

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 29 JANUARY 2015	10.05 AM

Minutes of a meeting of the Kapiti Coast District Council on Thursday 29 January 2015, commencing at 10.05am 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	
Cr	P	Gaylor	
Cr	J	Holborow	
Cr	D	Scott	
Cr	G	Welsh	

ATTENDING

Ms	A-M	Bukholt	(Member, Te Whakaminenga o Kāpiti)
Ms	F	Vining	(Chair, Paraparaumu-Raumati Community Board)
Mr	J	Cootes	(Chair, Ōtaki Community Board)
Mr	P	Edwards	(Chair, Paekākāriki 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)
Ms	S	Foss	(Acting Group Manager, Regulatory Services)
Mr	W	Maxwell	(Group Manager, Corporate Services)
Mr	M	de Haast	(Financial Controller)
Ms	J	McDougall	(Communications Manager)
Ms	L	Guerin	(Statutory Compliance Officer)
Mr	M	Hammond	(Sports Facilities Coordinator)
Mr	T	Power	(Senior Legal Counsel)
Mr	R	Sowry	(Kapiti Community Recreational Turf Trust)
Ms	S	Williams	(Turf Trust General Manager)
Mr	G	Campbell	(Greater Wellington Regional Council)
Mr	M	Hooker	(Greater Wellington Regional Council)
Mr	K	Nauta	(Greater Wellington Regional Council)
Mr	P	Ropata	(Compliance Officer)
Ms	V	Starbuck-Maffey	(Democracy Services Manager - Minute-Taker)

The Mayor welcomed everyone and read the Council blessing.

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KCDC 15/01/204

APOLOGIES

MOVED (Welsh/Holborow)

That an apology is accepted from Michael Scott Chair of the Waikanae Community Board.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

KCDC 15/01/205

PUBLIC SPEAKING TIME

Public Speaking Time

1. Barbara Mountier spoke to her submission (circulated) about the Trans Pacific Partnership Agreement (TPPA) urging Council to consider this. The Mayor said the Council was dealing with this issue.
2. Philip Edwards spoke on behalf of the Paekākāriki Community Board, thanking the Council, Council officers, and the Council kaumatua Don Te Maipi for their cooperation following the accidental death on the Paekākāriki beach recently.
3. Jenny Cronin spoke to her submission (circulated) about the dog Beau case.
4. Kerry Bolton read out a statement (circulated) about the dog Beau case on behalf of Richard Halliday who could not be present. .
5. Kerry Bolton spoke to his submission (circulated) about the dog Beau case. He posed a number of questions.
6. Dale Evans spoke to his submission (circulated) about a number of matters:
 - community consultation in relation to the Kiosk at Paraparaumu Beach, and the proposed astro-turf tennis court in Ōtaki;
 - a dam for water supply;
 - membership of the Chief Executive Performance and Employment Committee (CEPEC).

The meeting agreed to change the order of the agenda so that responses to public speaking time could be provided.

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KCDC 15/01/206

MEMBERS' BUSINESS

(a) Responses to Public Speaking Time

To Barbara Mountier:

- several meetings had been held with interested parties via the Councillor public forums on the TPPA;
- the Council had written to Local Government New Zealand (LGNZ) asking them to raise this matter with central government (the Mayor read out a letter from Chief Executive Mr Alexander);
- the matter was considered by LGNZ National Council;
- letters had also been sent to Tim Groser MP and to Nathan Guy MP (and a meeting with the latter would happen soon).

The Chief Executive clarified that the public forums were Councillor-driven and support from staff was minimal. These were not meetings so the provisions of the Local Government Official Information and Meetings Act did not apply.

To Philip Edwards:

- the positive feedback was appreciated;
- congratulations were offered for Mr Edwards' new role as Chair of the Paekākāriki Community Board.

To Jenny Cronin, Richard Halliday, Kerry Bolton:

- the dog Beau case was litigated through four court processes and there was no point re-litigating the decision in this forum;
- of the 7,000 dogs in the District, 40-50 dogs were euthanized each year, and speakers could redirect their passion into educating irresponsible owners;
- in response to Mr Bolton's submission the Chief Executive explained why Mr Bolton's final visit had been denied and the dog euthanized early. This was due to concerns over staff safety, provoked by abuse and threats made by commentators via social media and also made directly by Ms Snodgrass. The dog was euthanized two days earlier than planned but still six days after the court destruction order.

To Dale Evans:

- there was a sum for astro turf tennis courts in Ōtaki in the Long Term Plan (LTP) in year 19/20 as part of the renewal programme for the courts at Haruatai Park;
- Council may have a potential use of the Kiosk and there would be a report soon. The Chair of the Paraparaumu-Raumati Community Board commented that the Board's intention was to carry out a well-planned public consultation. There had already been discussions with a number of groups including the Police and Grey Power but the public would also have the opportunity to comment;
- in regards to other issues raised the Mayor said the Council would respond in writing. The operation of the CEPEC was an employment issue and therefore would not be addressed in this forum.

The meeting adjourned at 10.55am and reconvened at 11.10am.

