

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 11 DECEMBER 2014	10.06 AM

Minutes of an additional meeting of the Kapiti Coast District Council on Thursday 11 December 2014, commencing at 10.06am in Council Chambers, Ground Floor, Kapiti Coast District Council, 175 Rimu Road, Paraparaumu.

PRESENT

Mayor	R	Church	Chair
Cr	M	Cardiff	
Cr	D	Ammundsen	
Cr	M	Bell	
Cr	J	Elliott	
Cr	K	Gurunathan	<i>(until 12 noon)</i>
Cr	P	Gaylor	
Cr	J	Holborow	
Cr	D	Scott	
Cr	G	Welsh	

ATTENDING

Ms	F	Vining	(Chair, Paraparaumu/Raumati Community Board)
Mr	J	Cootes	(Chair, Ōtaki Community Board)
Mr	P	Edwards	(Member, Paekākāriki Community Board)
Mr	P	Dougherty	(Chief Executive)
Ms	T	Evans	(Group Manager, Community Services)
Mr	S	McArthur	(Group Manager, Strategy and Partnerships)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Ms	S	Foss	(Acting Group Manager, Regulatory Services)
Mr	M	de Haast	(Acting Group Manager, Corporate Services)
Mr	D	Lew	(Environmental Planning Manager)
Ms	S	Bell	(Landscape Advisor)
Mr	L	Bartlett	(Leisure and Open Space Manager)
Mr	T	Power	(Senior Legal Counsel)
Ms	V	Starbuck-Maffey	Democracy Services Manager (Minute-Taker)

The Chair read the Council blessing.

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APOLOGIES

MOVED (Mayor/Ammundsen)

That apologies be received from Michael Scott, Chair, Waikanae Community Board and from Te Whakaminenga o Kāpiti Chair Rupene Waaka.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

KCDC 14/12/195

PUBLIC SPEAKING TIME

Public Speaking Time

1. Joan Allin spoke to her submission about the report on today's agenda on the Proposed District Plan (PDP). She supported the recommendation to defer appointment of elected member hearing commissioners and also supported the appointment of an iwi hearing commissioner provided they are accredited and experienced. She also thanked staff.
2. Jill Stansfield recommended that the principles of the 'Age-Friendly City' underpin Council's future activities and policies especially as retirees would be an increasing percentage of the Kāpiti Coast population.
3. Trevor Daniell spoke about a number of matters: the Economic Development Strategy did not address the needs of older people; the Council should address the lack of carparking spaces outside Aotea Pathology on Rimu Road; more information was requested on how the proposed amalgamation of the Wellington region councils would impact on Kāpiti rates. The Chief Executive clarified that setting the rates would be the responsibility of the new supercouncil, if it came into existence. He noted that it was proposed to introduce capital value rating which would be a change for Kāpiti. If the amalgamation proposal was adopted Council would have to meet the cost of providing staff for the transition agency. The main point was that this was not Council's process, but that of the Local Government Commission (LGC).
4. Dale Evans spoke to his submission (circulated) on a range of matters: water meter charging; infrastructure; say no to psychoactive substances being sold in Kāpiti; the dog Beau ruling will provoke further action from the community.

KCDC 14/12/196

MEMBERS' BUSINESS

(a) Responses to Public Speaking Time:

Jill Stansfield - the Economic Development Strategy did address the issue of the ageing population, as did other policies and strategies for example the Town Centre development, and the Māori Economic Development Strategy. The impact of an ageing population has been identified as a specific issue.

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To Trevor Daniell – Council was aware of carparking concerns outside Aotea Pathology and was reviewing associated consent documents. There was also a broader parking study being carried out as part of the Town Centre development project and this will be reported back to Council.

To Dale Evans – Council fully supported a resolution to lobby central government concerning a ban on psychoactive substances but legislation required that Council consult with the community to identify a place in the District for sales. If Council did not do this the Ministry of Health could issue licences for virtually anywhere in the District. Senior Legal Counsel Tim Power also commented about the Beau issue. Councillors had been provided with a copy of the High Court decision regarding the strikeout application, which was successful. Ms Snodgrass' attempt to judicially review the Council's decision to prosecute was rejected by the courts. The high court judgement was very comprehensive. The council had no discretion around the court order for destruction. Cr Scott attempted to open a debate about the Council's actions but the Mayor intervened and brought the discussion to a close.

(b) Leave of Absence:

MOVED (Mayor/Elliott)

That leave of absence be granted to Cr David Scott for the period 9-24 September 2015 inclusive.

