Subcommittees' paper consideration continued, resulting in the Council approving a Waikanae Property Fund grant to the Reikorangi Residents' Association of \$35,000 to assist with the cost of playground equipment and installation at the Reikorangi Hall.
- 14 Therefore, with \$154,000 capex remaining in the fund, this report is focused on options for projects the Waikanae Property Fund could be used to fund in FY 2024/25.

HE KŌRERORERO | DISCUSSION

- 15 Council owns many properties in the Waikanae ward, however to enable the utilisation of the Fund in FY 2024/25, the scope was narrowed to only consider properties where Council has projects / initiatives included in planning or underway and:
- the project / initiative supports our top 10 priorities; and
 - the project would benefit from additional capex funding in FY 2024/25.
- 16 A benefit, as noted above, included considerations such as (but not limited to):
- the project is underway and currently overbudget.
 - the project has been approved by the Senior Leadership Team but is unable to progress due to a lack of available funding in FY 2024/25.
 - the projects positive outcomes would be notably increased by additional funding.

Waikanae Community Board

- 17 The Fund has been discussed with the Waikanae Community Board (WCB) at two hui, on 20 August 2024 and 24 September 2024.
- 18 At the 20 August hui, a report was presented to the WCB which outlined three potential projects for consideration. These were:
- 18.1 Public Toilets - Waikanae Boating Club: There is a requirement for new public toilets to be installed this financial year. The installation was not planned, and therefore was unbudgeted with a shortfall of funding totalling approximately \$180k.
- 18.2 Te Ara Whetū: Te Ara Whetū is a key project within the Waikanae Town Centre. Additional funding could be used to enable opportunities that improve the integration of Te Ara Whetū to Mahara Place and support the activation of Mahara Place.
- 18.3 Waikanae Park – Stage Two: Council currently has a helicopter view of the future Waikanae Park development. Additional funding would provide an opportunity to bring forward stage two (feasibility and more detailed design planning for the precinct).
- 19 After considering the report, the Waikanae Community Board resolutions state:

- 19.1 That the Waikanae Community Board **does not** support any of the three projects noted in the report.
- 19.2 That the Waikanae Community Board **supports** using the Waikanae Property Fund for the Waikanae Beach Tennis and Basketball Court upgrade.
- 20 Using the direction provided by the WCB, Council staff undertook a costing exercise for the upgrade of the Waikanae Beach Tennis and Basketball Court, which was estimated at \$20,000. Therefore, if this was approved by Council, there would still be \$134,000 remaining in the Fund.
- 21 A second report was presented to the WCB on 24 September 2024, which provided additional options (including the Waikanae Beach Tennis and Basketball Court resurfacing as noted above) for the WCB to consider with regard to the use of the Fund. These were:
- 21.1 Court Resurfacing - Two court areas within Waikanae would benefit from resurfacing, total estimated cost \$60,000
- Waikanae Beach Tennis and Basketball Court – \$20,000
 - Waikanae Memorial Tennis Court, which would include resurfacing plus additional markings to include netball and pickleball courts – \$40,000
- 21.2 Additional funding for Reikorangi Playground - \$25,000
- To support further earthworks and supplying safety surface (bark) for the new playground (above the \$35,000 already allocated).
- 22 The two options above totalled \$85,000, with Council officers recommending that the remaining \$69,000 be used to support the completion of the new public toilets by the Waikanae Boating Club.
- 23 After considering the report, the Waikanae Community Board resolutions state:
- 23.1 That the Waikanae Community Board support Option A – \$60,000 to enable court resurfacing of the Waikanae Beach Tennis and Basketball Court and the Waikanae Memorial Hall Tennis Courts.
- 23.2 That the Waikanae Community Board support Option B - \$25,000 additional funding for Reikorangi Playground to enable further earthworks and supplying safety surface.
- 23.3 The Waikanae Community Board support any remaining funds be used for improving community amenities at both the Waimeha Domain, and the Waikanae township.
- 24 Therefore, the projects stated in paragraph 23 above are the projects that are supported by the Waikanae Community Board for use of the remaining \$154,000 funding through the Waikanae Property Fund.
- 25 The Waikanae Community Board clearly re-stated during the hui that they did not support the Fund being used for the completion of the new public toilets by the Waikanae Boating Club, as per their resolution at the WCB 20 August 2024 hui.

He take | Issues

- 26 While discussions have been had with the Waikanae Community Board about their preferences for how they would like the Fund to be utilised, the delegation for decisions around the Waikanae Property Fund currently sits with Council, and therefore this report to Council is required to enable approval of any grant from the Fund.

Ngā kōwhiringa | Options

- 27 The table below provides several options for Council's consideration with regards to how the Waikanae Property Fund could be utilised to support funding improvements to Council-owned properties in Waikanae.

Table 1: Table Name

Kōwhiringa Options	Hua Benefits	Tūraru Risks
Option A (recommended) Waikanae Court Resurfacing \$60,000 Additional Funding for Reikorangi Playground \$25,000 Improvement of community amenities at both the Waimeha Domain, and the Waikanae township \$69,000 <p style="text-align: right;">Total \$154,000</p>	Supported by the Waikanae Community Board. All projects able to be progressed in FY 2024/25. Projects spread across three Waikanae communities (beach, township and Reikorangi).	Opex and renewal costs for Reikorangi Playground not included in future budgets.
Option B Waikanae Court Resurfacing \$60,000 Additional Funding for Reikorangi Playground \$25,000 Public Toilets - Waikanae Boating Club \$69,000 <p style="text-align: right;">Total \$154,000</p>	All projects able to be progressed in FY 2024/25. Projects spread across three Waikanae communities (beach, township and Reikorangi).	Opex and renewal costs for Reikorangi Playground not included in future budgets. Not all projects supported by the Waikanae Community Board.
Option C Public Toilets - Waikanae Boating Club Te Ara Whetū – integration with, and activation of, Mahara Place Waikanae Park – Stage two (feasibility and more detailed design) <p style="text-align: right;">Total \$154,000</p> <i>Funding allocation for projects within this option to be discussed and agreed at the Council hui, if this is Council's preferred option to progress.</i>	Total funding amount provided to any of the three projects would enable progress in FY 2024/25.	Projects not supported by the Waikanae Community Board. If funding spread across projects, amount of funding may not be sufficient to allow significant progress in 2024/25. Reikorangi Playground may not progress / pace of progress may be impacted without additional funding support from Council.
Option D No projects are progressed, with further time taken to consider the best utilisation of the Waikanae Property Fund.		No benefits provided to the Waikanae community through the Waikanae Property Fund.

Mana whenua

28 Mana whenua were not specifically consulted for this report.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

29 There are no specific climate change and environment considerations arising from this report.

Ahumoni me ngā rawa | Financial and resourcing

- 30 While Council has previously provided financial support through the Waikanae Property Fund to enable progress of the Reikorangi Playground, the ongoing operational and renewal costs for Council acquiring an additional playground are not included in future budgets. These will need to be included through an upcoming annual or long-term plan.
- 31 All other projects proposed can be undertaken within current resource and budget.
- 32 If the Council fully utilises the funding available from the Waikanae Property Fund, and agrees to disestablish the Fund, the council's Finance team will undertake the necessary steps to permanently disestablish the Waikanae Property Fund.

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

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

Ngā pānga ki ngā kaupapa here | Policy impact

- 34 There are no policy considerations arising from this report.

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

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

Whakatairanga | Publicity

- 36 Council will use its established communications channels to inform the community of this decision and to explain the rationale for why it made this decision.

NGĀ ĀPITI HANGA | ATTACHMENTS

Nil

10.4 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS

Kaituhi | Author: **Evan Dubisky, Advisor Governance**
Kaiwhakamana | Authoriser: **Mark de Haast, Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 This report presents items considered and recommendations made to Council by community boards between 17 August 2024 and 24 September 2024.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Council has received three recommendations from the Waikanae Community Board to consider:
- 2.1 working with the Waimanu Lagoons Focus Group to resolve the issues with the Waimanu Lagoon Weir.
- 2.2 reviewing the categorisation of the Waikanae Gymnastics Club from Category A to Category C for the calculation of room hire charges.
- 2.3 addressing the implementation of the Pop-Up space by 1 December 2024.

