

MINUTES	MEETING	TIME
<b>KĀPITI COAST DISTRICT COUNCIL</b>	<b>THURSDAY 17 MARCH 2016</b>	<b>10.08 AM</b>

Minutes of a six-weekly meeting of the Kapiti Coast District Council on Thursday 17 March 2016, commencing at 10.08 am in Council Chambers, Ground Floor, Kapiti Coast District Council, 175 Rimu Road, Paraparaumu.

#### PRESENT

Mayor	R	Church	<i>(Chair)</i>
Cr	D	Ammundsen	
Cr	M	Bell	
Cr	M	Cardiff	
Cr	J	Elliott	
Cr	P	Gaylor	
Cr	K	Gurunathan	
Cr	J	Holborow	
Cr	D	Scott	
Cr	M	Scott	
Cr	G	Welsh	

#### ATTENDING

Mr	P	Edwards	(Chair, Paekākāriki Community Board)
Ms	F	Vining	(Chair, Paraparaumu-Raumati Community Board)
Ms	A-M	Ellison	(Member, Te Whakaminenga o Kāpiti)
Mr	P	Dougherty	(Chief Executive)
Mr	S	McArthur	(Group Manager, Strategy and Planning)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Mr	W	Maxwell	(Group Manager, Corporate Services)
Mr	K	Currie	(Group Manager, Regulatory Services)
Mr	C	Mylne	(Acting Group Manager, Community Services)
Mr	M	Cole	(Water and Wastewater Asset Manager)
Mr	K	Black	(Corporate Planning and Reporting Manager)
Mr	D	Hunn	(Chair, Charging Regime Advisory Group)
Mr	M	De Haast	(Financial Controller)
Mr	N	Fowler	(Environmental Standards Manager)
Ms	V	Starbuck-Maffey	(Democracy Services Manager - Minute-Taker)

The Mayor welcomed everyone to the meeting. He read the Council blessing and called for a moment's silence to mark the recent passing of Ōtaki Community Board member Colin Pearce.

KCDC 16/03/474

#### **APOLOGIES AND DECLARATIONS**

##### **MOVED (M Scott/Welsh)**

**That apologies be received from Eric Gregory, Chair of the Waikanae Community Board and from James Cootes, Chair of the Ōtaki Community Board.**

##### **CARRIED**

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**DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were no declarations.

KCDC 16/03/476

**PUBLIC SPEAKING TIME (FOR ITEMS RELATING TO THE AGENDA)**

1. Mike Alexander spoke about rates increases in Paekākāriki, in relation to certain roads, for example Valley Road which had been subjected to increased traffic with the Expressway project. He requested a copy of a conditions report by John Taylor.
2. Trevor Daniell spoke on behalf of Grey Power about a number of issues in connection with the Annual Plan. He circulated a graph showing the difference between CPI and rates increases since 2006. People should not expect wage increases in a time which required fiscal restraint. The fixed charge for water should also be included in the rates increase to give an accurate figure, and hoped that the document could be changed.
3. Dale Evans spoke about a number of items on the agenda including the CRAG report and the Annual Plan proposed rates increase, and his written submission was circulated.
4. Bernie Randall spoke about matters connected with the Annual Plan and addressed these to the Chair of the Paraparaumu-Raumati Community Board Fiona Vining. These concerned the Maclean Park development plan and problems with the Coastlands Aquatic Centre.
5. The Mayor clarified that Ms Mohini Janes would speak in Public Speaking Time at the end of the meeting as her item was not on today's agenda.

KCDC 16/03/477

**MEMBERS' BUSINESS**

(a) Responses to Public Speaking Time:

To Mike Alexander – Sean Mallon Group Manager Infrastructure Services addressed the issues raised by Mr Alexander 1) the apportionment for roading rates was on a districtwide basis so would not apply to Waterfall Road, 2) he confirmed there was an increase in traffic on Valley Road and Council was continuing to monitor this; any increase in the need for repair would be met by the New Zealand Transport Agency (NZTA); 3) John Taylor had not written a report but there was associated documentation which Mr Mallon was happy to share; 4) regarding vegetation, weed control was undertaken through a Downers' maintenance contract.

To Trevor Daniell – the Mayor said Councillors were concerned about rates increases and there had been further conversations around this before the meeting.

To Dale Evans – costs associated with the Coastlands Aquatic Centre were on a 75/25 split set by Council, recognizing the public good factor (75%). Very few aquatic centres break even, so some rates funding do go into them. The rest of Mr Evans' questions would be responded to in writing. In response to a specific reference in Mr Evans' submission, Cr Welsh clarified his support for the Technology Expo which he considered was a good investment for the District.

