

MINUTES	MEETING	TIME
<b>KĀPITI COAST DISTRICT COUNCIL</b>	<b>THURSDAY 20 MARCH 2014</b>	<b>10.04 AM</b>

Minutes of a meeting of the Kapiti Coast District Council on Thursday 6 March 2014, commencing at 10.04 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	P	Gaylor	
Cr	K	Gurunathan	
Cr	J	Holborow	
Cr	T	Lloyd	
Cr	D	Scott	
Cr	G	Welsh	

**ATTENDING**

Ms	F	Vining	(Chair, Paraparaumu-Raumati Community Board)
Mr	J	Cootes	(Chair, Ōtaki Community Board, from 11am)
Mr	M	Scott	(Chair, Waikanae Community Board)
Mr	P	Dougherty	(Chief Executive)
Mr	S	McArthur	(Group Manager, Strategy and Partnerships)
Ms	T	Evans	(Group Manager, Community Services)
Mr	W	Maxwell	(Group Manager, Corporate Services)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Ms	S	Foss	(Quality Manager Regulatory Services)
Mr	M	De Haast	(Financial Controller)
Mr	T	Power	(Senior Legal Counsel)
Cr	N	Wilson	(Greater Wellington Regional Council – Kāpiti constituency)
Ms	V	Starbuck-Maffey	(Democratic Services Team Leader)

KCDC 14/03/067

**APOLOGIES**

**MOVED (Ammundsen/Welsh)**

**That an apology be accepted from the Chair of the Ōtaki Community Board James Cootes for lateness.**

**CARRIED**

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KCDC 14/03/068

**PUBLIC SPEAKING TIME**

1. Betty van Gaalen spoke to her submission (circulated) on behalf of Kapiti Grey Power regarding the Draft Annual Plan process. She expressed concern about the affordability of the proposed rates increase. Other issues in her submission included questions or comments around commercial rating, and the 20 year loan repayment period. She requested that the graph in the Draft Annual Plan on page 22 be moved to follow the Mayor's address in the document so the graph was more readily accessible to readers.
2. Bernie Randall had provided a submission (circulated) on several matters but he was not present.
3. Salima Padamsey spoke about the independent coastal science expert panel and the potential conflict of interest involving the panel chair James Carley. She commented that because of the potential conflict of interest the panel was not fully independent so its findings could not be trusted.
4. John Le Harivel spoke to his submission (circulated) which posed a number of questions on CleanTech; the Standen trees case; the Kiosk at Paraparaumu Beach; Water Charging; and the final costs of the Aquatic Centre project.
5. Dale Evans spoke to his submission about the conflict of interest issue associated with the independent coastal science panel and said the CEO should be sacked for his poor performance. The Mayor asked Mr Evans to stop this line of address. When he refused the Mayor suspended the meeting under Standing Order 3.16.1. Councillors demonstrated support for the Mayor by leaving the room.

*The meeting was suspended at 10.23am and reconvened at 10.39am.*

KCDC 14/03/069

**MEMBERS' BUSINESS**

(a) Responses to Public Speaking Time

- To Betty van Gaalen – the Chief Executive Pat Dougherty explained that at the moment Council was not fully funding depreciation and an effort was being made to reduce unfunded depreciation; the matter had been identified for consideration in the Long Term Plan (LTP) process.
- The Mayor commented that as Bernie Randall was not present the concerns raised in his submission would be responded to in writing. However, staff were able to provide some comments now. The Group Manager Infrastructure Services Sean Mallon said that:
  - in respect of the Kapiti Road design issue, Mr Randall had been invited to join the stakeholder register;
  - regarding traffic assessments around primary schools a letter had been forwarded with information about the Council's School Travel

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Plan process, and an invitation to the next meeting of the Regulatory Management Committee where more information would be provided;

- regarding the misspelling of 'Paraparaumu' on the Toru Road sign this had already been fixed.