Cr Elliott left the meeting.

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KCDC 15/01/207

PRESENTATION - KĀPITI COMMUNITY RECREATIONAL TURF TRUST

Trust Chair Roger Sowry and General Manager Sonja Williams spoke to a powerpoint presentation about the recent hockey matches and thanked Council for its support (including the support of the late Cr Tony Lloyd and various Council staff).

- They detailed the factors that made the event such a success, as well as the sources of positive feedback.
- They signaled they would be participating in the Long Term Plan (LTP) process.
- It was noted that the gate sales could have been higher if the weather had not been inclement.
- Hired seating would have been too costly to purchase, so it was hired instead for the event but a fundraiser called 'Buy-A-Seat' had been initiated amongst hockey clubs and it was hoped that in the longterm permanent seating could be arranged.

KCDC 15/01/208

PRESENTATIONS: WAIKANAĒ GRAVEL EXTRACTION AND JIM COOKE PARK STOPBANK PROJECT – GREATER WELLINGTON REGIONAL COUNCIL (GWRC)

- Representatives from GWRC spoke to powerpoint presentations. They were Graham Campbell, Mark Hooker, and Kees Nauta. They gave a detailed summary of the project rationale and progress made to date.
- The next steps in the gravel extraction project included application for river management consent for wet and dry gravel extraction (Waikanae River) as well as developing a methodology for extraction, and carrying out surveys and analysis. They anticipated the consent would be publicly notified in early 2015, with a hearing mid-late 2015, and they invited submissions. The extraction would occur at sites between El Rancho and Jim Cooke Park and also Otaihanga.
- With respect to the Jim Cooke Park project they explained the rationale for the stopbank construction and the options that had been under consideration. .

Cr Elliott rejoined the meeting at 11.50am.

- There would be compensatory plantings for trees removed, and purchasing property owned by the Equestrian Centre was under consideration. Council stormwater pipes situated under the stopbank would be upgraded as part of construction.
- A public consultation process had been carried out and the final preferred option would be publicized in early 2015. Thirty-two submissions had been received, of which 30 (including Friends of the Waikanae River) were in support of the standard stopbank. It was expected that construction would be completed by June 2017, and GWRC would work closely with iwi, property owners and the football association throughout the process. There were ongoing discussions with iwi about cultural values and impact.
- The Mayor thanked them for their presentations.

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*The meeting adjourned at 12.25pm and reconvened at 1pm.
Cr Bell, Fiona Vining, Philip Edwards and James Cootes left the meeting.*

KCDC 15/01/209

CONFIRMATION OF MINUTES

MOVED (Mayor/Cardiff)

That the minutes of the Council meeting on 13 November 2014 be accepted as a true and accurate record of that meeting.

CARRIED

Cr Elliott believed the 27 November 2014 minutes omitted a significant conversation she had had with the Chief Executive during the section 'Responses to Public Speaking Time'. The Chief Executive clarified that:

- the draft minutes are rigorously peer reviewed before they are placed on the agenda;
- the practice is not to personalize comments made by individual Councillors in the text;
- the minutes were drafted in accordance with the requirements listed in Standing Orders clause 3.17.2;
- the intent of minutes was not to capture verbatim discussion as that would be too resource-intensive but to record key points leading to the decisions made;
- other councils keep much briefer minutes.

Additionally the point was made that if people were interested in assessing the performance of individual councillors they could request copies of the audios, or watch the meetings being livestreamed.

Cr Gurunathan left the meeting at 1.12pm and returned at 1.15pm.

MOVED (Gaylor/Mayor)

That the minutes of the Council meeting on 27 November 2014 be accepted as a true and accurate record of that meeting.

CARRIED

Cr Elliott voted against the motion.

MOVED (Ammundsen/Mayor)

That the minutes of the Council meeting on 11 December 2014 be accepted as a true and accurate record of that meeting.

CARRIED

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KCDC 15/01/210

MEMBERS' BUSINESS

- (b) Leave of Absence - none was requested.
- (c) Matters of an Urgent Nature – there were none.

The meeting agreed to bring item 13 forward on the agenda.

KCDC 15/01/211

AMENDMENTS TO THE RESOURCE MANAGEMENT ACT DELEGATIONS (SP-14-1433)

Group Manager Strategy and Planning Stephen McArthur and Statutory Compliance Officer Linda Guerin spoke to the report and explained the reason for the proposed changes to delegations. Acting Group Manager Regulatory Services Sharon Foss also provided information during the discussion which covered the following points:

- as there was some concern about a perceived increase of powers for Main Security staff, the intent and limits of their role were explained in detail. The delegation would give them the power to assess the situation they are responding to;
- Main Security was required to be specifically named in the delegation to meet legislative requirements;
- the proposed changes will ensure that Council staff and Main Security staff (who are for this purpose treated as Council employees) can do their jobs;
- nothing proposed today was out of step with what other councils in New Zealand are doing;
- using Main Security staff for after-hours work has been an efficiency gain. If Council was unhappy with this arrangement more FTE would be required to provide 24/7 coverage.