TE TUKU HAE PAPA | DELEGATION

- 3 In line with Council’s Governance Structure and Delegations 2022-2025, Council has the authority to consider recommendations made by community boards and provide direction to Council officers to action these recommendations.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council **receives** this report.
- B. That Council **notes** the three recommendations from the Waikanae Community Board meeting of 20 August 2024:
- B.1 That the Waikanae Community Board recommends to Council to work with the Waimanu Lagoons Focus Group to resolve the issues with the Waimanu Lagoon Weir.
- B.2 That the Waikanae Community Board recommend to Council to review the categorisation of the Waikanae Gymnastics Club from Category A to Category C for the calculation of room hire charges.
- B.3 That the Waikanae Community Board recommend to Council to address the implementation of the Pop-Up space by 1 December 2024.
- C. That Council **notes**:
- C.1 That Council officers are progressing the recommendations relating to the Waimanu Lagoon Weir and the pop-up space, and
- C.1 That the recommendation regarding the Waikanae Gymnastics Club does not align with the current room hire framework, as it does not include categories for users, and a review will not be conducted as a result.

TŪĀPAPA | BACKGROUND

- 4 During the period of 17 August 2024 to 24 September 2024, the following community board meetings took place:

Waikanae Community Board	Tuesday, 20 August 2024
--------------------------	-------------------------

Ōtaki Community Board	Tuesday, 27 August 2024
Paekākāriki Community Board	Tuesday, 3 September 2024
Paraparaumu Community Board	Tuesday, 10 September 2024
Raumati Community Board	Tuesday, 17 September 2024
Waikanae Community Board	Tuesday, 24 September 2024

5 The following items were discussed at each of the meetings:

5.1 On Tuesday, 20 August 2024 the Waikanae Community Board met to discuss:

- Update on 56-65 Main Road, Waikanae
- Waikanae Property Fund
- Consideration of Applications for Funding
- Amendment to Standing Orders for Meetings of the Waikanae Community Board
- Matters Under Action

5.2 On Tuesday, 27 August 2024 the Ōtaki Community Board met to discuss:

- Amendment to Standing Orders for Meetings of the Ōtaki Community Board
- Consideration of Applications for Funding
- Matters Under Action

5.3 On Tuesday, 3 September 2024 the Paekākāriki Community Board met to discuss:

- Consideration of Applications for Funding
- Matters Under Action

5.4 On Tuesday, 10 September 2024 the Paraparaumu Community Board met to discuss:

- Amendment to Standing Orders for Meetings of the Paraparaumu Community Board
- Consideration of Applications for Funding

5.5 On Tuesday, 17 September 2024 the Raumati Community Board met to discuss:

- Deputation from Ōtaki Community Board
- Emergency Management Update – The Community Approach
- Consideration of Applications for Funding
- Matters Under Action

5.6 On Tuesday, 24 September 2024 the Waikanae Community Board met to discuss:

- Matters of an Urgent Nature
- Emergency Management Update – The Community Approach
- Waikanae Property Fund
- Draft Calendar of Meetings 2025
- Consideration of Applications for Funding
- Matters Under Action

HE KŌRERORERO | DISCUSSION

He take | Issues

- 6 The Waikanae Community Board made three recommendations to Council at their meeting on 20 August 2024. The other four community boards made no recommendations between 17 August 2024 and 24 September 2024.
- 7 At the Waikanae Community Board meeting on Tuesday, 20 August 2024, the board made three recommendations to Council:
 - 7.1 That the Waikanae Community Board recommends to Council to work with the Waimanu Lagoons Focus Group to resolve the issues with the Waimanu Lagoon Weir.
 - 7.2 That the Waikanae Community Board recommend to Council to review the categorisation of the Waikanae Gymnastics Club from Category A to Category C for the calculation of room hire charges.
 - 7.3 That the Waikanae Community Board recommend to Council to address the implementation of the Pop-Up space by 1 December 2024.

Waimanu Lagoon Weir

- 8 A weir provides for the effective management of water levels within a lagoon. Council officers have met with representatives of the Waimanu Lagoon Focus Group and agreed on a course of action to return the weir to effectively managing water levels. Further investigative work is required to determine the extent of the repair works needed. At this stage an accurate timeframe for the works cannot be provided but once the investigative work is completed, Council officers will liaise with the focus group on an updated work program and timeline.

Waikanae Gymnastics Club

- 9 When considering the Long-term Plan earlier this year, Council decided against an increase in charges of hall fees and the introduction of fees categories for users. This means a review of the user category for the Waikanae Gymnastics Club cannot be conducted.

Waikanae Pop-up Space

- 10 On 5 September 2024, elected members were briefed on the exploratory work underway in relation to the pop-up space in Waikanae. Elected members will be briefed on next steps and to confirm implementation timeframes once further exploratory work has taken place.

Ngā kōwhiringa | Options

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

Mana whenua

- 12 Mana whenua have not been consulted in relation to this report.

Panonitanga āhuarangi | Climate change and Environment

- 13 There are no direct climate change and environment considerations in relation to this report. Some of the actions that will be taken as a result of the recommendations concerning the weir will have environmental impacts, but this has not been explored as part of this report.

Ahumoni me ngā rawa | Financial and resourcing

- 14 There are no direct financial considerations resulting from the recommendations in this report.

Ture me ngā Tūraru | Legal and risk

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

Ngā pānga ki ngā kaupapa here | Policy impact

16 There are no direct policy impacts relevant to this report. .

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

17 An engagement plan is not required for this report.

Whakatairanga | Publicity

18 The decision made in this report will be publicly available through Council's standard communications channel.

NGĀ ĀPITI HANGA | ATTACHMENTS

Nil

10.5 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

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

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

TE PŪTAKE | PURPOSE

- 1 This report seeks Council's consideration and approval of amendments to Council delegations to Staff, including changes to the Resource Management Act 1991 delegations.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

TE TUKU HAE PAPA | DELEGATION

- 3 Council has the authority to consider this matter. Clause 32, Schedule 7 of the Local Government Act 2002 empowers the Council to delegate its responsibilities, duties and powers in accordance with the restrictions set out in this provision.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council **Adopts** the amended sections to '*Council Delegations to Chief Executive and Staff*' as shown in Attachment 1 to the report '*Amendments to relevant sections of Council Delegations to Chief Executive and Staff*'.
- B. That Council **Adopts** the amended Resource Management Act 1991 delegations to staff as shown in Attachment 2 to the report '*Amendments to Council to Staff RMA Delegations*'.

TŪĀPAPA | BACKGROUND

- 4 The purpose of local government under clause 10(1) of the Local Government Act 2002 is to enable democratic local decision-making and action by, and on behalf of, communities; and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Legislative compliance with central Government's legislative and regulatory programme supports Council to do this in a fair and efficient manner.
- 5 Council has a range of legislative functions, duties and powers. It is not always efficient or practical for elected members to carry out all of these functions, duties and powers, which is reflected in various statutes that provide Council with the legal authority to delegate to Council staff. Delegated authority allows for administrative efficiency and ensures timeliness in the conduct of Council's daily business.
- 6 In particular, Council has the authority to delegate to officers under clause 32 of Schedule 7 of the Local Government Act 2002. Clause 32 of the Local Government Act 2002 also sets out certain powers that cannot be delegated as follows:

"32. *Delegations— (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*

 - (a) *the power to make a rate; or*
 - (b) *the power to make a bylaw; or*
 - (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
 - (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
 - (e) *the power to appoint a chief executive; or*

(f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.*

(h) *the power to adopt a remuneration and employment policy.”*

- 7 Most legislation provides the Chief Executive with the discretion to sub-delegate to Council staff. However, some Acts prescribe the way delegations must be made. For example, section 34A of the Resource Management Act 1991 (RMA) provides local authorities with the power to delegate to an employee any functions, powers, or duties under these Acts however, they prohibit the power to sub-delegate and therefore these delegations must be approved by Council.
- 8 The Council’s delegations to Chief Executive and staff are monitored on a regular basis and reported back to Council for amendment as required, in response to changes in either staff or legislation.

HE KŌRERORERO | DISCUSSION

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

He take | Issues

ORGANISATIONAL STRUCTURE CHANGE PROCESS

- 10 As of 29 October 2024, certain staff roles and titles have changed as part of an organisational structure change process. As such, amendments are required to the COVID-19 Recovery (Fast-track Consenting) Act 2020 delegations in the *Council Delegations to Chief Executive to Staff*.
- 11 These changes are highlighted in *Council Delegations to Chief Executive to Staff* in Attachment 1.