The Mayor commented on one other issue in Mr Randall's submission where he asked whether the Mayor accepted that 'the wool has been pulled over his eyes' concerning the use of the staff car park which Mr Randall believed had been intended for use by Council vehicles.

The Mayor said he was disappointed in this calibre of comment and utterly rejected any suggestion that staff had deliberately misled him on this or any issue. He invited Mr Randall to produce proof of the alleged misleading and if provided the matter would be dealt with through the appropriate channels. If proof was not forthcoming he said Mr Randall should attend this forum and provide a public apology.

- To Salima Padamsey – the Chief Executive would respond in writing to her questions.
- To John Le Harivel – the following comments were provided by staff:
  - Regarding the Kiosk, an explanation was provided about the source and extent of the damage, and the frequency of asset assessment. The staff report included options for the use and enjoyment of the wider Maclean Park area, not just the Kiosk;
  - Regarding the final costs for the Aquatic Centre, final costs could not be provided yet but were expected to be available within 6-8 weeks. It was explained that the cost of the ramp was not included in the final budget;
  - Group Manager Infrastructure Services Sean Mallon commented about questions around water metering charging. The Charging Regime Advisory Group (CRAG) considered all the issues when they recommended a 50/50 split between fixed and volumetric charges. They considered this the best option to address both social issues and water conservation.
  - Regarding the prosecution of the Standens Tamsin Evans explained the decision to prosecute was made under another delegation not the one quoted by Mr Le Harivel.
  - All Mr Le Harivel's remaining questions would be responded to in writing.
- Regarding Dale Evans – The Mayor believed Mr Evans' comments to be offensive, harassing, and bullying in relation to staff which was why he had asked Elected Members to leave the Chambers; he thanked them for their support.

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

KCDC 14/03/070  
**MAYOR'S REPORT**

This had been provided previously.

KCDC 14/03/071  
**DRAFT 2014/15 ANNUAL PLAN (Corp-14-1148)**

This report was introduced by the Group Manager Strategy and Partnerships Stephen McArthur, Group Manager Corporate Services Wayne Maxwell and Quality Manager Regulatory Services Sharon Foss. The workshop process was recapped. The starting point for the rates increase had been 6.8% but at the end of the workshops it had been reduced to 4.95% including a small provision for paying off additional debt. All the suggestions made by Elected Members through the workshop process had been incorporated into the Draft.

Consultation would start on 26 March and submissions would be invited until 28 April. Three days had been scheduled for submission hearings, and this would include a whole day set aside to hear debate on the fluoridation issue.

Ms Foss tabled some supplementary information which detailed the forward programme and the communications strategy. Copies of the draft plan would be available through the website and in hard copy. The following points were raised during discussion:

- It was clarified that as the submissions hearings were not 'hearings' as defined by the Resource Management Act, not all Councillors were required to be present at all sessions. However they were encouraged to attend as many hearings as possible, both for completeness and because the hearings are a formal Council meeting that requires a quorum under Standing Orders. Every Councillor would receive a copy of every submission.
- The hearings were intended to provide submitters with the opportunity to highlight points in their submissions, not introduce new material.
- A mockup of the Summary document to be published in newspapers was presented. Representatives of the fluoridation 'for' and 'against' groups had been invited to submit a 400 word summary of their arguments and these would be published side by side. The Council would include a disclaimer so that the community was not confused about the views presented.
- Councillors approved the use of static displays at Coastlands and would take the opportunity to attend on a voluntary rostered basis and answer questions from members of the community about the Draft document.

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- In answer to a suggestion that the Council provide segments of the document targeting the submitter's specific concerns it was explained that this would disadvantage the submitter by not providing them with complete and contextualised information.
- Councillors emphasised that every possible avenue should be used to ensure that the community was aware of the document and their opportunity to submit to it.
- The Council website would provide easy navigation to the relevant pages. Both the static displays and newspaper adverts/summary would also direct people to the website.
- It was agreed that the draft summary document would be circulated to Councillors as soon as possible for their consideration and comments or any changes.

