

MINUTES	MEETING	TIME
<b>KĀPITI COAST DISTRICT COUNCIL</b>	<b>THURSDAY 16 APRIL, 2015</b>	<b>10.05 AM</b>

Minutes of a meeting of the Kapiti Coast District Council on Thursday 16 April 2015, commencing at 10.05 am in Council Chambers, Ground Floor, Kapiti Coast District Council, 175 Rimu Road, Paraparaumu.

**PRESENT**

Mayor	R	Church	Chair
Cr	D	Ammundsen	
Cr	M	Bell	
Cr	M	Cardiff	
Cr	J	Elliott	
Cr	K	Gurunathan	
Cr	P	Gaylor	
Cr	J	Holborow	
Cr	D	Scott	
Cr	M	Scott	
Cr	G	Welsh	

**ATTENDING**

Ms	A-M	Ellison	(Member, Te Whakaminenga o Kāpiti)
Mr	E	Gregory	(Acting Chair, Waikanae Community Board)
Mr	P	Edwards	(Chair, Paekākāriki Community Board)
Ms	F	Vining	(Chair, Paraparaumu-Raumati Community Board)
Mr	J	Cootes	(Chair, Ōtaki Community Board)
Mr	P	Dougherty	(Chief Executive)
Ms	T	Evans	(Group Manager, Community Services)
Mr	S	McArthur	(Group Manager, Strategy and Planning)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Mr	W	Maxwell	(Group Manager, Corporate Services)
Ms	J	McDougall	(Communications Manager)
Mr	D	Lew	(Manager, Research, Policy & Planning)
Ms	N	Holden	(Corporate Property Manager)
Ms	E	Thomson	(Senior Policy Planner)
Mr	T	Power	(Senior Legal Counsel)
Ms	V	Starbuck-Maffey	(Democracy Services Manager - Minute-Taker)

The Mayor welcomed everyone to the meeting and read the Council blessing.

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**APOLOGIES**

There were none.

**DECLARATIONS OF INTEREST**

Cr Elliott declared an interest in the item relating to the Electra Trust Election (item 13) and would refrain from the discussion and voting.

KCDC 15/04/347

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

1. Dr Bill Rosenberg spoke to his submission (circulated) against the Trans-Pacific Partnership Agreement (TPPA).
2. Viola Palmer spoke against the TPPA and asked Council to adopt the 12 point statement, especially as it related to the cost of medicines.
3. Anthony Maddock a business owner spoke against the TPPA which he believed would adversely affect councils' ability to regulate their communities.
4. Emily Boonen spoke against the TPPA and asked Council to adopt the 12 point statement as other councils had done.
5. Libby Thurston spoke about the access to Harry Shaw Way saying there was no need to sell Lot 28 now as it was not needed for the Expressway.
6. Rick Swan spoke against the TPPA concerned about possible adverse impacts on Resource Management Act processes and the Proposed District Plan.
7. Roger Potter spoke against the TPPA concerned about the secrecy surrounding the discussions at central government level.
8. Gordon McArthur spoke about the Harry Shaw Way reserve revocation issue, concerned that increased traffic would create congestion and safety issues.
9. Euan Hubbard spoke about the Harry Shaw Way reserve revocation issue, and asked Council not to revoke the road reserve status.
10. Richard Campbell spoke about the Harry Shaw Way reserve revocation issue, asking Council to uphold the residents' objections.
11. Stuart Thurston spoke to a photo (circulated) which he believed showed the Harry Shaw Way road width as insufficient for road extension purposes and asked if Council had made a secret deal with the Pritchard Group in respect of development in the area (this latter point was denied by the Mayor and Chief Executive).

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*Cr Murray Bell left the room at 11.01am and returned at 11.05am.*

12. Jim McIntosh spoke about the Harry Shaw Way reserve revocation issue saying the officer report was deficient and inaccurate.

13. Julianne Alve and Sue Wall spoke about the Harry Shaw Way reserve revocation issue and urged Council not to revoke the reserve status of Lot 28, as their property would be devalued.

The Mayor clarified that Councillors had posed questions to submitters at the submission hearing in February, so few questions today did not indicate lack of interest in, or understanding of, the issues on the part of Councillors.