RESOURCE MANAGEMENT ACT 1991 (RMA) DELEGATIONS

- 12 Amendments are also required to Council’s delegations to staff under the RMA as part of the change process referred to in paragraph 10. These amendments are set out in the table overleaf and highlighted in detail in *Council to Staff RMA Delegations* in Attachment 2.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
<i>Roles affected as part of the organisational structure process change</i>	
Affected Positions	Amendments to RMA delegations
Group Managers	
Group Manager Customer and Community	Position requires additional RMA for managing the Environmental Standards and Customer Experience teams.
Group Manager Infrastructure and Asset Management	Position requires additional RMA for managing the Development Management team.
Group Manager Regulatory and Environment	Position has been disestablished.
Group Manager Strategy and Growth	Position requires additional RMA for managing the Resource Consents team.
Other roles	
Chief Advisor Strategy and Growth and Principal Advisor Strategy and Growth	Positions require additional RMA to support the Group Manager Strategy and Growth.
Investigations, Monitoring and Compliance Officer	Position requires RMA to support the Compliance and Compliance and Monitoring Officers.
Manager Emergency Management	Position requires RMA to align with Infrastructure and Asset Management group.
Manager Environmental Standards	Position requires additional RMA for managing the Compliance and Monitoring Officers.
Manager Resource Consents	Replacement title for Manager Resource Consents and Compliance . The RMA delegations remain the same for this role.
Principal Advisor Customer and Community	Position requires additional RMA to support the Group Manager Customer and Community.
Principal Advisor Infrastructure and Asset Management	Position requires RMA to support the Group Manager Infrastructure and Asset Management.
Principal Advisor Regulatory and Environment	Position has been disestablished.
Team Leader Compliance	Position requires RMA to support the Compliance and Compliance and Monitoring Officers.
Team Leader Environmental Health and Licensing	Replacement title for Team Leader Environmental Health, Licensing and Compliance . The RMA delegations remain the same for this role.

- 13 Further RMA amendments relate to changes in roles or titles outside the organisational structure change as clarified in the table below and highlighted in detail in *Council to Staff RMA Delegations* in Attachment 2.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Advisor Legal Compliance and Complaints	Replacement title for Advisor Legal Support Services and Official Information . The RMA delegations remain the same for this role.
General Counsel	Replacement title for Manager Governance and Legal Services . The RMA delegations remain the same for this role.
Manager Customer Experience	Position requires RMA to support team members with RMA.
Manager Legal Compliance and Complaints	Replacement title for Team Leader Legal Support Services and Official Information . The RMA delegations remain the same for this role.
Manager Iwi Partnerships	Position requires RMA under the Enforcement and Compliance Policy to support the Enforcement Decision Group decision-making.
Manager Utilities Infrastructure	Position no longer requires RMA.
Principal Advisor Iwi Partnerships	Position requires RMA under the Enforcement and Compliance Policy to support the Enforcement Decision Group decision-making.
Principal Advisor Recovery Lead	Position requires RMA to support the Strategy and Growth group.
Project Manager Stormwater and Coastal Assets	Replacement title for Projects Manager Stormwater and Coastal Assets . The RMA delegations remain the same for this role.
Senior Advisor Legal Compliance and Complaints	Replacement title for Senior Advisor Legal Support Services and Official Information . The RMA delegations remain the same for this role.
Senior Advisor Stormwater and Coastal Assets	New position requires RMA.
Stormwater and Coastal Asset Engineer	Replacement title for Stormwater and Coastal Assets Engineer . The RMA delegations remain the same for this role.

LOCAL GOVERNMENT (RATING) ACT 2002

- 14 Staff have recommended amendments to the Local Government (Rating) Act 2002 delegations as a result of an internal review of these delegations.

PLUMBERS, GASFITTERS, AND DRAINLAYERS ACT 2006

- 15 Staff require access to the Register of Self-Contained Vehicles to obtain information relating to the status of specific motor vehicles in regards to self-containment and in order to update the Register if a motor vehicle has been used in the commission of an offence under the Freedom Camping Act 2011.

STATUTORY LAND CHARGES REGISTRATION ACT 1928

- 16 The Statutory Land Charges Registration Act 1928 was repealed, on 12 November 2018, by section 248(2) of the Land Transfer Act 2017.
- 17 The changes outlined in paragraphs 14 to 16 are highlighted in the *Council Delegations to Chief Executive to Staff* in Attachment 1.
- 18 The above amendments are effective immediately, noting that titles and their associated delegations that are listed as amended or replaced will stay in effect until contracts have been signed for the amended or replacement positions. Delegations for positions that have been 'disestablished' will remain in place until affected contracts come to an end.

Ngā kōwhiringa | Options

- 19 The proposed options are set in paragraphs 10 through 18 of this paper.

Mana whenua

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

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 21 There are no climate change considerations triggered by this report.

Ahumoni me ngā rawa | Financial and resourcing

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

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

- 23 This paper has been reviewed by the Council's General Counsel.
- 24 The exercise of powers and functions by staff must adhere to legislative requirements. Managers are responsible for ensuring legislative compliance in the exercise of statutory powers in their area and are able to seek legal advice where required.

Ngā pānga ki ngā kaupapa here | Policy impact

- 25 Appropriate delegations facilitate efficiency and effectiveness in the conduct of Council business and assist staff to deliver on Council outcomes.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

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

Te mahere tūhono | Engagement planning

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

Whakatairanga | Publicity

- 28 No publicity is required for these minor amendments.

NGĀ ĀPITI HANGA | ATTACHMENTS

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

DELEGATIONS MADE BY COUNCIL TO CHIEF EXECUTIVE AND STAFF

The Council makes its delegations under the various powers of delegation referred to in this instrument. In the absence of a reference to a specific power, the Council makes the delegation under clause 32 of Schedule 7 of the Local Government Act 2002.

For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw;
- a reference in this document to a Council Committee includes any Committee that replaces or corresponds to that Committee and involves substantially the same duties;
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties; and
- all financial limits stated in these delegations are GST exclusive.

Note: all delegations are subject to the restriction set out in clause 32(1) of Schedule 7 of the Local Government Act 2002, that the following powers are not included in these delegations:

- (a) the power to make a rate;
- (b) the power to make a bylaw;
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) the power to adopt a long-term plan, annual plan, or annual report;
- (e) the power to appoint a chief executive;
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) the power to adopt a remuneration and employment policy.

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

Legislation and Authority	Powers Delegated
COVID-19 Recovery (Fast-track Consenting) Act 2020 To the Chief Executive, Group Manager Strategy and Growth Regulatory and Environment, Chief Advisor Strategy and Growth, Manager Environmental Standards and the Manager Resource Consents and Compliance.	The COVID-19 Recovery (Fast-track Consenting) Act 2020 was repealed on 8 July 2023. Delegation of authority remains under Schedule 1 Clause 5 Transitional, savings, and related provisions: <i>Role of local authorities and iwi authorities continues after repeal of Act</i> <i>The powers, functions, and duties conferred by this Act on local authorities and iwi authorities may continue to be exercised or performed after the repeal of this Act for any purpose connected with—</i> (a) <i>the monitoring of activities authorised by or under this Act; and</i> (b) <i>the fixing of charges; and</i> (c) <i>the recovery of costs from the EPA; and</i> (d) <i>the completion of any other matter under this Act.</i>

Legislation and Authority	Powers Delegated
Local Government (Rating) Act 2002 and any regulations made under that Act To the Chief Executive, the Group Manager Corporate Services, Chief Financial Officer, Manager Financial Accounting, and Manager Financial Planning and Performance.	Delegation, under section 132, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except : <ul style="list-style-type: none"> the power to make further delegations; functions, powers and duties conferred by subpart 2 of Part 1 (key provisions on what is rateable, i.e. who must pay rates, and kinds of rates that may be set); functions, powers and duties conferred by subpart 1 of Part 5 (replacement of rates). <p><i>Noting that only the Chief Executive has the Power to write off rates that cannot be recovered under Section 90A of the Act and rates of deceased owners of Māori freehold land and may delegate the power to write off these rates under Section 90C of the Act.</i></p>
Chief Financial Officer, Manager Financial Accounting, and Manager Financial Planning and Performance, and Rates Manager.	Delegation, under section 132, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except : <ul style="list-style-type: none"> the power to make further delegations; functions, powers and duties conferred by subpart 2 of Part 1 (key provisions on what is

	<p>rateable, i.e. who must pay rates, and kinds of rates that may be set);</p> <ul style="list-style-type: none"> functions, powers and duties conferred by subpart 1 of Part 5 (replacement of rates); decision-making under Sections 67 77, 79, 80, 82, 83 83B, 99 and 108.* <p><i>*Noting that these positions may administer responsibilities, duties and powers of the Council under Sections 67 77, 79, 80, 82, 83 83B, 99 and 108 pursuant to a decision made under the Compliance and Enforcement Policy 2024 (and subsequent replacement policies).</i></p> <p><i>Noting that only the Chief Executive has the power to write off rates that cannot be recovered under Section 90A of the Act and rates of deceased owners of Māori freehold land under Section 90B and may delegate the power to write off these rates under Section 90C of the Act.</i></p>
<p>To the Team Leader Rates, Senior Rates Officer, Water/Rates Officer, Rates Officer, Business Analyst Rates and Rates Officer Collections.</p>	
Section 20	Delegation of authority to treat two or more rating units as one unit in certain conditions for the purposes of a rates assessment.
Section 20A	Delegation of authority to treat two or more rating units of Māori freehold land as one unit in certain conditions for the purposes of a rates assessment.
Section 27	Delegation of authority to keep and maintain rating information database
Section 28	Delegation of authority to make information database available for inspection.
Section 29	Delegated authority to advise objector of decision regarding the objection.
Section 32	Delegation of authority to update the rating information database if notification of surrender or termination of lease or licence received.
Section 33	Delegated authority to update rating information database following notification of lease transfer.
Section 35	Delegated authority to remove names from the rating information database.

