

MINUTES	MEETING	TIME
<b>KĀPITI COAST DISTRICT COUNCIL</b>	<b>THURSDAY 16 OCTOBER 2014</b>	<b>10.00 AM</b>

Minutes of a meeting of the Kapiti Coast District Council on Thursday 16 October 2014, commencing at 10.00 am in Council Chambers, Ground Floor, Kapiti Coast District Council, 175 Rimu Road, Paraparaumu.

**PRESENT**

Cr	M	Cardiff	Acting Mayor (Chair)
Cr	M	Bell	
Cr	D	Ammundsen	
Cr	J	Elliott	
Cr	K	Gurunathan	
Cr	P	Gaylor	
Cr	J	Holborow	
Cr	D	Scott	
Cr	G	Welsh	

**ATTENDING**

Mr	J	McDonald	(Chair, Paekākāriki Community Board)
Mr	J	Cootes	(Chair, Ōtaki Community Board)
Ms	F	Vining	(Chair, Paraparaumu/Raumati Community Board)
Mr	P	Dougherty	(Chief Executive)
Mr	S	McArthur	(Group Manager, Strategy and Partnerships)
Mr	W	Maxwell	(Group Manager, Corporate Services)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Ms	S	Foss	(Acting Group Manager, Regulatory Services)
Ms	T	Evans	(Group Manager, Community Services)
Mr	M	Hammond	(Sports Facilities Coordinator)
Ms	J	Hewitt	(Senior Advisor, Strategic Projects)
Mr	M	De Haast	(Financial Controller)
Ms	A	Kenna	(Acting Communications Manager)

**APOLOGIES**

Cr	T	Lloyd	Waikanae Ward Councillor
Mr	M	Scott	(Chair, Waikanae Community Board)

**LEAVE OF ABSENCE**

Mr	R	Church	Mayor
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The Acting Mayor welcomed everyone to the meeting and read the Council blessing.

KCDC 14/10/158

**APOLOGIES AND DECLARATIONS OF INTEREST**

**MOVED (Gaylor/Ammundsen)**

**That apologies be accepted from Cr Tony Lloyd and from Michael Scott, Chair of the Waikanae Community Board.**

**CARRIED**

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It was noted the Mayor was on leave of absence.

There were no declarations of interest.

KCDC 14/10/159

**PRESENTATION: JOE FRANKLIN, KĀPITI LIONS**

Joe Franklin asked the Council to support his organisation's request for funding and explained the rationale for the request:

- The Club had been running the Awards event for the past nine years with great success;
- If no funding was forthcoming from either the Council or other avenues the Awards would fold after 2015;
- The Awards acknowledged excellence and fostered community pride;
- The Council was thanked for its past support.

He clarified that \$5,000 of the previous grant was not claimed by the Club and so remained with Council.

Mr Franklin's remarks were supported by President Brian Dawe with a focus on the number and outcomes of applications.

The Acting Mayor thanked the Club for its long history of community work.

**MOVED (Ammundsen/Gaylor)**

**That item 12 on the agenda 'Consideration of Funding an Events Coordinator for the Kapiti Sportsperson of the Year Awards' be brought forward in the agenda.**

**CARRIED**

KCDC 14/10/160

**PUBLIC SPEAKING TIME**

Public Speaking Time

1. Allie Webber and Anthony Dreaver spoke on behalf of the Kapiti US Marines Trust, thanked Council for its past support and asked that future funding for the Trust be locked into the Long Term Plan. Other sources of funding were being sought. A Festival called 'Memorial Weekend' was being established. The Mayor thanked them for their work. The Chief Executive clarified the process for inclusion in Annual Plan and Long Term Plan (LTP) funding deliberations and would make sure that the Trust was alerted to the beginning of the public consultation process.

2. Jill Stansfield spoke on behalf of the Older Persons Council about making Kapiti an age-friendly District, and copies of a 'Checklist of Essential Features of Age-friendly Cities' by the World Health Organisation were circulated.

*Cr Welsh left the meeting at 10.37am and returned at 10.39am.*

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In response to questions Ms Stansfield clarified that she had had discussions with the Project Manager for the Town Centres Connectors Transformation project, with the Road Safety Advisory Group and with Greater Wellington Regional Council (GWRC) in an effort to ensure that age-friendly principles were incorporated into planning processes and documents. Although Council had adopted an Age-Friendly Strategy some years ago there was no existing policy in place for an 'age-friendly district.'