14. Kerry Bolton spoke to his submission (circulated) saying he supported the recommendation from the Paraparaumu-Raumati Community Board on today's agenda. He then began discussing the letter threatening to trespass him which had been sent recently in the wake of his behaviour during Public Speaking Time at a Council meeting in February. He disputed the allegations made by Councillors at the time and mentioned them by name at which point Cr Gaylor raised a point of order saying that the speaker had strayed from the purpose of this segment of Public Speaking Time (i.e. that submissions should relate to items on the agenda). Mr Bolton kept interrupting and shouting over the Mayor and Cr Gaylor, persisting in reading his submission and so when he had finished the Mayor called for a brief adjournment.

*The meeting was adjourned at 11.15am and reconvened at 11.25am.*

In reference to the previous speaker's behaviour Cr Gaylor said she had raised points of order several times and reminded the Chair that when this happened the requirement for the Chair to rule was absolute and asked that the protection of the Chair be observed immediately and she was very disappointed. There was sarcastic comment from the public gallery.

15. Peter Blackler spoke about the recommendation from the Waikanae Community Board in respect of the lease for land at the Waikanae Domain for the Combined Lions Clubs of Kapiti Charitable Projects Incorporated and the consequent need for the Menzshed to vacate the land before 24 March 2017.

16. Salima Padamsey spoke to her submission (circulated) about the draft submission to the Greater Wellington Regional Council's (GWRC's) Draft Long Term Plan (LTP), asking for clarification of the phrase "coordination at a higher level is critical" at para 3.1.1 of the draft submission. She asked that confirmation be given that coordination included consultation with those with property rights.

17. Dale Evans spoke to his submission (circulated) about a number of matters:

- The use by community groups of the Kiosk at Maclean Park, Paraparaumu Beach;
- Maintaining the status quo in respect of Harry Shaw Way in view of stormwater and other issues
- Consultation with tāngata whenua in respect of the issues around Harry Shaw Way

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**CONFIRMATION OF MINUTES**

A question was asked about the reference to the development of an Age-Friendly Policy (page 3 of the minutes) and it was clarified that this was one of a number of items on a forward work programme that would be submitted to Councillors for prioritization.

An amendment was agreed to show that Fiona Vining, Chair of the Paraparaumu-Raumati Community Board had attended the meeting from 1.30pm onwards.

**MOVED (Mayor/Ammundsen)**

**That the amended minutes of the Council meeting on 24 February 2015 be accepted as a true and accurate record of that meeting.**

**CARRIED**

Discussion about the 26 February draft minutes included the following points:

- An update was requested about the Local Government Commission (LGC) amalgamation proposal process. The Chief Executive commented that the LGC's proposal did not appear to meet the requirement for demonstrable community support and reassurance was provided that the initiation of a poll had already been organized.
- Cr Elliott asked for the names of the Councillors involved in the decision around change to Public Speaking Time procedures (page 2) but this discussion was deemed irrelevant in respect of confirming the accuracy or otherwise of the minutes.
- Cr Scott disputed and clarified the comment on page 6 'three negative reports were received by Council in eight days' saying that this was not right, but the Chief Executive confirmed that this is what he said at the meeting.

**MOVED (M Scott/Holborow)**

**That the minutes of the Council meeting on 26 February 2015 be accepted as a true and accurate record of that meeting.**

**CARRIED**

There were no amendments to the 12 March meeting draft minutes.

**MOVED (Mayor/Cardiff)**

**That the minutes of the Council meeting on 12 March 2015 be accepted as a true and accurate record of that meeting.**

**CARRIED**

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**MEMBERS' BUSINESS**

(a) Responses to Public Speaking Time

The Mayor confirmed that the majority of issues raised by the speakers would be addressed during the relevant agenda items.

To Dale Evans - In respect of the Kiosk issue Ms Vining assured Mr Evans that the Board had consulted with the Police, the Community Patrols, Grey Power and volunteers about the use of the Kiosk and had also tried to contact the Kapiti Safer Communities Trust (now known as ASK) without success so far, but they were intended as one of the groups potentially using the Kiosk. She pointed out that use by the community does include the retail and commercial community and it was the community itself that had raised the possibility of commercial use. Tamsin Evans Group Manager Community Services said that all the considerations, issues and groups who raised their interest will be discussed in the report going to the Community Board in early May.