MOVED (Ammundsen/Cardiff)

That the Council adopts the amendments to the Resource Management Act 1991 Delegations, shown in Appendix A of report SP-14-1433 to include the new delegation to the Main Security officers and the new titles of Senior Development Engineer and Team Leader Building Approvals,

That the Council notes that once approved, these amendments will be included in the existing 16 October 2014 Resource Management Act Delegations.

CARRIED

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KCDC 15/01/212

MAYOR'S REPORT

The Mayor invited Cr Gaylor to provide an update on recent developments relating to the retention of the Capital Connection train service.

Cr Gaylor had attended a meeting in December, at which most of the region's mayors were present. She confirmed that the parties – including the GWRC Chair - were still advocates for retaining the service. Since then there have been a number of public meetings.

The Mayor agreed to contact the Chair of the Horizons Regional Council regarding formal feedback from the December meeting and would also followup with Minister Nathan Guy and GWRC.

KCDC 15/01/213

REPORT BACK REGARDING INTERNATIONAL HOCKEY TEST MATCHES (CS-14-1433)

Sports Facilities Coordinator Mark Hammond and Group Manager Community Services Tamsin Evans spoke to the report, noting various aspects of the event which had been very successful, notwithstanding the bad weather. Figures provided by Hockey New Zealand that morning indicated an additional \$20,000 had been spent on accommodation and food by visiting teams. Further discussion about future events would be held during the LTP process.

MOVED (Ammundsen/Holborow)

That the Council notes the international hockey matches held in November 2014 were considered by participants and spectators to be a successful event and that local businesses, particularly accommodation providers, would support similar events in the future.

CARRIED

KCDC 15/01/214

APPOINTMENT OF AN INDEPENDENT MEMBER TO THE AUDIT AND RISK SUBCOMMITTEE (CORP-15-1436)

Financial Controller Mark de Haast spoke to the report, explaining the rationale for the proposal to appoint an external member. Discussion included the following points:

- the need to provide a mechanism for the Subcommittee to report back regularly to its parent committee, the Corporate Business Committee
- it was agreed that one external member with voting rights was sufficient

MOVED (Ammundsen/Scott)

That Council agrees:

a) to an independent external member with financial expertise being appointed to the Audit and Risk Subcommittee as soon as conveniently possible in the current triennium for a term of three years from the date of appointment; and

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- b) the independent external member be remunerated at a standard meeting fee of \$150; and
- c) the Council's Governance Structure and Delegations Document in relation to the Audit and Risk Subcommittee is amended accordingly.
- d) that the external independent member be given full voting rights at Audit and Risk Subcommittee meetings.
- e) that a selection panel comprising the Chief Executive, the Chair of the Audit and Risk Subcommittee and the Mayor be delegated the authority to manage the appointment of the external member for Council approval.

That Council approves the amended Governance Structure in relation to the Audit and Risk Subcommittee which is attached as Appendix 1.

CARRIED

KCDC 15/01/215

APPLICATION FOR EXEMPTION UNDER SECTION 6 OF THE FENCING OF SWIMMING POOLS ACT 1987 – 2 WILLIAM NOEL PLACE, WAIKANAЕ BEACH (RS-14-1433)

Peter Ropata Compliance Officer and Sharon Foss Acting Group Manager Regulatory Services spoke to the report. An inspection of the site had been carried out and conformed to current policy. The report was presented today as the Regulatory Management Committee meeting in January had been cancelled.

MOVED (Welsh/Scott)

That the Council approve the application for exemption under Section 6 of the Fencing of Swimming Pools Act 1987 and not require a fence to be placed around a portable spa pool at 2 William Noel Place, Waikanae Beach, subject to the following conditions being complied with:

- The pool has a height of 760mm or greater above ground or deck level and no objects are positioned so as to allow a young child to climb onto the cover; and
- The property has suitable barriers in place to prevent a child up to the age of six years gaining access from outside the property, and the lockable spa cover meets the set criteria as stated below:
- the cover is lockable and able to be kept locked when the pool is not being used or supervised;
- the locks cannot be opened or released by a child up to the age of six years;
- the cover cannot be lifted more than 100mm above the top of the spa, when locked in place;
- the cover must be made of material that can withstand the weight of at least 60 kgs to ensure that it would withstand the weight of a child up to six years;
- the cover must be constructed of a suitable material and not allow water to pond on top of it;
- the cover and locks must be maintained in a good state of repair; and
- suitable warning stickers/signs be placed on the cover to advise that it must be locked in place when the pool is not being used or supervised.

CARRIED

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KCDC 15/01/216

RESOLUTION TO GO INTO PUBLIC EXCLUDED

MOVED (Welsh/Holborow)

	<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"> • Confirmation of Public Excluded Minutes: 11 December 2014 <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>Confirmation of Public Excluded Minutes: 11 December 2014</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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The meeting went into public excluded session at 2.14pm.

The meeting came out of public excluded session at 2.15pm and was closed.

Signed / / 2015

Mayor Ross Church, Chair