3. Salima Padamsey spoke about the need for transparency and impartiality in the PDP hearing process in line with the recommendations of various bodies, for example the New Zealand Planning Institute. She suggested that Cr Diane Ammundsen excuse herself from participating in the hearings process, based on a remark previously reported in a newspaper article where Cr Ammundsen as the Chair of the Regulatory Management Committee had said the Council believed in the PDP and 'I think it's defensible'. Ms Padamsey believed that remark indicated a lack of impartiality on Cr Ammundsen's part. The Acting Mayor invited Cr Ammundsen to comment who said that Council had obtained a legal opinion on this issue and her participation was cleared. The 'defensible' comment had been about the process not the PDP itself. Ms Padamsey asked for a copy of this legal advice which would be made available. Ms Padamsey clarified that she would like to see only independent hearing commissioners appointed for the PDP process.

4. Christopher Ruthe spoke on behalf of Coastal Ratepayers United (CRU) and, referencing the previous speaker's comments, explained that the allegation of impartiality was more about the public perception of the process. He believed the Council decision-making around the PDP process and the appointment of hearing commissioners was inconsistent. Council should appoint three independent commissioners for the whole process. Group Manager Strategy and Partnerships Stephen McArthur clarified that Councillors had received an amended appendix to the report at item 11 on today's agenda which sought to dispel any ambiguity around the wording on delegations relating to plan changes. He said that Council had already made a decision (in July) about the composition of the PDP hearing panel but the issues raised today could be included in discussions with CRU next week.

5. Brian Hooper spoke on behalf of the Kia Kaha Charitable Trust about the Habitable Units policy, and acknowledged he had received a letter from the Mayor recently which indicated the Council would be looking at the issues he was raising today, which included the need to take into account the negative effect of the current policy on disadvantaged residents including students. It was suggested Mr Hooper make a submission on the matter to the LTP.

6. Murray Cooper spoke about the Tanner Report on the Clean Technology Centre and asked that his questions previously submitted be answered. He asked questions about the Clean Technology loan and demanded accountability for the failure of the venture. The Acting Mayor assured Mr Cooper his questions would be answered but there were too many to be addressed at today's meeting. Mr McArthur commented that he was expecting to receive the findings of the Ernst and Young audit very soon. Council's Senior Legal Counsel referred to an email response to Cr Elliott (dated 26 September) and would include in the response to Mr Cooper.

7. Dale Evans circulated a submission which addressed a range of issues:

- Council spending
- car parking spaces for staff
- payments for hearing commissioners
- the public forums with Councillors

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The Acting Mayor said in relation to the question about the monies detailed on page 195 of the agenda the answer was yes and it was clarified that the two tables covered the full 12 month period.

In response to questions Mr Evans said:

- Yes the Lion's application should be supported
- The public forum should be in the open not behind closed doors (it was clarified that the public forums had been widely advertised)

With regard to the questions on carparking spaces for staff, the Chief Executive clarified that:

- six carparks had been dedicated for carpooling;
- the provision of carparks was a condition of the resource consent for the upgraded Civic building
- there were not enough carparks for all staff and a permit was required otherwise staff would be issued with infringements for exceeding the time limit;
- since the Civic building upgrade there were now 20 more carparking spaces for the community around the building and the Library and there had not been any complaints from the public about the lack of parking spaces.

The other matters raised by Mr Evans would be answered in writing.

8. Brian Baggott asked the Council whether the Chief Executive or the responsible officer had publicly apologized for the expenditure on a number of items, for example the Clean Technology Centre and that whoever was responsible for the failure of such projects should have resigned. The amount of money spent on legal advice was also queried as was the number of staff on salaries of \$100,000 or higher.

*The meeting adjourned at 11.44am and reconvened at 11.59am.*

KCDC 14/10/161

### **MEMBERS' BUSINESS**

(a) Responses to public speaking time:

To Jill Stansfield – Stephen McArthur said that the Council had been focused on statutory policies but did want to start considering the kinds of potential policies recommended. This would be discussed through the LTP process.

(a) Leave of Absence – none was requested.

(b) Matters of an Urgent Nature – there were none

KCDC 14/10/162

### **ACTING MAYOR'S REPORT**

The Acting Mayor highlighted some recent activities:

- Attendance at the Electra Business Awards
- Attendance at the Senior Expo at Waikanae.

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KCDC 14/10/163

**CONSIDERATION OF FUNDING AN EVENTS COORDINATOR FOR THE KAPITI  
SPORTSPERSON OF THE YEAR AWARDS (CS-14-1304)**

Sports Facilities Coordinator Mark Hammond spoke to this report which asked Council to consider a grant of \$10,000 to fund an Events Coordinator for the Awards. The Council had supported the Club in the past.

It was noted that the funds, if approved, would be partly sourced from Council's insurance savings. It was agreed to provide Councillors with a table detailing when and how these savings were drawn upon.

It was clarified that if the funding was not approved today the event could still proceed in May 2015 and a submission considered through the LTP process in 2015 for the 2016 event and any future years.

The Club's underspend of previous Council funding was clarified, noting the Club had been prudent in its financial management.