To Salima Padamsey - Stephen McArthur Group Manager Strategy and Planning assured her that appropriate involvement of local residents and ratepayers would be included in the approach.

To Peter Blackler – Tamsin Evans suggested that Council would consider some greater flexibility around the date for vacating the premises, when the matter was considered later in the meeting.

To Kerry Bolton - Cr Bell said that he found Mr Bolton's approach disingenuous and confirmed that he had seen Mr Bolton acting in an aggressive manner at the February meeting. There was shouting from the public gallery. Cr Elliott said she had submitted a witness statement on the matter and it was a pity that balanced evidence had not been presented. Cr Gaylor said that she had also witnessed Mr Bolton's aggressive behavior. At this point Mr Bolton began shouting and yelling again. Cr Bell asked the Mayor to direct Mr Bolton to leave. Mr Bolton continued to heap abuse on Cr Bell but eventually left the Chambers.

(b) Leave of Absence - none was requested.

(c) Matters of an Urgent Nature – there were none.

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**MAYOR'S REPORT (VERBAL)**

Consideration of the Mayor's report was deferred to later in the agenda.

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**RESERVE REVOCATIONS – HARRY SHAW WAY, KAPITI ROAD AND PURIRI ROAD  
(CS-15-1506)**

This report was presented by Corporate Property Manager Nicky Holden, Group Manager Community Services Tamsin Evans, and Group Manager Infrastructure Services Sean Mallon. The background to the decision was explained. This was the final part of the process involving disposing of land to the New Zealand Transport Agency (NZTA) for the Expressway.

Council had a Memorandum of Understanding with NZTA which required Council to work with the Agency to uplift the reserve status.

There had been a formal submission process on the matter and most of the submissions received related to the Harry Shaw Way site and the potential for that land to be converted to road to enable access to potential surplus land held by NZTA yet to be developed. The report was not to approve the construction of a road through the area, but was purely about changing the reserve status.

If in the future the construction of a road was sought by a developer a separate resource consent process would be required at which point issues such as road width, traffic flow and safety would be examined. NZTA have confirmed they do need all three lots. Discussion included the following points:

*Philip Edwards left the meeting at 12.10pm and returned at 12.24pm.*

- Tamsin Evans read out an extract from the planner's report on the 1998 subdivision which asserted that the road reserve status was intended to provide access to the northern lot as well as to the WLR.
- Residents buying in the area could reasonably be expected to have known about the potential for change. The land was not there for the benefit of the residents, but was private property. Any development of the potentially surplus land at the rear would have to provide its own reserve/green space.
- The intention for the land on NZTA's part was as a Cycleway Walkway Bridleway (CWB) connection to the Expressway CWB.
- Councillors requested advice on the implications of not proceeding with a decision today. If there was no decision the whole process would just stop, but Council did have a legal agreement with NZTA regarding the disposal of the land to them.
- Limiting access to the land via Harry Shaw Way would cause traffic effects to be directed to other streets. Legally there cannot be landlocked land – access must be possible.
- Uplifting the status would provide the opportunity for a better quality subdivision, and if the land was not sold Council would miss out on around \$191,000.

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- Is covenanting the site possible? Yes, but if it would mean there would be no road going through that lot NZTA would be unlikely to agree to the covenant.
- Cr Michael Scott offered his opinion. It was clarified that all Councillors were able to provide their opinions during the discussion according to their backgrounds and experience. Cr Michael Scott was not being formally consulted as a lawyer on aspects of this matter, but was being asked his opinion based on his experience in property matters. If formal legal advice was required officers would seek this separately.
- Cr Gaylor foreshadowed an alternative motion based on Option 3 so that the objections would be upheld and a covenant placed on Harry Shaw Way restricting a road to be developed on the land in the future but allowing for a CWB.
- An alternative might be to put an easement over reserve land. This would have to go through a formal consultation process.
- In terms of good urban design principles a roading network was generally more effective with more access points than fewer.
- It was agreed to break the recommendations down into three separate motions so that the decision each piece of land would be dealt with through separate motions.

*Philip Edwards back at 12.24pm.*

- The rationale for making a decision today was clarified.

