

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 30 JANUARY 2025 AT 9.31AM**

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

IN ATTENDANCE: Ms Kim Tahiwai, Mr Frank Hippolite, Mr Huriwai Paki (via Zoom), Mr Bede Laracy, Mr Glen Olsen, Mr Cam Butler, Mr Michael Moore, Mr Darren Edwards, Mr Mark de Haast, Mr Sean Mallon, Mr Brendan Owens, Ms Kris Pervan, Ms Hara Adams, Ms Rach Wells, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky, Mr Jason Holland, Ms Sarah Wattie

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting.

2 KARAKIA | COUNCIL BLESSING

At the invitation of the Mayor, Cr Sophie Handford read the Council blessing.

The Mayor acknowledged the recent passing of Kaumātua Karl Farrell of Ngāti Haumia ki Paekākāriki, and Karl's contribution to the Paekākāriki community. A minute's silence was observed by those present at the meeting.

The Mayor noted that, alongside Cr Sophie Handford, she would be leaving partway through the hui (meeting) to attend Karl Farrell's tangi in Paekākāriki; at which point the Deputy Mayor would chair the hui.

3 WHAKAPĀHA | APOLOGIES

There were no apologies received.

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

Cr Shelly Warwick noted that while she had submitted to the Environmental Protection Authority regarding the Fast Track Consenting application for 33 Main Highway, Ōtaki detailed in Item 10.2 *Dedicating Local Purpose (Road) Reserve as Road*, she intended to participate with an open mind.

5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

There were no petitions presented at the meeting.

6 NGĀ WHAKAWĀ | HEARINGS

There were no hearings scheduled at the meeting.

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

Harriet Fraser spoke to Item 10.2 Dedicating Local Purpose (Road) Reserve as Road.

Monique Leith spoke to Item 10.2 Dedicating Local Purpose (Road) Reserve as Road.
 James Unwin spoke to Item 10.2 Dedicating Local Purpose (Road) Reserve as Road.
 Lyall Payne spoke to Item 10.2 Dedicating Local Purpose (Road) Reserve as Road.
 Margaret Turnbull spoke to Item 10.2 Dedicating Local Purpose (Road) Reserve as Road.
 Philip McIntyre spoke to Item 10.2 Dedicating Local Purpose (Road) Reserve as Road
 Tanya Lees, on behalf of Calm Alarmist Law Madness, spoke to Item 10.1 Review of Coastal Provisions in the District Plan.
 Salima Padamsey, on behalf of Coastal Ratepayers United, spoke to Item 10.1 Review of Coastal Provisions in the District Plan and answered members' questions.

APPENDICES – PUBLIC SPEAKING SUBMISSIONS

Appendices

- 1 Monique Leith
- 2 Tanya Lees (on behalf of Calm Alarmist Law Madness)
- 3 Salima Padamsey (on behalf of Coastal Ratepayers United)

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

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

9 TE PŪRONGO A TE KOROMATUA | MAYOR'S REPORT

The Mayor did not table a report at the meeting.

10 PŪRONGO | REPORTS

The Mayor brought Item 10.2 *Dedicating Local Purpose (Road) Reserve as Road* forward in the meeting.

10.2 DEDICATING LOCAL PURPOSE (ROAD) RESERVE AS ROAD

Kris Pervan, Group Manager Strategy and Growth, Sean Mallon, Group Manager Infrastructure and Asset Management and the Mayor spoke to the report. The Mayor noted that, under the provisions of Standing Order 24.6, she had requested Item 10.2 *Dedicating Local Purpose (Road) Reserve as Road* be brought to Council for reconsideration due to receiving new information regarding the matter.

Ms Pervan, Mr Mallon, the Mayor, Darren Edwards, Chief Executive, and Sarah Wattie, General Counsel, answered members' questions.

PROCEDURAL MOTION

Moved: Cr Glen Cooper
 Seconder: Cr Rob Kofoed

That the item of business, Item 10.2 *Dedicating Local Purpose (Road) Reserve as Road*, being discussed should lie on the table and not be discussed further at this meeting until the outcome of the judicial review is known.

For: Crs Glen Cooper, Rob Kofoed, Jocelyn Prvanov and Shelly Warwick

Against: Mayor Janet Holborow, Crs Martin Halliday, Sophie Handford, Liz Koh, Kathy Spiers and Nigel Wilson

Abstained: Deputy Mayor Lawrence Kirby

LOST 4/6

Cr Rob Kofoed left the meeting at 11.04am and returned to the meeting at 11.06am.

Cr Kathy Spiers left the meeting at 11.09am and returned to the meeting at 11.10am.

Deputy Mayor Lawrence Kirby left the meeting at 11.11am and returned to the meeting at 11.12am.

Staff recommendation *F* within Item 8.3 on the agenda was amended by the Council to be a noting recommendation.