Option 3 was moved and seconded with the explanation that Council's first priority should be reducing its debt. However other Councillors supported the event as it benefited many in the community.

MOVED (Welsh/Bell)

That the Council decline to fund the event, per Option 3 of this report, CS-14-1304.

A division was requested:

For the motion: Cr Bell, Cr Welsh

Against the motion: Cr Ammundsen, Cr Gaylor, Cr Holborow, Cr Elliott, Cr Gurunathan, Cr Scott, the Acting Mayor.

The motion was LOST

**MOVED (Gaylor/Ammundsen)**

**That Council approves the payment of up to \$10,000 to engage the event coordinator, as per Option 2 of report CS-14-1304.**

**That the Council notes the funding to be used is from savings achieved in the current year from insurance and regional amenity funding contributions.**

**CARRIED**

KCDC 14/10/164

**CONFIRMATION OF MINUTES**

**MOVED (Gurunathan/Gaylor)**

**That the minutes of 4 September 2014 be confirmed as a true and accurate record of that meeting.**

**CARRIED**

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KCDC 14/10/165

**ANNUAL REPORT TO 30 JUNE 2014 (SP-14-1359)**

Financial Controller Mark de Haast spoke to this report, explaining that since the Corporate Business Committee had approved it last week some minor changes had been made and he explained what they were. The auditors had cleared the report.

Stephen McArthur said that in regards to the figures on meeting attendances on pages 34 and 35 there would be a correction from 13 meetings to 11 as one meeting had been postponed twice.

The Acting Mayor said this was the most clearly presented report he had seen, and congratulated staff. He also noted the debt servicing benchmark on page 19 and explained that Council hadn't met that as the District's population was not growing as much as projected.

**MOVED (Welsh/Ammundsen)**

**That the Council receives the signed Ernst and Young Audit Report on the Statement of Accounts for the Kāpiti Coast District Council for the year ended 30 June 2014.**

**That the Council adopts pursuant to Section 98 of the Local Government Act 2002, the Kāpiti Coast District Council Annual Report for the year ended 30 June 2014 attached as Appendix 1 to report SP-14-1359.**

**CARRIED**

KCDC 14/10/166

**i-SITE RATIONALISATION (SP-14-1329)**

Stephen McArthur and Strategic Projects Advisor Jane Hewitt presented the report and the process of review was summarized. The report presented the feedback from the consultation process. The following points were made:

- The lease of the i-Site at Paraparaumu would be extended pending consideration of alternative sites.
- James Cootes as Chair of the Ōtaki Community Board was invited to comment:
  - The Community Board supported the closure of the Ōtaki i-Site provided the community's needs for information could still be met in some format
  - The unique histories of Ōtaki and other communities shouldn't be blurred in the telling the 'Kapiti story';
  - Clear reasons would need to be communicated for the closure as the community would see it as a penalty
  - The transition to a new arrangement should be seamless and involve the Community Board;
  - Following closure it was possible that workload at the Service Centre would increase with people taking their information requests there;
  - What would the future use of the Ōtaki building be?

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The Ōtaki Ward Councillor Penny Gaylor commented asked for clarification as to how the transition would be managed: there should be no loss of service and no disadvantage to operators. Mr McArthur commented that these were all legitimate issues to be considered during discussions on the implementation plan. This plan would be brought back through the community boards for comment.

Jack McDonald Chair of the Paekākāriki Community Board supported Mr Cootes' comments and said that information services should be provided digitally and in the remaining i-Site, as Paekākāriki tended to be overlooked in this regard. He appreciated being involved in the Stakeholder group.

The Mayor acknowledged the work of the i-Site staff.

*The meeting adjourned at 1.12pm and reconvened at 1.45pm*

**MOVED (Welsh/Holborow)**

**That Council notes the Paraparaumu-Raumati Community Board, Ōtaki Community Board and stakeholder recommendations and resolves that:**

- **one i-Site is still needed**
- **that the Ōtaki i-Site be closed from 1 July 2015 and the current funding be redirected with a portion of the funding being retained for some form of visitor information in Ōtaki and the rest to improving how the Kāpiti story is told both digitally and within the remaining i-Site (emphasizing the story of the individual towns and their identities); and**
- **that Council issue a request for Expressions of Interest in the future use of the old Ōtaki courthouse building prior to the i-Site closing;**
- **that the Council ensures that the Ōtaki resident enquiries identified in the review are still being supported and addressed for example at the Ōtaki Library Service Centre or by other relevant providers.**

**That the remaining i-Site located in Paraparaumu is renamed the Kāpiti i-Site**

**That the Council notes that staff will prepare in consultation with the community boards and stakeholders an implementation plan that will be brought back to Council for endorsement.**

**CARRIED**

KCDC 14/10/167

**AMENDMENTS TO THE GOVERNANCE STRUCTURE AND DELEGATIONS DOCUMENT (4 SEPTEMBER 2014 VERSION) (CORP-14-1347)**

Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to the report which proposed some minor amendments to the Governance Structure document to bring it into alignment with the PDP process, and legislative changes. The amended appendix, which had been circulated to Councillors prior to the meeting, clarified that Council would be appointing hearing commissioners.

