

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 31 OCTOBER 2024 AT 9.32AM**

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

IN ATTENDANCE: Ms Kim Tahiwī, Mr Rawiri Tawhai-Bodsworth (via Zoom), Mr Bede Laracy, Mr Glen Olsen, Mr Richard Mansell, Mr Simon Black, Mr Darren Edwards, Mr Mark de Haast, Mr Sean Mallon, Mr Brendan Owens, Ms Hara Adams, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky, Ms Morag Taimalietane, Ms Sheryl Gavin, Ms Sarah Wattie, Ms Nicky Holden, Mr Darryn Grant, Mr Ian Georgeson, Mr Dale Ofoske (External – Election Services)

WHAKAPĀHA | APOLOGIES: Cr Kathy Spiers

LEAVE OF ABSENCE: Cr Rob Kofoed

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting

2 KARAKIA | COUNCIL BLESSING

Cr Sophie Handford read the Council blessing.

3 WHAKAPĀHA | APOLOGIES

APOLOGY

RESOLUTION CO2024/136

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Sophie Handford

That the apology received from Cr Kathy Spiers be accepted.

CARRIED

The Mayor noted that Cr Rob Kofoed had a leave of absence.

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

There were no declarations of interest relating to items on the agenda.

5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

There were no petitions presented at the meeting.

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

Martin Whyte spoke to his submission and the decision to demolish and rebuild Te Newhanga Community Centre, rather than repair the existing building.

Cr Liz Koh arrived to the meeting at 9.36am.

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

Pat Duignan spoke via Zoom on behalf of the Waikanae and Peka Peka Beach Residents' Society to Item 10.2 Representation Review 2024 – Final Proposal. Mr Duignan answered members' questions.

Salima Padamsey and Quentin Poole, on behalf of Coastal Ratepayers United, spoke to Item 10.7 Notice of Motion – Coastal Hazard Risk Assessment for the Kapiti Coast Report. Mr Poole tabled the *Coastal Hazard Risk Assessment for Kapiti Coast* report (appended). Ms Padamsey and Mr Poole answered members' questions.

Public Speaking Appendices

- 1 Coastal Hazard Risk Assessment Report

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) There were no requests for a leave of absence.
- (b) There were no matters of an urgent nature raised.

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

The Mayoral activities were noted.

10 PŪRONGO | REPORTS

The Mayor brought Item 10.7 *Notice of Motion – Coastal Hazard Risk Assessment for the Kapiti Coast Report* forward in the meeting.

10.7 NOTICE OF MOTION - COASTAL HAZARD RISK ASSESSMENT FOR THE KAPITI COAST REPORT

Cr Glen Cooper introduced the Notice of Motion and noted a minor correction to the motion.

RESOLUTION CO2024/137

Moved: Cr Glen Cooper
Seconder: Cr Jocelyn Prvanov

That the Kapiti Coast District Council:

- A. Receives the Coastal Hazard Risk Assessment for the Kapiti Coast Report, submitted by

Coastal Ratepayers United.



Cr Glen Cooper

CARRIED

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

Mark de Haast, Group Manager Corporate Services, Sheryl Gavin, Principal Advisor Corporate Services and Ian Georgeson, Acting Chief Financial Officer, spoke to the report and alongside Darren Edwards, Chief Executive and Sean Mallon, Group Manager Infrastructure and Asset Management, answered members' questions.

RESOLUTION CO2024/138

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Liz Koh

- 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.

CARRIED

The meeting adjourned at 10.47am and reconvened at 11.09am.

10.2 REPRESENTATION REVIEW 2024 - FINAL PROPOSAL

Steffi Haefeli, Manager Governance, spoke to the report and alongside Dale Ofsoske, Election Services, answered members' questions.

Cr Sophie Handford returned to the meeting at 11.15am.

Cr Glen Cooper returned to the meeting at 11.15am.

RESOLUTION CO2024/139

Moved: Cr Nigel Wilson

Seconder: Cr Sophie Handford

- 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.