CARRIED

(c) Matters of an Urgent Nature – Cr Welsh referred to a media release from Local Government New Zealand (LGNZ) in which Zones 5 and 6 were urging the government to ban psychoactive substances. He requested that Council make a similar resolution to Zone 4.

MOVED (Mayor/Bell)

That the matter of a ban on psychoactive substances be treated under urgency.

CARRIED

MOVED (Welsh/Gurunathan)

That Council approach Local Government New Zealand (Zone 4) with the following resolution:

That the members of Zone 4 of LGNZ resolve to advise the Government that it is their preference that the law relating to psychoactive substances either be altered to ban such substances or empower local authorities to ban such substances in their area of responsibility.

CARRIED UNANIMOUSLY

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MAYOR'S REPORT

The Mayor provided a verbal update including the following highlights:

- Youth Awards
- School road safety awards
- The Annual Kapiti Food Festival at Mazengarb Reserve
- Amalgamation – people who are interested should make their submissions direct to the Local Government Commission.

KCDC 14/12/198

PDP HEARINGS PANEL – APPOINTMENT OF ELECTED AND IWI COMMISSIONERS (SP-14-1314)

Group Manager Strategy and Partnerships Stephen McArthur and Environmental Planning Manager Darryl Lew spoke to this report, recapping the process to date and outlining reasons for the recommendations.

- Cr Gurnathan asked for a correction to the report to be noted in the minutes (agreed). On page 5, para 7 should read: "Cr Gurnathan initially registered his interest, but subsequently withdrew due to the potential for a perceived conflict of interest."
- With regard to the appointment of the iwi commissioner, Te Whakaminenga o Kāpiti would be involved as well as ART. The caveats mentioned by public speaker Joan Allin would apply.

MOVED (Ammundsen/Welsh)

That, in addition to an independent chair and an independent commissioner, the Council confirms that the Proposed District Plan hearings panel will include an iwi commissioner and two elected commissioners.

CARRIED unanimously

MOVED (Ammundsen/Welsh)

That the Council requests staff to develop a short list of potential iwi commissioners for the Proposed District Plan hearings panel, obtain registrations of interest, and make a recommendation for Council approval.

CARRIED

Cr Scott voted against the motion

MOVED (Ammundsen/Welsh)

That the Council defers the appointment of the two elected commissioners to the Proposed District Plan hearings panel until a minimum of 3 months before the commencement of the hearings.

CARRIED unanimously

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The meeting adjourned at 11.20am and reconvened at 11.36am..

KCDC 14/12/199

ŌTAIHANGA EAST RIVERSIDE RESERVE AREA – DRAFT RESERVE MANAGEMENT PLAN AND RESERVE NAMING (CS-14-1410)

Landscape Advisor Sara Bell and Leisure and Open Space Manager Lex Bartlett spoke to this report. Council was asked to adopt the Draft Reserve Management Plan and decide on the park name.

There were some questions around park access which were clarified; this kind of issue would be addressed in the next step which was pulling together the park development management plan by June 2015.

MOVED (Cardiff/Ammundsen)

That the Council names the 60 hectare reserve in Ōtaihangā East on the south bank of Waikanae River as Otaraua Park.

That the Council considers and adopts the draft Reserve Management Plan attached to this report (CS-14-1410) as Appendix 1 Draft Reserve Management Plan – Ōtaihangā East Riverside Reserve Area, Status November 2014 - For Adopting.

CARRIED unanimously

The Mayor thanked people who came forward with the name.

KCDC 14/12/200

2015 REVIEW OF REPRESENTATION ARRANGEMENTS FOR THE KAPITI COAST DISTRICT – PROCESS (Corp-14-1419)

Democracy Services Manager Vyvien Starbuck-Maffey spoke to the report, explaining that Council had to carry out this review under the provisions of the Local Electoral Act (LEA) and Local Government Act (LGA), notwithstanding uncertainties around how the Local Government Commission's reorganisation process would unfold. Discussion included the following points:

- The LEA didn't stipulate how a review should be carried out but did provide mandatory timeframes and the issues to be examined. The latter included consideration of fair representation and how the type of structure, the number of councillors and the existence (or not) of community boards supported fair representation for the District's various communities of interest.
- Around 22 councils would be undertaking their reviews in 2015 using a variety of methods, for example Dunedin City Council had just appointed an independent review panel.
- The officer recommendation was to convene a Working Party; this was a pragmatic option which would be more flexible and less confusing given the parallel timeframes for consultation on the regional reorganization.