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To Bernie Randall – Ms Vining responded indicating that the Community Board would be meeting shortly to fully discuss the development plan. She would be happy to meet with Mr Randall to further discuss any concerns about the Coastlands Aquatic Centre.

(b) Leave of Absence

**MOVED (Mayor/Bell)**

**That leave of absence is granted to the following:**

**Cr M Scott 12 - 22 May 2016 inclusive**  
**Cr Welsh 23 - 29 March, and 7 - 8 April 2016**  
**Cr Holborow 24 April - 1 May 2016**

**CARRIED**

(c) Matters of an Urgent Nature – Cr Gurunathan stated that he had recently proposed a notice of motion but the Mayor said that as he did not obtain the four councillor signatures required under Standing Orders, the notice of motion would not be allowed.

KCDC 16/03/478

**MAYOR'S REPORT**

The Mayor gave a verbal report:

- The Mayor invited Cr Holborow to talk about Catherine Scollay's achievements as Council's Arts and Museums Manager as Catherine had recently passed away. A moment's silence was observed.
- He noted his attendance at a variety of community events including the Ōtaki River estuary park opening; the funeral of Colin Pearce, a Waikanae dinner honouring firefighters Alan Tinney and Eric Robinson who had given 50 years' service; the Ōtaki Kite Festival; a jazz concert in Valley Road organized through the June Oakley Trust, and a visit to Kāpiti Island where he had participated in the naming of two spotted kiwi chicks prior to their rehoming in other parts of New Zealand. He paid tribute to the DOC officers and volunteers who had over a period of time helped to make Kāpiti Island such a critical part of the kiwi breeding programme. Iwi representative Ann-Maree Ellison also commented, saying that Ngāti Toa had performed a blessing.

KCDC 16/03/479

**CHARGING REGIME ADVISORY GROUP (CRAG) 2016 REVIEW (IS-16-1840)**

CRAG Chair Don Hunn spoke to the report, supported by Martyn Cole, and Sean Mallon.

Mr Hunn recapped the process to date, saying all members of the group had contributed and staff had provided good supporting information. The key message from the community representatives was that despite the initial misgivings about volumetric charging there was a large measure of acceptance by the community, and he congratulated Councillors on deciding to have a trial invoicing period leading into the scheme.

The 50/50 split had a basis of acceptance but the cost of the scheme hadn't quite been covered so by end of this year there would be a deficit of around \$1m. Cost-recovery was an issue. He

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explained how the group came to their unanimous recommendation there be no change at this point to the split. He noted a 26% savings at peak use which was a huge achievement; this was achieved by finding and dealing with leaks rather than evidence of reaction to volumetric charge. Therefore the basic approach has worked and should be retained.

He also noted that the hardship provisions put in place had not been used as much as expected and recommended widening the criteria and publicising the scheme more through community organisations.

Any charging formula should avoid fluctuations from year to year.

Discussion included the following points:

- When borrowing money for the scheme where did the interest fall? On the variable side or the fixed side? Otherwise people who saved water could be penalized. It was clarified the interest was spread across both the fixed and variable cost as per the split.
- In the next three years this District's consumption would be compared with other jurisdictions but compared internationally this Council was doing well.
- The rationale for a three year cycle of review was explained.
- It was clarified that the \$1m deficit would be carried over. It was expected that depending on Council decisions around pricing Council would break even after three years by applying a gradual 'smoothing' repayment approach as set out in the Long Term Plan (LTP).
- Over the summer there had been no complaints about the taste of water supplied, there was no need for water supply restrictions, and if water meters had not been introduced when they were, the community would now be paying more for water.

Cr Elliott foreshadowed an amendment to one of the recommendations.

#### **MOVED (M Scott/Welsh)**

**That Council receives the report from the Charging Regime Advisory Group as set out in appendix 1 of report IS-16-1840 and thanks the chair and members for their contribution to the review.**

**That Council adopts the 2016 Charging Regime Advisory Group review recommendations on the charging regime as set out below and sets future charges in accordance with these recommendations:**

- (a) **The current principles, structure and charging formula of a 50/50 split between fixed charge and volumetric charge, remain;**
- (b) **The objective should be to retain as far as possible the 50/50 ratio between fixed and variable and that any adjustments should be within a 5% band above or below;**
- (c) **Council continues to take a medium term view of the water account and to retain the current 'price smoothing' approach to alleviate the need for substantial fluctuations in the volumetric price;**

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- (d) **Further steps should be taken to ensure the community is aware of the assistance available, both with leak detection as well as with high water invoices. It should also undertake a review of the criteria for high water invoices to ensure such assistance is more widely available to those in genuine need;**
- (e) **The continuation of the Council's efforts to publicize the importance of water conservation as the best way to manage future costs as well as protect a finite resource, by limiting per capita consumption and postponing the need for further infrastructure development;**
- (f) **The water account should remain closed to ensure transparency, and other mechanisms to balance deficits and surpluses be considered;**
- (g) **A further review be undertaken towards the end of the 2018/19 financial year, at which time significant data regarding water usage and price sensitivity is likely to be better understood.**

**That Council identify the review undertaken by CRAG in the 2016/17 Annual Plan consultation process and make information on the findings and recommendations available for those interested.**

Cr Elliott moved an amendment to part (c). It was clarified that if passed, the impact would be to increase the 2016/17 rates by 2%.