CARRIED

RESOLUTION CO2024/140

Moved: Cr Nigel Wilson
Seconder: Cr Sophie Handford

- 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.

CARRIED

Cr Jocelyn Prvanov voted against the motion.

RESOLUTION CO2024/141

Moved: Cr Nigel Wilson

Seconder: Cr Sophie Handford

- 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</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>decide to rescind at this point in time.</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>
<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.</p> <p>Council rejects the minority of submissions who disagree.</p>	<p>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.</p>
<p>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.</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>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.</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>
<p>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.</p> <p>CARRIED</p>	

10.3 WAIKANAE PROPERTY FUND

Morag Taimalietane, Principal Advisor Customer and Community, and Brendan Owens, Group Manager Customer and Community spoke to the report and answered members' questions.

RESOLUTION CO2024/142

Moved: Cr Nigel Wilson
 Seconder: Mayor Janet Holborow

- A. That Council note the projects that are supported by the Waikanae Community Board for use of funding from the Waikanae Property Fund.

CARRIED

RESOLUTION CO2024/143

Moved: Cr Nigel Wilson
 Seconder: Mayor Janet Holborow

- B. That Council approve the use of funding from the Waikanae Property Fund in accordance with Option A:
- B.1 Funding of \$60,000 is allocated to the Waikanae Court Resurfacing.
 - B.2 Funding of \$25,000 is allocated to provide additional funding for the Reikorangi Playground.
 - B.3 Funding of \$69,000 is allocated to the improvement of community amenities at both the Waimeha Domain, and the Waikanae township.

For: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Crs Martin Halliday, Sophie Handford, Liz Koh, Shelly Warwick and Nigel Wilson

Against: Crs Glen Cooper and Jocelyn Prvanov

CARRIED 7/2

RESOLUTION CO2024/144

Moved: Cr Nigel Wilson
 Seconder: Mayor Janet Holborow

- B. That Council approve the disestablishment of the Waikanae Property Fund, following the full utilisation of funding as agreed through recommendation B.

CARRIED

10.4 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS

Anna Smith, Team Leader Governance spoke to the report, and Sean Mallon, Group Manager Infrastructure and Asset Management and Darryn Grant, Strategic Development Director, answered members' questions.

Cr Sophie Handford left the meeting at 12.00pm and did not return.

RESOLUTION CO2024/145

Moved: Deputy Mayor Lawrence Kirby
 Seconder: Cr Shelly Warwick

- 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.2 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.

CARRIED

10.5 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

Sarah Wattie, General Counsel spoke to the report and answered members' questions.

RESOLUTION CO2024/146

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Shelly Warwick

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'.

CARRIED

10.6 PROPOSED ROAD STOPPING AND TAKING PLAN - WATERFALL ROAD, PARAPARAUMU

Darryn Grant, Strategic Development Director and Nicky Holden, Manager Corporate Property spoke to the report and answered members' questions.

RESOLUTION CO2024/147

Moved: Cr Nigel Wilson

Seconder: Cr Martin Halliday

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.

CARRIED

Item 10.7 *Notice of Motion – Coastal Hazard Risk Assessment for the Kapiti Coast Report* was moved to an earlier part of the meeting.

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

11.1 CONFIRMATION OF MINUTES

RESOLUTION CO2024/148

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Nigel Wilson

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.

CARRIED

"Make the records show, to let it be known, these are splendid minutes!" Cr Nigel Wilson proclaimed.

- 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 CO2024/149

Moved: Cr Martin Halliday
 Seconder: Cr Jocelyn Prvanov

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>	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

The Kaunihera | Council meeting went into public excluded session at 12.11pm.

RESOLUTION CO2024/151

Moved: Deputy Mayor Lawrence Kirby

Secunder: Cr Martin Halliday

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

CARRIED

The Kaunihera | Council came out of public excluded session at 12.11pm.

The Mayor closed the Kaunihera | Council meeting with karakia at 12.11pm.

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HEAMANA | CHAIRPERSON