*Cr Elliott left the meeting at 12.44pm and returned at 12.45pm*

- Clarification was sought regarding the extent of Council's obligations under the MOU with NZTA and whether an easement could be sufficient. If Council retained the land it could be liable for costs, and access would still have to be provided.

*The meeting adjourned at 1.06pm and reconvened at 1.40pm.*

*James Cootes left the meeting.*

(Discussion continued.)

- Mr Mallon clarified that if the decision regarding Harry Shaw Way was not made today that would stop the process, enabling discussion with NZTA to find another mechanism for dealing with the issue. The underlying question was how the land was going to be developed?
- The mover and seconder were happy to amend the motion to deal with Kapiti Road and Puriri Road and in terms of the motion for Harry Shaw Way they accepted the suggestion to let the motion lie on the table, pending further discussion with NZTA, and this was clarified in an additional motion.

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**MOVED (M Scott/Bell)**

**That Council does not uphold the objections to the reserve revocation of 31a Puriri Road (WN50D/559) pursuant to Section 24 of the Reserves Act 1977.**

**CARRIED**

Cr David Scott and Cr Elliott voted against the motion.

**MOVED (M Scott/Bell)**

**That Council does not uphold the objections to the reserve revocation of an isolation strip on Kapiti Road (WN44B/399) pursuant to Section 24 of the Reserves Act 1977.**

**CARRIED**

**MOVED (M Scott/Bell)**

**That the motion to not uphold the objections to the reserve revocation of 27 Harry Shaw Way (WN54D/864) be let lie on the table.**

**CARRIED**

Cr David Scott voted against the motion.

**MOVED (M Scott/Bell)**

**That Council authorises the Chief Executive to complete all further steps to complete the reserve revocations relating to 31a Puriri Road (WN50D/559), and an isolation strip on Kapiti Road (WN44B/399).**

**CARRIED**

Cr D Scott and Cr Elliott voted against the motion

**MOVED (M Scott/Bell)**

**Staff will meet with the New Zealand Transport Agency (NZTA) to establish the requirements for the Cycleway, Walkway and Bridleway and their development plans for the block of land with a report back to Council.**

**CARRIED**

The meeting agreed to bring item 11 forward.

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## **OPERATIVE DATE FOR PLAN CHANGE 72A (SP-15-1487)**

Ms Thomson corrected dates in her report and the recommendations and briefly recapped the rationale for the plan change. It was now up to the Council to set an operative date.

### **MOVED (Holborow/Ammundsen)**

**That Council resolves, pursuant to clauses 17 and 20 of the First Schedule of the Resource Management Act 1991, to set an operative date of 7 May 2015 for Plan Change 72A to the Kāpiti Coast District Council District Plan and affix the Common Seal of Council to the plan change as set out in Attachment 1 to report SP-15-1487.**

**That Council approves that a public notice will be included in the Kāpiti News on 29 April 2015 announcing that the plan change will become operative on 7 May 2015 followed by an advisory notice in the Kapiti Observer on 30 April 2015.**

### **CARRIED**

KCDC 15/04/352

## **SUBMISSION ON GREATER WELLINGTON REGIONAL COUNCIL'S (GWRC's) DRAFT LONG TERM PLAN (SP-15-1550)**

Policy, Planning and Research Manager Darryl Lew spoke to this report, noting that the submission period closed on 20 April. Various amendments and the following issues were discussed:

- The point made earlier in response to Ms Padamsey's question during Public Speaking Time was confirmed: it was expected that GWRC would engage with local residents and ratepayers on the management of coastal hazards.
- It was agreed to provide some concrete examples of where there was confusion and 'churn' as a result of unclear definition of responsibilities between the two agencies.
- Public transport
  - in previous discussions on public transport GWRC had suggested that instead of the Capital Connection another mechanism for improving the transport link to Ōtaki could be found, such as providing a diesel service. In the submission Council should explicitly support the campaign to retain the Capital Connection but also request that a study be funded around providing a diesel connection to Ōtaki.
  - It was important to spell out that improved transport connections for Ōtaki were directly linked to economic prosperity rather than 'community wellbeing'.
  - Ōtaki continued to be the only town in the region without a connection to the Wellington CBD.