MOVED (Elliott/D Scott)

That Council carries out community consultation as part of the Annual Plan consultation process on spreading the cost of the \$1.1m deficit over the following financial year which would require an adjustment to the fixed and volumetric charge.

The amendment was LOST

**The original motion was CARRIED**

Cr Elliott voted against the motion.

*The meeting had a break at 11.24am and reconvened at 11.40am.*

KCDC 16/03/480

#### **FUTURE KAPITI: 2016-17 ANNUAL PLAN (SP-16-1836)**

The report was introduced by Stephen McArthur, Kevin Black, and Mark de Haast. A new Appendix 13 was circulated, which contained further financials and proposals focused on reducing the rates increase. If these additional changes were adopted for consultation the average rates increase would change from 4.6% to 4.3%. The Mayor commended the efforts of staff and Councillors.

Mr Black recapped the process to date and the requirements of amended legislation. It was recommended that the change in process be clarified to the community when the draft plan was released for comment.

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**MOVED (Mayor/Cardiff)**

**That the Council:**

1. notes that legislation allows the Council to not consult on an Annual Plan if the changes proposed contain no significant material differences from the content of the year of the *Future Kapiti 2015-35* Long Term plan to which the Annual Plan relates;
2. notes that the Council is no longer required to produce a full Annual Plan and will instead only produce an Annual Plan that updates where required the information contained in *Future Kapiti 2015-35* Long Term plan for year 2. The community will be referred to the Long Term Plan for detailed information;
3. notes that there are no proposed significant or material changes to the year 2 of the *Future Kapiti 2015-35* Long Term plan that meet the criteria in the Council's significance and engagement policy; however some proposals to reduce rates which may have an impact on service levels will be consulted on.
4. notes that the 2014 amendment to the Local Government Act 2002 requires the Council to adopt all the components parts of the draft 2016/17 Annual Plan prior to the adoption of the Consultation Document;
5. adopts the contents of the draft 2016/17 Annual Plan contained in Appendices 1-13 attached to report number SP-16-1836 subject to incorporating changes to base numbers identified in Appendix 13;
6. delegates to the Mayor, the Chair of the Corporate Business Committee, the Chair of the Environment and Community Development Committee, and the Chief Executive the authority to approve any resulting changes to the material contained in Appendices 1-13 attached to report number SP-16-1836 prior to publication.

**CARRIED**

KCDC 16/03/481

**FUTURE KAPITI: 2016-17 CONSULTATION DOCUMENT (SP-16-1837)**

The report was introduced by Stephen McArthur, Kevin Black, and Mark de Haast. In view of the resolutions passed for the previous agenda item the draft document would now be subject to changes and the consultation timetable might shift slightly with a possible release date now of Monday 11 April.

**MOVED (Mayor/D Scott)**

**That Council adopts the Consultation Document attached to the report SP-16-1837 as a basis of consulting with the community on the draft *Future Kapiti 2016/17* Annual Plan subject to the editorial committee consisting of the Mayor, the Chair of the Corporate Business Committee (CBC), the Chair of the Environment and Community Development (ED) Committee, and the Chief Executive signing off on the incorporation of Council-agreed options to reduce rates as tabled in Appendix 13 of**

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report SP-16-1836 and any other editorial changes that may be required prior to the publication of the Consultation Document.

**CARRIED**

KCDC 16/03/482

**REVIEW OF REPRESENTATION ARRANGEMENTS 2015 – LOCAL GOVERNMENT COMMISSION DETERMINATION (Corp-16-1833)**

Vyvien Starbuck-Maffey provided a summary of the 2015 Review process, which included the decision to convene a Working Party, the Working Party's recommendations to Council, the release of the Council's initial proposal, the hearing of submitters, and the issue of a final proposal which received no appeals or objections and which the Local Government Commission had decided to uphold.

This would mean the representation arrangements for the 2016 elections would remain the same in terms of the number of Councillors, the basis for their election and the number of community boards. The only changes involved the taking some residents from the Ōtaki Ward and Paraparaumu Ward and including them in the Waikanae Ward, a change which was enabled through an amendment to legislation since the last review. The Council was pleased with the Commission's decision.