*James Cootes joined the meeting at 11am.*

*The meeting was adjourned at 11.29am and reconvened at 11.48am.*

Discussion continued on the Draft Annual Plan.

- The Mayor invited Wayne Maxwell to introduce a new staff member. This was Mark de Haast, the new Financial Controller.
- Councillors raised a number of specific edits to the draft Annual Plan document and these were noted.
- Grey Power's earlier request that the 'Rates Impact' graph be moved to a more prominent place in the document was noted. It was agreed it would be moved as long as staff could accommodate it within the page layouts. It was also agreed to provide the 'Coin Rates Graph' in two versions, one each for rural and urban rates breakdowns.
- It was agreed to amend recommendation 25 to include reference to the summary document.

#### **MOVED (Cardiff/Welsh)**

**That having regard to the matters set out in Section 100 Subsection 2 of the Local Government Act 2002 the Council resolves that it is financially prudent to not fund all of its operating expenses from operating revenue (through not fully funding depreciation) for the 2014/15 year for the reasons set out in Part 2 of the 2014/15 Draft Annual Plan and also covered within report Corp-14-1148.**

**That the Council gives delegated authority to the Mayor, the Deputy Mayor, the Chairs of the three Standing Committees and the Chief Executive to act as an Editing Sub-Committee for the Draft Annual Plan and the Summary Document. They are collectively delegated the power to provide final approval of (a) any changes required by/or made at this 20 March 2014 Council meeting and/or (b) any minor editorial changes**

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that staff identify (these would be limited to the likes of improving punctuation, sentence construction and formatting).

That the Council approves as the Statement of Proposal:  
- the 2014/15 Draft Annual Plan document developed by the Kāpiti Coast District Council for public consultation and comment in accordance with section 83 of the Local Government Act 2002, being the Special Consultative Procedure noting that:

1. the document will be released for public consultation and comment in accordance with section 83 of the Local Government Act 2002, being the Special Consultative Procedure from 26 March to 28 April 2014;
2. the Council will hear submissions on 20, 21 and 22 May 2014;
3. the Council will consider submissions on 5 June 2014;
4. the Council will adopt the 2014/15 Annual Plan and Levy Rates on 26 June 2014.

**CARRIED**

KCDC 14/03/072

**GRANTING OF A NEW LEASE FOR THE ŌTAKI MUSEUM BUILDING AT 49 MAIN STREET ŌTAKI (CS-14-1109)**

Group Manager Community Services Tamsin Evans spoke to this report which asked Council to approve the renewal of a lease for long term tenants.

Discussion focussed on issues associated with the building's future following an assessment of its seismic capacity which was expected to be carried out in the next financial year. The methodology for the assessment would be brought to Council through the Regulatory Management Committee.

If the building was deemed earthquake-prone as a result of that assessment the Council would work with the Trust on the need to terminate the lease. Council would be asked at that point to decide if it wished to carry out any required strengthening work. An updated Asset Management Plan would be presented as part of the LTP process next year.

There was flexibility in looking for alternative sites for the Museum in the event that it could not continue using the Bank building.

**MOVED (Gaylor/Holborow)**

That the Council authorise the Chief Executive to enter into a new lease with the Otaki Heritage Bank Preservation Trust for three years from 1 July 2014 at a rental rate of \$10,216 excluding GST per annum, for the Otaki Museum building at 49 Main Street Otaki outlined in Appendix 2 to report CS-14-1109.

**CARRIED**

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KCDC 14/03/073

**RESOLUTION TO GO INTO PUBLIC EXCLUDED**

**MOVED (Ammundsen/Lloyd)**

<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>Appointment of Māori Representative to the Environment and Community Development (ECD) Committee (Corp-14-1147)</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>Appointment of Māori representative to ECD Committee</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>

**CARRIED**

*The meeting went into public excluded session at 12.10pm.*

*The meeting came out of public excluded session at 12.32pm and was closed.*

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

Mayor Ross Church, Chair