RESOLUTION CO2025/1

Moved: Mayor Janet Holborow

Seconder: Cr Liz Koh

That Council:

- A. **Notes** that Council considered on 28 November 2024 whether to dedicate Lot 72 DP 4000543 as legal road. The motion to move the officer recommendation to approve the dedication of Lot 72 DP 400543 (held as local purpose reserve (road)) as legal road under section 111 of the Reserves Act 1977, was lost (with 5 votes in favour and 6 against).
- B. **Notes** that, notwithstanding the failed motion on 28 November 2024, it remains open to Council to further consider whether to approve the dedication of Lot 72 DP 400543, held as local purpose reserve (road), as legal road pursuant to section 111 of the Reserves Act 1977.
- C. **Notes** the legal action lodged with the High Court on 12 December 2024 by the developer, Wakefield Group Holdings Limited, in relation to Council's consideration of Item 11.2 of the Council agenda on 28 November 2024 on whether to dedicate Lot 72 DP 400543 as legal road.
- D. **Notes** the previous information provided by Council officers to support Council's consideration of whether to approve the dedication of Lot 72 DP 400543, held as local purpose reserve (road), as legal road pursuant to section 111 of the Reserves Act 1977, is attached to this report and continues to be relevant.
- E. **Considers** the information in this report dated 30 January 2025 regarding the status of Lot 72 DP 400543, including clarified information on the number of lots considered by traffic modelling advice, and the possibility of a dual access alternative option raised by the developer in recent communication with Council.
- F. **Notes** the failed motion of Council pursuant to Item 11.2 of the Council meeting on 28 November 2024 where the motion to move the officer recommendation to approve the dedication of Lot 72 DP 400543 (held as local purpose reserve (road)) as legal road under section 111 of the Reserves Act 1977, was lost (with 5 votes in favour and 6 against).
- G. **Notes** the legislative requirements for a decision either to decline to approve (recommendation H) or approve (recommendation I) have been met under the Reserves Act 1977 and through the engagement approach undertaken pursuant to the Local Government Act 2002 requirements.

CARRIED

MOTION

Moved: Mayor Janet Holborow

Secunder: Cr Liz Koh

I. **Approves** the dedication of Lot 72 DP 400543 as legal road (currently held as Local Purpose Reserve (Road)). The location of the road reserve is shown in an attachment to the previous Council report which is provided as Attachment 1.

J. **Authorises** the Chief Executive to take all necessary steps to give effect to this resolution.

For: Mayor Janet Holborow, Crs Martin Halliday, Sophie Handford, Liz Koh and Kathy Spiers

Against: Deputy Mayor Lawrence Kirby, Crs Glen Cooper, Rob Kofoed, Jocelyn Prvanov, Shelly Warwick and Nigel Wilson

LOST 5/6

The meeting adjourned at 11.36am and reconvened at 11.56am.

Deputy Mayor Kirby took the Chair, and noted the Mayor and Cr Sophie Handford had left during the adjournment to attend Kaumātua Karl Farrell's (Ngāti Haumia ki Paekākāriki) tangi.

10.1 REVIEW OF COASTAL PROVISIONS IN THE DISTRICT PLAN

Kris Pervan, Group Manager Strategy and Growth, and Jason Holland, Manager District Planning spoke to the report and answered members' questions.

RESOLUTION CO2025/2

Moved: Cr Martin Halliday

Secunder: Cr Liz Koh

That Council:

A. **Approve** commencement of a review of the coastal provisions in the Operative Kapiti Coast District Plan.

B. **Note** that staff will provide further advice to Council in April 2025 on the likely scope and timing of the review and subsequent coastal plan change.

CARRIED

Item 10.2 *Dedicating Local Purpose (Road) Reserve as Road* was moved to another part of the minutes.

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

11.1 CONFIRMATION OF MINUTES

RESOLUTION CO2025/3

Moved: Cr Nigel Wilson

Secunder: Cr Shelly Warwick

That the minutes of the Council meeting of 12 December 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 CO2025/4

Moved: Cr Shelly Warwick

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 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
<p>12.1 - Confirmation of Minutes</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <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>

<p>13.1 - Gallup Engagement Survey - Insights and Update</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</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>
<p>13.2 - Senior Leadership Team - Leadership Development Feedback and Insights</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</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>
<p>13.3 - Appointment of District Licensing Committee list member</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</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>
<p>CARRIED</p>		

The Kaunihera | Council meeting went into public excluded session at 12.25pm.

<p>RESOLUTION CO2025/9</p>
<p>Moved: Cr Rob Kofoed Secunder: Cr Shelly Warwick</p>
<p>That the Kaunihera Council moves out of a public excluded meeting.</p>
<p>CARRIED</p>

The Kaunihera | Council came out of public excluded session at 1.04pm.

The following resolution was passed during the public excluded section of the meeting to release the *Appointment of District Licensing Committee list member* report (excluding appendices) and the resolutions from public excluded business:

13.3 APPOINTMENT OF DISTRICT LICENSING COMMITTEE LIST MEMBER

<p>RESOLUTION CO2025/8</p>
<p>Moved: Cr Martin Halliday</p>

Secunder: Cr Liz Koh

- A. That the Council appoint Julia Palmer to the District Licensing Committee as list member effective from 30 January 2025 for a term of 5 years ending on 30 January 2030.
- B. That the Council approves the release of this report 'Appointment of District Licensing Committee List member' (excluding appendices) and the resolutions from public excluded business.

CARRIED

Cr Nigel Wilson had declared an interest in the item, and did not participate in discussion or vote on the matter.

Appendices

- 1 Appointment of District Licensing Committee list member report

The Deputy Mayor closed the Kaunihera | Council meeting with karakia whakamutunga at 1.05pm.

.....
HEAMANA | CHAIRPERSON