**MOVED (M Scott/Welsh)**

**That Council notes the Local Government Commission's 'Final Determination on a decision of the Kapiti Coast District Council to adopt representation arrangements for the local authority elections to be held on 8 October 2016', as at Appendix 1 of report Corp-16-1833.**

**CARRIED**

KCDC 16/03/483

**ALIGNMENT OF FOOD BYLAW WITH THE FOOD ACT 2014 (RS-16-1822)**

Kevin Currie and Nick Fowler presented the report, with Mr Fowler explaining the rationale for the report which sought Council's approval to bring the current bylaw into alignment with the Act. The bylaw was due for review by 2018.

**MOVED (Ammundsen/Holborow)**

**That Council approves the following amendments to the Food Safety Bylaw 2006:**

**(a) Clause 1 is amended to:**

***"The Kapiti Coast District Council makes by special consultative procedure the following Bylaw under the powers contained in section 145 of the Local Government Act 2002, section 64 of the Health Act 1956 and any regulations under that Act"***

**(b) Clauses 3.3, 8 and 11.3 are deleted from the Bylaw**

**(c) Clause 8.1 to be added to the Bylaw**

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***“The grading process set out in paragraphs 8 to 10 of this Bylaw applies only to food businesses established under the Food Hygiene Regulations 1974 which have not transitioned to the requirements of the Food Act 2014. For all new Food Businesses or Food Businesses that have transitioned, the provisions of the Food Act 2014 apply.”***

**CARRIED**

KCDC 16/03/484

**REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS (Corp-16-1801)**

There was one recommendation for noting regarding the support from Te Whakaminenga o Kāpiti for two events (the Māoriland Film Festival and the Ōtaki Kite Festival). Council had previously decided to fund the events and the support was noted at the time.

**MOVED (Welsh/Ammundsen)**

**That Council receives Report Corp-16-1801 (Reports and Recommendations from Standing Committees and Community Boards).**

**CARRIED**

KCDC 16/03/485

**DRAFT MINUTES : WELLINGTON REGION WASTE MANAGEMENT AND MINIMISATION COMMITTEE – 5 FEBRUARY 2016**

The minutes were noted. Cr Gaylor as Co-Chair spoke about the work of the Joint Committee.

KCDC 16/03/486

**CONFIRMATION OF MINUTES: 28 JANUARY 2016**

**MOVED (Mayor/M Scott)**

**That the minutes of the Council meeting on 28 January 2016 be accepted as a true and accurate record of that meeting.**

**CARRIED**

KCDC 16/03/487

**PUBLIC SPEAKING TIME (COVERING OTHER ITEMS NOT ON THE AGENDA)**

1. Mrs Janes read out her submission regarding a boundary problem, citing a failure to comply. Her submission was circulated. She asked Council to enforce legal requirements. Kevin Currie responded explaining the District Plan rules which applied at the time the structure was built. He said although the structure was not fully compliant with the District Plan rules applicable then, the degree of non-compliance was not judged significant and it was not proposed that Council take any further action in the matter.

2. Barbara Mountier could not be present, so her submission was circulated.

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3. Doug Johnson spoke about a road safety issue on Kāpiti Road, specifically at the roundabout at Bluegum/Ocean Roads. It was very hazardous for visually-challenged people to cross Kāpiti Road at any point, but crossing the road at the roundabout was especially risky as cars came around the corner at speed and could not see pedestrians. He had made repeated efforts to get Council to install a safety island but with no progress. The Mayor said he would followup with the Chief Executive and a response would be sent to Mr Johnson. Councillors and Community Board Chairs would be informed of the response as well.

4. Trevor Daniell spoke about the timing of OIA requests regarding the Annual Plan and inclusion in submissions. The Chief Executive said every effort would be made to answer all questions in time for Annual Plan submissions but it would depend on the volume of requests received.

Before moving into public excluded session the Mayor paid tribute to the former Group Manager Community Services and Deputy Chief Executive Tamsin Evans, who had recently left the Council for another position at Porirua City Council.

KCDC 16/03/488

**RESOLUTION TO GO INTO PUBLIC EXCLUDED**

The motion to go into public excluded was moved by the Mayor and seconded by Cr Welsh but the grounds for going into a closed session were challenged. There was nothing in the minutes being presented for confirmation that merited public exclusion. The Chief Executive agreed, the mover and seconder agreed to withdraw their motion and the minutes were cleared in the public part of the meeting.

KCDC 16/03/489

**CONFIRMATION OF MINUTES IN PUBLIC EXCLUDED MEETING: 28 JANUARY 2016**

**MOVED (Gaylor/Ammundsen)**

**That the minutes of the public excluded Council meeting on 28 January 2016 be accepted as a true and accurate record of that meeting.**

**CARRIED**

*The meeting was closed at 12.45pm.*

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Mayor Ross Church  
Chair