Section 37	Delegated authority to keep and maintain rates records.
Section 38	Delegated authority to request confirmation of section 38 categorisation from person proposing to inspect rates records.
Section 39	Delegated authority to notify ratepayer of decision following objection.
Section 40	Delegated authority to correct errors in the rating information database and rates records.
Section 41	Delegated authority to issue an amended rates assessment if an error is corrected.
Section 41A	Delegated authority to issue an amended rates assessment to give effect to objection to valuation under Rating Valuations Act 1998 and refunding or recovering money where necessary.
Section 42	Delegated authority to recover additional rates in certain circumstances.
Sections 44-49, 51	Delegated authority to deliver rates assessments and rates invoices to ratepayers setting out the information required by the Act.
Section 58	Delegated authority to add penalties for rates not paid by the due date.
Section 61	Delegated authority to recover rates from the owner.
Section 85-90	Delegated authority to remit or postpone rates pursuant to Council's Rates Remission Policy 2024 (and subsequent replacement policies).
Section 114, 114A and 115	Delegated authority to remit or postpone rates pursuant to Council's Rates Remission Policy 2024 (and subsequent replacement policies).
To Team Leader Rates and Rates Officer Collections	
Section 62	Delegated authority for recovery of rates if owner in default.
Section 62A	Delegated authority to collect rates in relation to abandoned land in certain circumstances.
To Team Leader Rates	
Section 63	Delegated authority to recover rates if owner in default.
To General Counsel	
Section 67	Delegated authority to apply to the Registrar of the High Court to have the judgement enforced by sale or lease of the rating unit if payment is not made to satisfy a judgment for rates (including any costs, interest, and disbursements) within 3

	months after the date of the judgment, pursuant to a decision made under the Compliance and Enforcement Policy 2024 (and subsequent replacement policies).
Section 77, 79, 80, 82, 83 and 83B	Delegated authority for the sale or lease of abandoned land.
Section 99	Delegated authority to apply to Māori Land Court for a charging order pursuant to a decision made under the Compliance and Enforcement Policy 2024 (and subsequent replacement policies).
Section 108	Delegated authority to apply to the Māori Land Court to enforce the charging order if a charging order made under section 101 remains unsatisfied for 6 months, pursuant to a decision made under the Compliance and Enforcement Policy 2024 (and subsequent replacement policies).
Section 135	Delegated authority to sign evidence.

Legislation and Authority	Powers Delegated
Plumbers, Gasfitters, and Drainlayers Act 2006 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act relating to self-containment of motor vehicles.

Legislation and Authority	Powers Delegated
Statutory Land Charges Registration Act 1928 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act

Appendix 1 Execution requirements

1. For documentation that must be executed by Council (as per section 32 of Schedule 7 of the Local Government Act 2002), the signatures of the Chief Executive, Mayor and one Councillor are required, and the common seal affixed.
2. For matters delegated to the Chief Executive, the signature of the Chief Executive is required and a witness (please note Council's financial delegations must also be met)
3. For matters delegated by the Chief Executive to Council officers (i.e. Group Managers), the signature of the officer is required and a witness (please note Council's financial delegations must also be met).

Appendix 2 Use of the common seal

Please note that the use of the common seal is required when Council must execute an agreement for certain transactions under the following Acts:

- Sections 22(2) of the Bylaws Act 1910 provides that any bylaw, or copy of a bylaw authenticated by the common seal of the local authority shall be sufficient evidence of the existence, publication, validity, and provisions of the bylaw and the date of its coming into operation.
- Section 12(8) of the Bylaws Act 1910 refers to the Council issuing under common seal a bylaw that has been quashed in part or amended by the High Council.
- Clause 17 of Schedule 1 of the Resource Management Act 1991 provides that approvals of proposed policy statements or plans must be done by affixing the common seal.
- Section 174(1) of the Local Government Act 2002 wherever a Council officer is authorised under the Local Government Act 2002 or other Act to enter private land on behalf of the Council, the Council must provide a written warrant with the common seal affixed as evidence of authorisation.
- Section 258H of the Local Government Act 2002 relates to the execution of documents using the common seal when a commission is appointed by the Minister in the place of a local authority.
- Section 345(1)(a) of the Local Government Act 1974 refers to the Council conveying or transferring or leasing land, that is no longer required as a road, to be done using the common seal.
- Section 80 of the Local Government (Rating) Act 2002 provides that the Council must in the case of the sale or lease of abandoned land, execute a memorandum of transfer or lease using the common seal, on behalf of the ratepayer whose interest has been sold or leased.
- Clause 8 of Schedule 1 of the Receiverships Act 1993 provides for the use of the common seal where a receiver is appointed and needs to execute documents in the name of the local authority in relation to assets charged in favour of the appointer of the receiver.

Council to Staff Resource Management Act 1991

[illegible]

For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any amendment to the relevant provisions of that enactment, regulation or bylaw and any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw; and
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties.

Council to Staff Resource Management Act 1991

Delegations to positions under section 34A of the Resource Management Act 1991 (RMA)	109	110	113	114	124	124A	124B	124C	125	126	127	128	129	132	133A	134	138	139	139A	149B	149G	149W	149 ZD	168	168A	169	170	171	173	174	175	176	176A	178	180	181(3)	182	184	189A	190	193	194	195A	198 A-M	220	221	222			
yellow fill = delegations added/amended																																																		
red fill = delegations removed																																																		
Advisor Legal Compliance and Complaints																																																		
Advisor Legal Support Services and Official Information																																																		
Chief Advisor Strategy and Growth	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
General Counsel																																																		
Group Manager Customer and Community	•		•	•								•	•																																		•	•		
Group Manager Infrastructure and Asset Management	•	•	•	•						•	•	•	•	•							•	•		•	•		•							•												•	•	•	•	
Group Manager Regulatory and Environment	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•	•		•		•	•	•	•	•	•	•	•	•	•	•	•	
Group Manager Strategy and Growth	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Investigations, Monitoring and Compliance Officer	•											•	•																																		•	•		
Manager Customer Experience			•	•																																														
Manager Environmental Standards	•											•	•																																			•	•	
Manager Governance and Legal Services																																																		
Manager Iwi Partnerships																																																		
Manager Legal Compliance and Complaints																																																		
Manager Emergency Management																																																		
Manager Resource Consents	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•		•		•		•	•	•	•			•	•	•	•	•	•	
Manager Resource Consents and Compliance	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•		•		•	•	•	•			•	•	•	•	•	•	•	
Manager Utilities Infrastructure																																																		
Principal Advisor Customer and Community	•											•	•																																			•	•	
Principal Advisor Infrastructure and Asset Management	•	•	•	•						•	•	•	•	•							•	•		•	•		•							•												•	•	•	•	•
Principal Advisor Iwi Partnerships																																																		
Principal Advisor Regulatory and Environment	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•		•		•	•	•	•	•	•	•	•	•	•	•	•
Principal Advisor Strategy and Growth	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Principal Advisor Recovery Lead																																																		
Project Manager Stormwater and Coastal Assets																																																		
Projects Manager Stormwater and Coastal Assets																																																		
Senior Advisor Legal Compliance and Complaints																																																		
Senior Advisor Legal Support Services and Official Information																																																		
Senior Advisor Stormwater and Coastal Assets																																																		
Stormwater and Coastal Asset Engineer																																																		
Stormwater and Coastal Assets Engineer																																																		
Team Leader Compliance	•											•	•																																			•	•	
Team Leader Environmental Health and Licensing																																																		
Team Leader Environmental Health, Licensing and Compliance																																																		
Team Leader Legal Support Services and Official Information																																																		

For the avoidance of doubt:
- a reference in this document to an enactment, regulation or bylaw includes any amendment to the relevant provisions of that enactment, regulation or bylaw and any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw; and
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties.