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- The establishment of a Māori Ward could also be part of a representation review; however iwi had indicated through Te Whakaminenga o Kāpiti in June 2014 that iwi did not support this mechanism. Councillors agreed that iwi should be invited to nominate a member on the reviewing body.
- Community Boards wanted to be fully involved in the process as well, and Councillors agreed that the ability to co-opt additional members would facilitate this.
- An amendment to the motion was proposed to appoint instead Cr Welsh and Cr Gurunathan to the Working Party but as Cr Gurunathan was absent Cr Scott was substituted but this amendment lapsed for want of a seconder.

MOVED (Ammundsen/Holborow)

That the Council approves the convening of a Representation Review Working Party to manage the Council's 2015 representation review, comprising Cr Cardiff and Cr Gaylor and relevant Council officers; with the ability to invite additional members including an iwi member.

CARRIED

KCDC 14/12/201

REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS (Corp-14-1402)

Paraparaumu-Raumati Community Board

MOVED (Bell/Ammundsen)

That Council asks the Greater Wellington Regional Council to include Canada Geese in their pest management strategy; and that the Kāpiti Coast District Council works with other councils in the region to find a management solution.

CARRIED

There was another recommendation from the Board meeting on 9 December 2014 which Council agreed to treat under urgency. Currently the Local Approved Products (Psychoactive Substances) Policy was out for public consultation. The consultation period closes on 30 January 2015. An extension to the deadline was being requested to give submitters and the Board more time to prepare submissions and recognizing the Xmas/New Year hiatus.

MOVED (Bell/Welsh)

That this matter of the LAPP consultation deadline be treated under urgency.

CARRIED

MOVED (Bell/Ammundsen)

That Council extends the consultation period for the draft Local Approved Products (Psychoactive Substances) Policy (LAPP) to 18 February 2015.

CARRIED

Cr Scott voted against the motion.

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MOVED (Mayor/Bell)

That Council receives Report Corp-14-1402.

CARRIED

KCDC 14/12/202

UPDATE : WELLINGTON REGIONAL STRATEGY COMMITTEE AND REGIONAL TRANSPORT COMMITTEE

Group Manager Strategy and Partnerships Stephen McArthur spoke to this item as he and Cr Welsh had attended both meetings. Ensuing discussion noted:

- A current interesting project for GWRC is the Wellington Region Genuine Progress Index (GPI);
- Recommendation 3 regarding promoting the application of the GPI in 2015 was passed but it wasn't necessary for this Council to take it on, some of the indicators were picked up already through Council's Economic Development Strategy but to do more would have significant cost implications;
- Areas for work within the GPI study were highlighted and these would be included in the review early next year;
- Regarding the Regional Transport Committee, the Council fared well in the report on travel plans and road safety campaigns which was gratifying;
- Workshop had been held after the Transport Committee meeting examining Regional Land Transport policies and programmes;
- It was noted that the Kapiti Link was at the top of the priority list and it was clarified that this was the Kapiti Road Link running from Ihakara Street to Arawhata Road;
- The priorities list would be consulted on in March 2015 and NZTA would set the final priorities for funding;
- The BERL Wellington Region snapshot was presented – this aligned closely with the Council's Economic Development Strategy.

The Mayor thanked staff for their hard work during 2014 and wished everyone a happy Xmas.

The meeting adjourned at 1.03pm and reconvened at 1.09pm.

The meeting went into public excluded session at 1.09pm

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RESOLUTION TO GO INTO PUBLIC EXCLUDED SESSION

MOVED (Bell/Welsh)

	<p>PUBLIC EXCLUDED RESOLUTION</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"> • PDP Hearings Panel – Appointment of Independent Commissioners (SP-14-1412) • Waterfront Brasserie – Update on Lease Renewal (CS-14-1309) <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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General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
PDP Hearings Panel – Appointment of Independent Commissioners (SP-14-1412)	<p>Section 7(2)(a) - to protect the privacy of natural persons</p> <p>Section 7(2)(b)(ii) - 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)(f)(i) - 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</p> <p>Section 7(2)(i) - enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities</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.
Waterfront Brasserie – Update on Lease Renewal (CS-14-1309)	Section 7(2)(i) - to enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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.

CARRIED

The meeting came out of public excluded session at 1.35pm and was closed.

Signed / / 2014

Mayor Ross Church, Chair