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- Improved Park n Ride facilities were also important for Paraparaumu and Waikanae in view of the current and projected population increases and land development underway.
  - Integrated ticketing – it was agreed to spell out why the Council was not supportive at this cost and suggest revisiting the concept when a better business case had been established.
- In a number of outcomes the wording would be strengthened by deleting references to reviewing the issues.
  - Council's affordability study should be referenced in connection with a statement that GWRC's rates increase was too high. If there was an increase in regional rates the Council had a right to expect a higher level of, or increase in, services. For example, the number of bus-shelters should be increased.
  - It was agreed to ask GWRC to classify Canada Geese as a regional pest.
  - The Regional Council should establish a regional presence in Kāpiti as the closest office was in Masterton.

**MOVED (M Scott/Bell)**

**That Council approves as amended, and endorses for release the Council's draft submission to Greater Wellington Regional Council's Long Term Plan as attached to this report in Appendix One (SP-15-1550), noting that submissions close on 20 April 2015.**

**That staff are commended for drafting this submission in an expeditious and professional manner.**

**CARRIED**

KCDC 15/04/354

**2015 REPRESENTATION REVIEW - UPDATE (Corp-15-1548)**

Ms Starbuck-Maffey spoke to this report:

- Council was required by the Local Electoral Act 2001 to carry out this review of representation arrangements.
- A lot had changed in the District since the last review in 2009 and it was time to ask the community if the current arrangements of a mixed system, and four community boards was still appropriate for the Kāpiti Coast District.
- In December 2014 Council had approved the convening of a Working Party to manage the pre-consultation phase of the review, and membership had been finalised to include an iwi representative and community board representative.

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- The pre-consultation phase was now underway with a series of public workshops being held across the District.
- As a result of public comment the Working Party would make a recommendation to Council in June and Council would issue its initial proposal which would include a public submission process. If appeals and/or objections were received on the final proposal the matter would be referred to the Local Government Commission.

**MOVED (Ammundsen/Gaylor)**

**That Council notes the progress made with the 2015 Representation Review.**

**CARRIED**

KCDC 15/04/355

**POSSIBLE VOTING IN THE 2015 ELECTRA TRUST ELECTION (Corp-15-1543)**

Ms Starbuck-Maffey spoke to this report, noting that retiring trustees this year were Chris Turver and Ray Latham. In 2014 Council had decided not to exercise its vote but in 2013 it had voted. The reasons for the 2014 decision had included the desire not to politicise the voting option as Councillors could exercise their vote as individuals and that was seen as sufficient. Due to her earlier declaration of interest Cr Elliott abstained from discussion and voting.

**MOVED (Welsh/Gurunathan)**

**That Council will not exercise its right to vote in the Electra Trust Election 2015.**

**CARRIED**

Cr David Scott abstained from voting.

KCDC 15/04/356

**APPOINTMENT OF CHAIR TO PROPERTY SUBCOMMITTEE (CORP-15-1539)**

*Cr Bell left the meeting at 2.40pm and returned at 2.43pm.*

**MOVED (Mayor/Holborow)**

**That Council:**

**a) notes the Mayor's resignation from the position of Chair of the Property Subcommittee;**

**b) appoints Waikanae Ward Councillor Michael Scott as the new Chair for the rest of the 2013-2016 Triennium; and**

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**c) approves the amendment of the Governance Structure and Delegations to reflect the new appointment.**

**CARRIED**

KCDC 15/04/357

**REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND  
COMMUNITY BOARDS (CORP-15-1542)**

In view of Ms Vining's imminent departure it was agreed to deal with the recommendations from the Paraparaumu-Raumati Community Board first:

Recommendations from Paraparaumu-Raumati Community Board

- The recommendation regarding the use of the Kiosk was noted and would be included in the staff report coming to the Environment and Community Development Committee meeting in May.
- The second recommendation was noted.

*The meeting adjourned at 2.53pm and reconvened at 3.07pm.*

*Fiona Vining left the meeting.*

Recommendation from Paekākāriki Community Board

The recommendation from the Paekākāriki Community Board which urged Council to adopt the 12 point statement on the proposed Trans-Pacific Partnership Agreement led to extensive discussion and debate:

- Several councils have already adopted the statement, in recognition of the potential concerns for local government's regulation of its communities.
- Some Councillors were reluctant to support the adoption as there was insufficient information or analysis on which to make a balanced decision. Others pointed out that there was insufficient information available because of the secrecy around the discussions at the central government level and this ought to be concerning.
- There could be significant unintended consequences for local government in the statement and these should be canvassed first before adopting.
- The Chief Executive commented: the process did not meet the purpose of local government as defined in the Local Government Act; an officer report had not been provided on the matter as there was not sufficient expertise or resources; if Council adopted the statement it was suggested this be on an 'in-principle' basis without expectation of reporting back or monitoring action by staff – neither should it set a precedent for the way Council did business.