Council to Staff Resource Management Act 1991

[illegible]

For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any amendment to the relevant provisions of that enactment, regulation or bylaw and any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw; and
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties.

Council to Staff Resource Management Act 1991

Delegations to positions under section 34A of the Resource Management Act 1991 (RMA)	SCH 12 34A(1)(b)	Note 1	Note 2
yellow fill = delegations added/amended			
red fill = delegations removed			
Advisor Legal Compliance and Complaints			
Advisor Legal Support Services and Official Information			
Chief Advisor Strategy and Growth	•		
General Counsel			
Group Manager Customer and Community			•
Group Manager Infrastructure and Asset Management			•
Group Manager Regulatory and Environment	•	•	•
Group Manager Strategy and Growth	•	•	•
Investigations, Monitoring and Compliance Officer			
Manager Customer Experience			
Manager Environmental Standards			
Manager Governance and Legal Services			
Manager Iwi Partnerships			
Manager Legal Compliance and Complaints			
Manager Emergency Management			
Manager Resource Consents	•	•	
Manager Resource Consents and Compliance	•	•	
Manager Utilities Infrastructure			
Principal Advisor Customer and Community			
Principal Advisor Infrastructure and Asset Management			
Principal Advisor Iwi Partnerships			
Principal Advisor Regulatory and Environment	•	•	•
Principal Advisor Strategy and Growth	•		
Principal Advisor Recovery Lead			
Project Manager Stormwater and Coastal Assets			
Projects Manager Stormwater and Coastal Assets			
Senior Advisor Legal Compliance and Complaints			
Senior Advisor Legal Support Services and Official Information			
Senior Advisor Stormwater and Coastal Assets			
Stormwater and Coastal Asset Engineer			
Stormwater and Coastal Assets Engineer			
Team Leader Compliance			
Team Leader Environmental Health and Licensing			
Team Leader Environmental Health, Licensing and Compliance			
Team Leader Legal Support Services and Official Information			

Note 1 To the following positions, power to authorise, on Council’s behalf , agreement to any consent orders arising from proceedings in the Environment Court (after consultation with the Chairperson or in their absence the Deputy Chairperson from the Council Committee with responsibility for managing planning or regulatory matters – at the time of making these delegations this is the Strategy and Operations Committee).

Note 2 To the following positions, power to write off sundry debts under the RMA 1991 to the value of \$10,000.

For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any amendment to the relevant provisions of that enactment, regulation or bylaw and any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw; and
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that

To Council 31 October 2024

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

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

RMA delegations glossary to Council

Initiating Mana Whakahono a Rohe

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

Contents

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

Combined documents

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

Legal effect of rules

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

Resource consents

- 87AAD Overview of application of this Part to boundary activities and fast-track applications
- 87BA Boundary activities approved by neighbours on infringed boundaries are permitted activities
- 87BB Activities meeting certain requirements are permitted activities

Streamlining decision-making on resource consents

- 87E Consent authority's decision on request
- 87F Consent authority's subsequent processing
- 87G Environment Court determines application

Application for resource consent

- 88 Making an application
- 89A Applications affecting navigation to be referred to Maritime New Zealand
- 91 Deferral pending application for additional consents
- 91F Non-notified application may be returned after certain period

Further information

- 92 Further information, or agreement, may be requested
- 92A Responses to request
- 92B Responses to notification

Public notification and limited notification of applications

- 95 Time limit for public notification or limited notification
- 95A Public notification of consent applications
- 95B Limited notification of consent applications

RMA delegations glossary to Council

- 95C Public notification of consent application after request for further information or report
- 95D Consent authority decides if adverse effects likely to be more than minor
- 95E Consent authority decides if person is affected person
- 95F Meaning of affected protected customary rights group

Submissions on applications

- 98 Advice of submissions to applicant

Pre-hearing meetings and mediation

- 99 Pre-hearing meetings
- 99A Mediation

Hearings

- 100 Obligation to hold a hearing
- 101 Hearing date and notice
- 102 Joint hearings by 2 or more consent authorities
- 103 Combined hearings in respect of 2 or more applications

Decisions

- 104 Consideration of applications
- 104A Determination of applications for controlled activities
- 104B Determination of applications for discretionary or non-complying activities
- 104C Determination of applications for restricted discretionary activities
- 104D Particular restrictions for non-complying activities

Decisions on applications relating to discharge of greenhouse gases

- 105 Matters relevant to certain applications
- 106 Consent authority may refuse subdivision consent in certain circumstances

Decisions on applications relating to non-aquaculture activities

- 108 Conditions of resource consents
- 108A Bonds
- 109 Special provisions in respect of bonds or covenants
- 110 Refund of money and return of land where activity does not proceed
- 113 Decisions on applications to be in writing, etc
- 114 Notification

Duration of consent

- 124 Exercise of resource consent while applying for new consent
- 124A When sections 124B and 124C apply and when they do not apply
- 124B Applications by existing holders of resource consents
- 124C Applications by persons who are not existing holders of resource consents
- 125 Lapsing of consents
- 126 Cancellation of consent

- 127 Change or cancellation of consent condition on application by consent holder

Review of consent conditions by consent authority

- 128 Circumstances when consent conditions can be reviewed
 129 Notice of review
 132 Decisions on review of consent conditions
 133A Minor corrections of resource consents

Transfer of consents

- 134 Land use and subdivision consents attach to land
 138 Surrender of consent

Certificates of compliance or existing use

- 139 Consent authorities and Environmental Protection Authority to issue certificates of compliance
 139A Consent authorities to issue existing use certificates

How matter processed if direction made to refer matter to board of inquiry or court

- 149B Local authority's obligations if matter called in
 149G EPA must provide board or court with necessary information

Process after decision of board of inquiry or court on certain matters

- 149W Local authority to implement decision of board or court about proposed regional plan or change or variation

Costs of processes under this Part

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

Designations

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

Heritage orders

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

RMA delegations glossary to Council

- 193 requirement to territorial authority
- 193 Effect of heritage order
- 194 Interim effect of requirement
- 195A Alteration of heritage order

Streamlining decision-making on designations and heritage orders

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

Subdivision and reclamations

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

Approval and deposit of survey plans

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

Esplanade reserves

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

Conditions as to amalgamation of land

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

RMA delegations glossary to Council

Conditions as to easements

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

Conferences and additional dispute resolution

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

Declarations

- 311 Application for declaration

Enforcement orders

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

Abatement notices

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

Excessive noise

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

Emergency works

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

Powers of entry and search

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

Return of property

- 336 Return of property seized under sections 323 and 328

Offences

- 338 Offences against this Act

Infringement offences

- 343B Commission of infringement offence
343C Infringement notices

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

Clause

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

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

Part 6 Provisions relating to Natural and Built Environment Act 2023

Clause

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

10.6 PROPOSED ROAD STOPPING AND TAKING PLAN - WATERFALL ROAD, PARAPARAUMU

Kaituhi | Author: **Kieran Lamberton, Senior Advisor Property**

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

TE PŪTAKE | PURPOSE

- 1 To seek Council approval:
 - 1.1 To commence road stopping procedures under the Public Works Act 1981 for an area of redundant road in Waterfall Road, Paraparaumu; or the Local Government Act 1974.
 - 1.2 The exchange of the road stopping land with land for (existing) formed road to resolve road encroachment.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

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

TE TUKU HAEPAPA | DELEGATION

- 3 The Council has the delegation to consider, approve and authorise this matter under Section A2 of the Governance Structure and Delegations - 2022-2025 Triennium.

TAUNAKITANGA | RECOMMENDATIONS

That Council:

- A. **Approve** the:
 - A.1 Stopping of a section of Waterfall Road, Paraparaumu, being approximately 0.2600 hectares (subject to survey) adjoining 23 Waterfall Road (shown as Road to Stop, highlighted green, in Attachment 1).
 - A.2 Commencement of road stopping procedures under the Public Works Act 1981 (PWA).
- B. **Note** that road stopping under the PWA requires consent by the Minister for Land Information (LINZ).
- C. **Agree in principle** that should the Minister for LINZ not agree to stop the section of Waterfall Road (Road Stopping Land) under the PWA that:
 - C.1 Council and the applicant proceed with the road stopping under section 342 of the Local Government Act 1974 (LGA 1974).
 - C.2 Council staff initiate the road stopping procedures under the LGA 1974, should both Council and the applicant agree to proceed under that Act, including a full public consultation process.
- D. **Approve** the exchange of the Road Stopping Land described in Recommendation A with land on the adjoining landowner's property (the applicant) at 23 Waterfall Road, being 0.2400 ha (subject to survey), as per agreement with the landowner. The exchange will be subject to the successful road stopping process, under either mechanism as noted above.
- E. **Delegate** to the Chief Executive the power to:
 - E.1 Formally approve the public notice to declare the section of Waterfall Road stopped, under the PWA or LGA 1974, subject to all statutory requirements being met and no

objections by the adjoining owner or public being received (if completed under the LGA 1974).