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**MOVED (Gaylor/Ammundsen)**

That Council approves the amendments to the Governance Structure and Delegations for the 2013-2016 Triennium, as at the amended Appendix 1 of report Corp-14-1347.

**CARRIED**

KCDC 14/10/168

**AMENDMENTS TO THE COUNCIL DELEGATIONS TO CHIEF EXECUTIVE AND STAFF (SP-14-1330)**

Group Manager Strategy and Partnerships Stephen McArthur spoke to the report, explaining that the amendments reflected the adoption of a new Enforcement Policy.

**MOVED (Scott/Holborow)**

That the Council adopts the amendments to the Resource Management Act 1991 Delegations, shown in Appendix A of Report SP-14-1330 to include the new delegations to the Group Manager positions as well as the addition of the new positions of External Member – Enforcement Decision Group and Principal Policy Planner. Amendments are also recommended to change existing delegations of section 338(4) to section 338, schedule 1 clause 25(1) to schedule 1 clause 25 and the addition of section 343B to enforcement staff.

That the Council adopts the amendments to the Council Delegations to the Chief Executive and Staff Delegations, shown in Appendix B of Report SP-14-1330 to include the Criminal Procedure Act 2011 and the Summary Proceedings Act 1957.

That the Council notes that once approved, these amendments will be included in the existing 24 July 2014 Resource Management Act Delegations and the existing 23 January 2014 Council Delegations to the Chief Executive and Staff.

**CARRIED**

KCDC 14/10/169

**DRAFT CALENDAR OF MEETINGS FOR 2015 (CORP-14-1340)**

Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to the report noting that the calendar was modeled on the current six-weekly cycle.

**MOVED (Welsh/Bell)**

That the Council approves the draft meeting schedule for January 2015 – December 2015 as detailed in Appendix 1 of report Corp-14-1340 for circulation to the four Community Boards for their approval and/or amendment, noting the following:

- The calendar of meetings is based on a six-weekly cycle;
- All Council, Committee and Subcommittee meetings are currently scheduled on a Thursday and start at 10.00 am; and

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- Subject to Community Board agreement, Community Board meetings will take place on Tuesday evenings, commencing at 7.00 pm for Ōtaki, Paekākāriki and Paraparaumu/Raumati Community Boards, and at 7.30 pm for Waikanae Community Board.

**CARRIED**

KCDC 14/10/170

**REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND  
COMMUNITY BOARDS (CORP-14-1343)**

Grants Allocation Subcommittee

Cr Holborow explained the context of the recommendation on page 292. From time to time Creative New Zealand increased its funding for the Creative Communities New Zealand Scheme. The recommendation was intended to restore the proportionate allocation between the funding partners.

**That the Grants Allocation Subcommittee recommends that Council applies the original funding ratio of Council's contribution to the Creative New Zealand contribution under the Creative Communities Scheme.**

The Chief Executive said this would be dealt with through the LTP process.

Ōtaki Community Board

The Board's recommendation was noted and had been actioned earlier on today's agenda (item 10 on the i-Site Rationalisation).

**MOVED (Scott/Elliott)**

**That Council receives report Corp-14-1343.**

**CARRIED**

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KCDC 14/10/171

**RESOLUTION TO GO INTO PUBLIC EXCLUDED SESSION**

**MOVED (Ammundsen/Welsh)**

<b>PUBLIC EXCLUDED RESOLUTION</b>		
<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>Coastlands Aquatic Centre Café Operations (CS-14-1322) (To be circulated separately)</b></li> <li>• <b>Appointment of Māori Representative to the Environment and Community Development (ECD) Committee (Corp-14-1246)</b></li> <li>• <b>Confirmation of Public Excluded Minutes: 4 September 2014</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>		
<p><b>Coastlands Aquatic Centre Café Operations (CS-14-1322)</b></p>	<p>Section 7(2)(a) – to protect the privacy of natural persons.</p> <p>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).</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>
<p><b>Appointment of Māori Representative to the Environment and Community Development (ECD) Committee (Corp-14-1246)</b></p>	<p>Section 7(2)(a) – to protect the privacy of natural persons.</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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<p><b>Confirmation of Public Excluded Minutes: 4 September 2014</b></p>	<p>Section 7(2)(a) – to protect the privacy of natural persons. 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 went into public excluded session at 2.07pm.  
The meeting came out of public excluded session at 2.55pm and was closed.*

*Signed* ..... / ..... / 2014

Mayor Ross Church, Chair