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After robust debate the Council decided to take the matter in two parts:

**MOVED (Welsh/Bell)**

**That Council requests the government conclude negotiations on the Trans-Pacific Partnership Agreement in a way that provides net positive benefits for the Kapiti District and New Zealand.**

A division was requested:

For the motion: the Mayor, Cr Ammundsen, Cr Gaylor, Cr Holborow, Cr Welsh, Cr Gurunathan, Cr Bell

Against the motion: Cr Elliott, Cr David Scott, Cr Cardiff, Cr Michael Scott

**The motion was CARRIED**

**MOVED (Holborow/Gaylor)**

**That the Council adopts the 12 points on the proposed Trans Pacific Partnership trade and investment agreement which should achieve the following objectives:**

- 1. Continues to allow councils, if they so choose, to adopt procurement policies that provide for a degree of local preference; to choose whether particular services or facilities are provided in house, by council-controlled organisations (CCOs) or by contracting out; or to require higher health and safety, environmental protection, employment rights and conditions, community participation, animal protection or human rights standards than national or international minimum standards;**
- 2. Maintains good diplomatic and trade relations and partnerships with other major trading partners not included in the agreement, including with China;**
- 3. Provides substantially increased access for our agriculture exports into the US market;**
- 4. Does not undermine PHARMAC, raise the cost of medical treatments and medicines or threaten public health measures, such as tobacco control;**
- 5. Does not give overseas investors or suppliers any greater rights than domestic investors and suppliers such as through introducing Investor/State Dispute Settlement, or reduce our ability to control overseas investment or finance;**
- 6. Does not expand intellectual property rights and enforcement in excess of current law;**

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**7. Does not weaken our public services, require privatisation, hinder reversal of privatisations, or increase the commercialisation of Government or local government organisations;**

**8. Does not reduce our flexibility to support local economic and industry development and encourage good employment and environmental practices and initiatives such as council cadetships, employment-generating schemes and the Mayor's Taskforce for Jobs, which enable marginalised young people to develop their skills and transition into meaningful employment;**

**9. Contains enforceable labour clauses requiring adherence to core International Labour Organisation conventions and preventing reduction of labour rights for trade or investment advantage;**

**10. Contains enforceable environmental clauses preventing reduction of environmental and biosecurity standards for trade or investment advantage;**

**11. Has general exemptions to protect human rights, the environment, the Treaty of Waitangi, and New Zealand's economic and financial stability;**

**12. Has been negotiated with real public consultation including regular public releases of drafts of the text of the Agreement, and ratification being conditional on a full social, environmental, and economic impact assessment including public submissions.**

A division was requested:

For the motion: Cr Ammundsen, Cr Gaylor, Cr Holborow, Cr Elliott, Cr David Scott, Cr Gurunathan

Against the motion: the Mayor, Cr Welsh, Cr Cardiff, Cr Bell, Cr Michael Scott

**The motion was CARRIED**

#### Recommendations from the Waikanae Community Board

Cr Michael Scott provided background to the matter. It was agreed that the date was left in the resolution so there was a clear expectation for the Menzshed to vacate the premises by then:

**MOVED (M Scott/D Scott)**

**That Council offers to the Combined Lions Clubs of Kapiti Charitable Projects Incorporated a ten year lease for the land at Waikanae Domain shown in Appendix 4 of report CS-15-1456 at an annual rental set by Council in the Long Term Plan or Annual Plan. The lease commencing once the building is vacated by Menzshed and becomes available for occupation by the Combined Lions Clubs of Kapiti, provided the outcome of the public notification does not require a review of this decision.**

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**That the Menzshed will vacate the building shown in Appendix 4 of report CS-15-1456 before 24 March 2017 and that the Combined Lions Clubs of Kapiti Charitable Projects Incorporated will continue to occupy the Raumati Pool building until 24 March 2017 or until the lease area at Waikanae Domain becomes available (whichever occurs sooner).**