- E.2 Negotiate the terms of sale, impose any reasonable covenants and easements, and enter into an appropriate exchange agreement in respect of the Road Stopping Land and Land to be taken for Road. Any such agreement is conditional upon the Road Stopping Land being stopped.

TŪĀPAPA | BACKGROUND

- 4 The intersection at Waterfall Road was closed as part of the double-tracking of the railway to Waikanae. In conjunction with KiwiRail and their Regional Rail Programme in Kāpiti, the New Zealand Transport Agency, Waka Kotahi closed the Waterfall Road (Lynch's Crossing) connection with State Highway 1 (SH1) on Monday 10 January 2011. A new route to/from SH1 via Emerald Glen Road now provides safer access for all road users.

Application regarding redundant road at 23 Waterfall Road

- 5 An application has been received from the landowners of 23 Waterfall Road, Paraparaumu to stop a section of road which adjoins their property (Waterfall Road Land). Of note:

5.1 The Waterfall Road Land is shown coloured green on the Proposed Road Stopping and Taking Plan in **Attachment 1**. As the Waterfall Road Land no longer provides access to any properties, it is no longer required for transport purposes.

5.2 The applicant noted that a section of Waterfall Road is located outside of the legal boundaries and is encroaching on their private land (23 Waterfall Road). This land is coloured yellow in **Attachment 1**, and is the 'land to be acquired for and declared road' for the purposes of this process.

- 6 For clarity, we have outlined the definitions for road stopping and road encroachment below:

Road stopping

6.1 Road stopping is the process of changing land with the legal status of road to fee simple land so that it can then be sold.

6.2 The road stopping and land to be acquired for and declared road is a statutory process managed by Council. In processing applications to stop a section of legal road, consideration is given to the impact on road users' immediate needs or future outcomes.

6.3 Before any road land can be stopped, confirmation is required that the road is no longer needed for transport purposes before carrying out the necessary road-stopping processes, including removing the road status of the land so that it is no longer subject to laws relating to roads, such as public access. Service authorities are also approached to advise if there are any assets that need protecting within the section of road proposed to be stopped.

6.4 The road-stopping process is governed by either the Local Government Act 1974 (LGA 1974) or the Public Works Act 1981 (PWA). Information in **Attachment 2** provides guidance on the different mechanisms for stopping roads.

6.5 Under the PWA, Council must grant consent (under delegation to the Chief Executive) to stop the road, obtain the consent of adjoining owner(s) to stop the road, and seek the agreement of the Minister for Land information (Minister) as part of the process.

6.6 If the Minister grants consent, a road stopping process progresses in accordance with the PWA. If the Minister declines the request to stop the road under the PWA, the proposal to stop and take the road is revised and, if not withdrawn by the applicant, will be progressed under the LGA 1974.

Road Encroachment

- 6.7 Road encroachment occurs when public access to a legal road is restricted, where an area of legal road has been occupied for private use or, where an area of legal road has been inadvertently located outside of the legal boundaries and encroaches on private land.

HE KŌRERORERO | DISCUSSION

- 7 Council officers propose to progress the road stopping application in accordance with the PWA, including:
- 7.1 Decision by Council to grant consent (under delegation to the Chief Executive) to stop the road:
- Multiple service requests have been received by Council since the Waterfall Road Land was severed requesting the removal of illegally dumped rubbish, green waste and abandoned cars. Council, as road owner currently bears responsibility and cost for clearing this.
 - The desired outcome is to stop the road which is redundant to Council's requirements due to the removal of the level crossing and connection from Waterfall Road and SH1 (Kāpiti Expressway), while that part of Waterfall Road which is encroaching on the applicant's land can be taken for and declared as legal road.
 - Given this, the road stopping application is proposed to be progressed under the provisions of the PWA.
- 7.2 Obtaining the consent of adjoining owner(s) to stop the road:
- To progress this application under the provisions of the PWA, the applicant will need to obtain the consent of the adjoining landowner. The section of road proposed to be stopped along Waterfall Road has one adjoining landowner.
 - Preliminary investigation also indicates that service authorities, including KiwiRail, have provided their agreement in principle to the stopping of that part of Waterfall Road described as the Waterfall Road Land, subject to appropriate easements for any purposes/access that may be required. This will be confirmed in the process to stop the road, should Council agree to proceed with the stopping.
- 7.3 Agreement of the Minister for Land information (Minister):
- Following Council decision, if approved, the Minister for Land Information will need to agree, and action the road stopping by notice in *the New Zealand Gazette*.
 - Should the Minister for Land Information decline to progress the road stopping, Council proposes that the next step would include taking action to progress it under the provisions of the Local Government Act, 1974 (note guidance in Attachment 2). This paper asks Council to approve progressing the road stopping under either mechanism, to cover the possibility that the Minister does not progress it.

He take | Issues

- 8 No issues have been identified as part of this process.
- 9 Of note, public notification will not be required under the PWA. However, if an adjoining owner does not provide their consent, then proceeding under the provisions of the LGA 1974 will require public notification to be undertaken.

Ngā kōwhiringa | Options

- 10 Three options are outlined in Table 1 below, with the preferred Option (A) seeking Council agreement to progress the application for road stopping through two-steps:

10.1 Firstly, to progress Road stopping of the Waterfall Road land under the PWA, and to amalgamate with the adjoining owner's title; and

10.2 Secondly, to then take part of the applicant's land and declare it as road under the PWA.

Table 1: Options for decision

Kōwhiringa Options	Hua Benefits	Tūraru Risks
<p><u>Option A (recommended):</u></p> <ul style="list-style-type: none"> Road stopping the Waterfall Road land under the PWA and amalgamate with the adjoining owner's title. Take part of the applicant's land and declare it as road under the PWA. 	<ul style="list-style-type: none"> All costs associated with the road stopping of the Waterfall Road land to be met by the applicant. The costs to Council to take the applicant's land for road can be offset and deducted from the road stopping costs. Council will not be responsible for maintenance of the redundant area of Waterfall Road; and will also be able to remedy the encroachment on the applicant's land. 	<ul style="list-style-type: none"> The road stopping under the PWA requires the consent of the Minister for Land Information and written consent of any adjoining owner.
<p><u>Option B (as alternative to Option A)</u></p> <ul style="list-style-type: none"> Road stopping the Waterfall Road land under the LGA 1974 and amalgamate with the adjoining owner's title. Take part of the applicant's land and declare it as road under the LGA 1974. 	<ul style="list-style-type: none"> All costs associated with the road stopping of the Waterfall Road land to be met by the applicant. The costs to Council to take the applicant's land for road can be offset and deducted from the road stopping costs. Council will not be responsible for maintenance of the redundant area of Waterfall Road; and will also be able to remedy the encroachment on the applicant's land. 	<ul style="list-style-type: none"> Potential for objections to be received through public notification. If objections cannot be resolved, a hearing in front of the appropriate Council Committee will be scheduled. If the objections are not upheld, and both the applicant and objector wish to continue, the case would need to be put to the Environment Court to rule on the validity of the objections and whether or not Council can stop the road.
<p><u>Option C (continuing with the status Quo):</u></p> <ul style="list-style-type: none"> The redundant section of Waterfall Road will remain under Council's control and management. A formed section of Waterfall Road will be encroaching onto the neighbouring properties land. 	<ul style="list-style-type: none"> Council and other service authorities have use of the land without the need for easements. 	<ul style="list-style-type: none"> Financial risk as Council will be responsible for maintenance of a portion of road surplus to requirements. Risk of property rights dispute as the Council formed Road is encroaching on private property.

Mana whenua

- 11 Council staff have not specifically engaged mana whenua on this matter. The road to be stopped is not within an area marked as Waahi Tapu in the Operative District Plan 2021 overlay. The land to be taken for road is located on private land owned by the applicant.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 12 There will be no impact on climate change by undertaking the road stopping and creation of easements sought in this report.

Ahumoni me ngā rawa | Financial and resourcing

- 13 If approved, the Chief Executive will have the delegated authority to approve financial considerations in this matter. Of note:
- 13.1 All costs associated with the stopping of roads, including Council staff time are to be met by the applicant.
 - 13.2 The financial considerations for the section of road to be stopped will be in accordance with provisions and disposal requirement of the PWA or the LGA.
 - 13.3 Council and the applicant will work collaboratively to determine costs each party needs to pay with respect to the stopping of road and taking of land for road.