**That Council approves a Memorandum of Understanding being drafted outlining the future plans, processes and respective responsibilities of the parties involved: Council, Menzshed and Lions.**

**That the Council asks officers to investigate opportunities for development of the site to encourage wider community use.**

**CARRIED**

**MOVED (Cardiff /Ammundsen)**

**That Council receives Report Corp-15-1542.**

**CARRIED**

KCDC 15/04/358

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

1. John Vickerman spoke to his submission (circulated) about a number of matters:
  - a) The dog 'Beau' case – specifically impoundment and accommodation reparation fees recoverable from Julie Snodgrass;
  - b) Asbestos piping in the water supply network;
  - c) The complaint about Kerry Bolton's behavior at a previous Council meeting – could Councillors explain how and why they perceived Mr Bolton's 'calm passionate' behavior as a threat?
  - With regard to (b) Group Manager Infrastructure Services Sean Mallon referred Mr Vickerman to the Council website where the Water Supply Asset Management Plan and the GIS would provide information on installation dates for, and composition of, the pipe network. Regarding the suggestion that money had been diverted from the water meters account to renewals this was not true. According to a World Health Organisation study there were no health issues associated with asbestos piping.
  - The Chief Executive responded to (a) saying that it was a civil debt which Council had decided not to pursue. Senior Legal Counsel Tim Power commented that during the judicial review proceedings there was an issue whether or not Ms Snodgrass was receiving legal aid. If she was Council could not recover costs. It was subsequently discovered that her application for legal aid had been declined, in which case Council was entitled to costs but had decided not to pursue the matter.

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- In response to (c) Cr Bell said that at the 26 February Council meeting he saw Mr Bolton wave his walking stick in a threatening and intimidating manner towards his colleagues. He described Mr Bolton as definitely passionate but not calm, and he had witnessed Mr Bolton's ranting and yelling on two different occasions now.
- It was clarified that Mr Vickerman did not witness Mr Bolton's behavior at the February meeting but had seen CCTV footage which covered the corridor and front counter area outside Council Chambers.
- Cr Gaylor agreed with Cr Bell's statement. Cr Elliott did not agree but Cr Holborow said that Cr Elliott was not even present at the time. The Chief Executive commented that the CCTV footage of the corridor and front counter area outside Council Chambers showed Mr Bolton was not leaning on his stick at all as he was leaving the building. Cr Ammundsen was standing next to Cr Gaylor in the Chambers, and observed Mr Bolton threatening one of the Councillors. She had never seen such aggressive behavior which was why she had drawn up a statement immediately after the meeting. The point was made that the Councillors witnessed the behavior inside the Council Chambers where there was no CCTV footage. Cr Welsh said he would stand by his statement made on 3 March. Acting Chair of the Waikanae Community Board Eric Gregory said he was in Council Chambers at that time and said he concurred with the other Councillors who saw Mr Bolton waving his stick.

Regarding the Mayor's Report the Mayor said he was happy to email Councillors after the meeting with the highlights.

**MOVED (Mayor/Holborow)**

**That Standing Order 3.3.7 is suspended to allow the meeting to continue.**

**CARRIED**

*Philip Edwards and Eric Gregory left the meeting.  
The Council went into public excluded session at 4.01pm.*

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 16 APRIL, 2015	10.05 AM

KCDC 15/03/345

**RESOLUTION TO GO INTO PUBLIC EXCLUDED**

**MOVED (Bell/Welsh)**

	<p><b>PUBLIC EXCLUDED RESOLUTION</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• <b>Confirmation of Public Excluded Minutes: 12 March</b></li> </ul> <p>The general subject of each matter to be considered, while the public are 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:</p>	
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<p><b>Confirmation of Public Excluded Minutes:</b> <b>12 March 2015</b></p>	<p>Section 7(2)(a) – to protect the privacy of natural persons.</p> <p>Section 7(2)(f)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority ... in the course of their duty.</p>	<p>48(1)(a): That the public conduct of the whole or 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.</p>
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**CARRIED**

*The meeting came out of public excluded session at 4.04pm and was closed.*

Signed ..... / ..... / 2015  
Mayor Ross Church, Chair