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

- 14 The road stopping and acquisition of land for road will be undertaken in accordance with legislative and Council requirements. Legal advice, from Council's legal team and solicitors, will be sought where required.

Ngā pānga ki ngā kaupapa here | Policy impact

- 15 There are no policy impacts.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

- 16 Consultation as required under the relevant legislation will take place. For the preferred process under the Public Works Act 1981, this will include obtaining consent from the Minister for Land Information for the road stopping and acquisition and declaration of land for road, and consultation and consent from the adjoining landowners and utility providers.
- 17 In the event that the Public Works Act process is unsuccessful for the road stopping, it would then be undertaken under the Local Government Act 1974 where full public consultation will be required.

Te mahere tūhono | Engagement planning

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

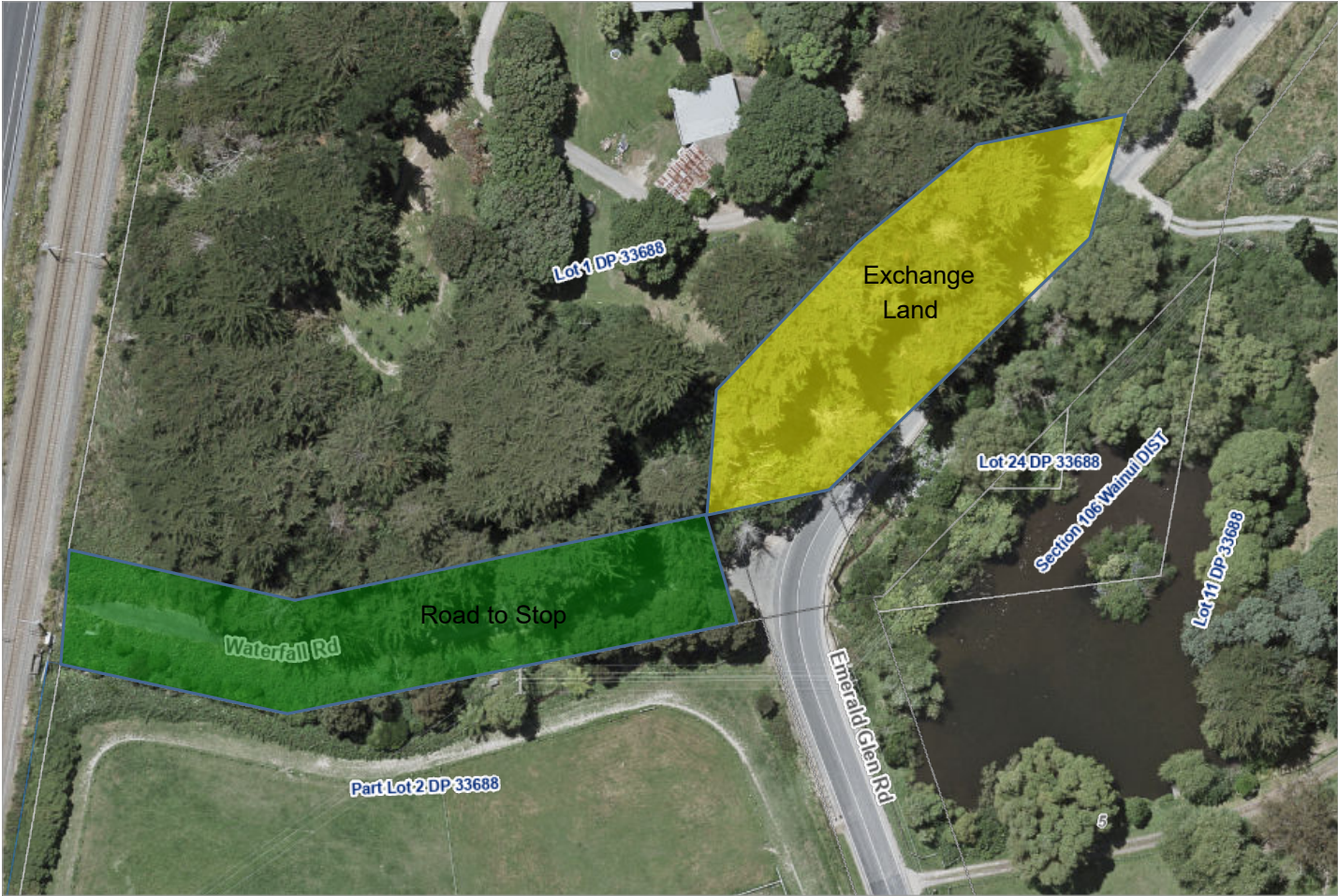
Whakatairanga | Publicity

- 19 No publicity is required.

NGĀ ĀPITI HANGA | ATTACHMENTS

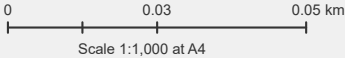
- 1. Proposed Road Stopping and Taking Plan [↓](#)
- 2. Guidance on mechanisms for Stopping Roads [↓](#)

Road Stopping - Land Exchange



Key to map symbols

- Title
- Legal Description
- Property
- Parcel Boundaries
- Road Parcels



Date Printed: July 24, 2024

Kāpiti Coast District Council accepts no responsibility for incomplete or inaccurate information contained on this map. Use of this website is subject to, and constitutes acceptance of the conditions set out in our disclaimer. This publication is copyright reserved by the Kāpiti Coast District Council. Cadastral and Topographic information is derived from Land Information New Zealand, CROWN COPYRIGHT RESERVED.

Map credits:

Guidance on mechanisms for stopping roads

Formed and The road stopping provisions under s 116 of the PWA and s 342 of unformed roads the LGA apply to land which has the status of road, regardless of whether the road is formed or unformed.

Public Works Act 1981

Legislation	Section 116 of the PWA provides for the stopping of a road.
Use of s 116 PWA	In addition, a local authority may make application to the Minister to stop a road under s 116 of the PWA.
Justification	<p>Where a local authority makes application to the Minister to use s 116 of the PWA to stop a road it is to provide the Minister with reasons why it considers use of s 116 of the PWA is more appropriate than s 342 of the LGA.</p> <p>The decision whether to stop a road under s116 of the PWA is for the Minister.</p>

Local Government Act 1974

Legislation	<p>Sections 319 and 342, and Schedule 10 of the LGA.</p> <p>Section 34,2 of the LGA provides for the stopping of road.</p>
When to use	<p>LINZ prefers that, in the first instance, local authorities apply the procedures in s 342 of the LGA, given the requirements for public notification.</p> <p>Road should be stopped using the LGA when there are likely to be objections to the proposal, or matters of public access to consider.</p>

10.7 NOTICE OF MOTION - COASTAL HAZARD RISK ASSESSMENT FOR THE KAPITI COAST REPORT

I, Councillor Glen Cooper, give notice that at the next Meeting of Council to be held on 31 October 2024, I intend to move the following motion:

RATIONALE

I commend this Notice of Motion to Council.

The Coastal Hazard Risk Assessment for Kapiti Coast Report can be found via this link: [Coastal Hazard Risk Assessment for the Kapiti Coast Report](#).

MOTION

That the Kapiti Coast District Council:

- A. Receives the Coastal Hazard Risk Assessment for the Kapiti Coast Report, submitted by the Coastal Rate Payers' Union.



Cr Glen Cooper**NGĀ ĀPITI HANGA | ATTACHMENTS**

Nil

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

Author: Kate Coutts, Advisor Governance

Authoriser: Mark de Haast, Group Manager Corporate Services

Taunakitanga | Recommendations

That the minutes of the Council meeting of 24 September 2024 be accepted as a true and correct record.

That the minutes of the Council meeting of 26 September 2024 be accepted as a true and correct record.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Council Meeting Minutes - 24 September 2024 [↓](#)
2. Council Meeting Minutes - 26 September 2024 [↓](#)

COUNCIL MEETING MINUTES

24 SEPTEMBER 2024

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING****HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON TUESDAY, 24 SEPTEMBER 2024 AT 9:31 AM**

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

IN ATTENDANCE: Mr Bede Laracy, Mr Richard Mansell (via Zoom), Mr Bernie Randall, Mr Michael Moore, Mr Darren Edwards, Mr Mark de Haast, Ms Hara Adams, Ms Rach Wells (via Zoom), Ms Kris Pervan, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky

WHAKAPĀHA | APOLOGIES: Cr Rob Kofoed

LEAVE OF ABSENCE: Nil

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting.

2 KARAKIA | COUNCIL BLESSING

Cr Sophie Handford read the Council karakia.

3 WHAKAPĀHA | APOLOGIES**APOLOGY****RESOLUTION CO2024/125**

Moved: Cr Nigel Wilson

Seconder: Cr Shelly Warwick

That the apology received from Cr Rob Kofoed be accepted.

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

No declarations of interest were raised.

5 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) No leaves of absence were requested at this meeting.

(b) No matters of an urgent nature were raised with the Chair prior to the commencement of the meeting.

6 NGĀ WHAKAWĀ | HEARINGS

Cr Cooper joined the meeting at 9:53am.

Deputy Mayor Lawrence Kirby left the meeting at 10:08am and returned at 10:09am.

Cr Kathy Spiers left the meeting at 10:17am and returned at 10:19am.

Cr Cooper left the meeting at 10:55am and returned at 10:57am.

COUNCIL MEETING MINUTES

24 SEPTEMBER 2024

6.1 2024 REPRESENTATION REVIEW INITIAL PROPOSAL SUBMISSIONS HEARING

Mr Pat Duignan (via Zoom) spoke to his personal submission and the submission of the Waikanae Peka Peka Residents Society Inc regarding the Ōtaki-Waikanae boundary changes in the initial proposal. In his submission, he suggests giving more weight to respondents directly affected by the boundary changes. He raised concerns that the consultation survey lacked contextual information on the Māori ward establishment and the proposed changes to the Ōtaki-Waikanae ward boundary. He tabled a document to support his submission and answered questions from elected members.

Mr Martin Whyte raised concerns regarding the implementation of the Māori wards and Māori representation in local government enacted by central government legislation. He answered questions from elected members.

Mr Richard Young queried the electorate population figures in the initial proposal and the community board representation structure for the Raumatī-Paekākāriki ward. He tabled a document to support his submission and answered questions from elected members.

Mr Steve La Hood spoke to his support for the Council's proposed representation structure, including the incorporation of a Māori ward, and suggested that the Māori ward councillor's integration into Council affairs must be well considered alongside iwi and hapū representation. He further suggested that Council reject to hold the binding referendum on the Māori ward at the 2025 election. He answered questions from elected members.

Mr Chris Mitchell tabled a document and presented a submission that fair and effective representation would be better achieved without districtwide councillors and that instead a fully ward based system should be explored. He further suggested that more councillors would ensure the Council size matches the growing population of the district. He answered questions from elected members.

Mr Stephen Blyth expressed support for the Māori ward. He suggested that Council reject to hold the binding referendum on the Māori ward at the 2025 election. He answered questions from elected members.

The meeting adjourned at 11:18am and resumed at 11:40am.

Cr Pryanov left the meeting during the adjournment and returned to the meeting at 11:41am.

Cr Spiers left the meeting at 11:50am and returned at 11:51am.

Mr John Andrews spoke to his views on representation, and expressed dissatisfaction with some of his interactions with Council staff. He answered questions from elected members.

The meeting adjourned at 11:52am and resumed at 12:04pm.

Mr Bernie Randall left the meeting during adjournment and did not return.

Cr Spiers left the meeting at 12:32pm and returned at 12:32pm.

Cr Warwick left the meeting at 12:45pm and returned at 12:46pm.

Mr Quentin Poole raised concerns about the cost implications of proposed changes to ward boundaries since another representation review may be necessary after the Māori ward referendum at the 2025 election. He expressed opposition to the creation of a Māori ward and a preference to shift the Ōtaki-Waikanae boundary north to the Ōtaki river, should there be a need for the boundary to be shifted. He answered questions from elected members.

Mr Aaron Packard expressed support for the implementation of a Māori ward as a mechanism to honour human rights. He answered questions from elected members.

Appendices

COUNCIL MEETING MINUTES**24 SEPTEMBER 2024**

- | | |
|---|---------------------------------|
| 1 | Pat Duignan Tabled Statement |
| 2 | Richard Young Tabled Statement |
| 3 | Chris Mitchell Tabled Statement |

7 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA

Mayor Janet Holborow closed the Council meeting with karakia.

The Kaunihera | Council meeting closed at 1:01pm.

.....
HEAMANA | CHAIRPERSON

UNCONFIRMED

COUNCIL MEETING MINUTES

26 SEPTEMBER 2024

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 26 SEPTEMBER 2024 AT 9.39AM**

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: Mr Bede Laracy, Mr Richard Mansell, Mr Cam Butler, Mr Tony Martin, Mr Brendan Owens, Ms Kris Pervan, Ms Hara Adams, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Ms Maria Cameron

WHAKAPĀHA | APOLOGIES: Nil

LEAVE OF ABSENCE: Nil

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting

2 KARAKIA | COUNCIL BLESSING

Cr Warwick 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**

There were no declarations of interest 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.

**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**

Deputation:

Di Buchan, Chair of the Rotunda Trust, alongside trustees Grant Stevenson and Jenny Gordon, gave an update on the restoration of the Ōtaki Rotunda, thanked the Kapiti Coast District Council for funding given over the years and answered questions from members.

COUNCIL MEETING MINUTES

26 SEPTEMBER 2024

A video about the rotunda was played at the meeting and pamphlets from 'Friends of the Ōtaki Rotunda' were handed out (attached as tabled document).

TABLED DOCUMENTS

The following documents were tabled.

Appendices

- 1 Pamphlet - Friends of the Ōtaki Rotunda

8 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.

9 TE PŪRONGO A TE KOROMATUA | MAYOR'S REPORT

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

10 PŪRONGO | REPORTS

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

Hamish McGillivray, Manager Research & Policy, introduced the report and answered questions from elected members.

RESOLUTION CO2024/126

Moved: Cr Liz Koh
 Seconder: Cr Sophie Handford

- 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).

CARRIED

10.2 UPDATES TO GOVERNANCE STRUCTURE 2022 – 2025

Steffi Haefeli, Manager Governance, introduced the report and answered questions from elected members.

RESOLUTION CO2024/127

Moved: Cr Nigel Wilson
 Seconder: Mayor Janet Holborow

- 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

COUNCIL MEETING MINUTES

26 SEPTEMBER 2024

Environment Committee.

- C. That Council, adopts the amended appointed representative to the Wellington Region Waste Management and Minimisation Joint Committee to be Councillor Martin Halliday **or** Councillor Jocelyn Prvanov as an alternate in the event that Councillor Halliday is unable to attend. In extension, Council also agrees to amend the membership of the Waste Levy Grants Allocation Committee programme to reflect Councillor Martin Halliday as the representative to the Wellington Region Waste Management and Minimisation Joint Committee.

CARRIED

10.3 DRAFT CALENDAR OF MEETINGS 2025

Kate Coutts, Governance Advisor, introduced the report and requested that it be taken as read.

RESOLUTION CO2024/128

Moved: Deputy Mayor Lawrence Kirby
 Seconder: Cr Sophie Handford

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

CARRIED

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

11.1 CONFIRMATION OF MINUTES

RESOLUTION CO2024/129

Moved: Deputy Mayor Lawrence Kirby
 Seconder: Cr Sophie Handford

- A. That the minutes of the Council meeting of 29 August 2024 be accepted as a true and correct record.

CARRIED

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

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

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2024/130

Moved: Deputy Mayor Lawrence Kirby
 Seconder: Cr Rob Kofoed

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

Page 3

COUNCIL MEETING MINUTES

26 SEPTEMBER 2024

matters are considered.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
12.1 - Confirmation of Public Excluded Minutes	<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>	<p>Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
13.1 - Stream and Open Channel Urban Network Maintenance Contract	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable Council 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>	<p>Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

COUNCIL MEETING MINUTES

26 SEPTEMBER 2024

13.2 - Amohia Stormwater Improvement Project Stage 1 Including Amohia/Kapiti Road Sliplane	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
13.3 - 2024-C403 Chipsealing Contract	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
CARRIED		

RESOLUTION CO2024/135

Moved: Cr Nigel Wilson

Seconder: Cr Shelly Warwick

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

CARRIED

The Kaunihera | Council meeting went into public excluded session at 10.23am

The Kaunihera | Council came out of public excluded session at 12.07pm

The Mayor closed the meeting with karakia.

The Kaunihera | Council meeting closed at 12.07pm.....
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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
12.1 - Confirmation of Minutes	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable Council 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>	<p>Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

Kia tau ngā manaakitanga ki runga i a
tātou katoa,

May blessings be upon us all,

Kia hua ai te mākihikihi, e kī ana

And our business be successful.

Kia toi te kupu

So that our words endure,

Kia toi te reo

And our language endures,

Kia toi te wairua

May the spirit be strong,

Kia tau te mauri

May mauri be settled and in balance,

Ki roto i a mātou mahi katoa i tēnei rā

Among the activities we will do today

Haumi e! Hui e! Taiki e!

Join, gather, and unite! Forward together!