

MINUTES	MEETING	TIME
CORPORATE BUSINESS COMMITTEE	THURSDAY, 15 MAY 2014	10.00AM

Minutes of a meeting of the **Corporate Business Committee**, held in the Council Chambers, Ground Floor, 175 Rimu Road, Paraparaumu on **Thursday, 15 May 2014**, commencing at 10.00am.

PRESENT:	Cr	G	Welsh	Chair
	Mayor	R	Church	
	Cr	D	Ammundsen	
	Cr	M	Bell	Deputy Chair
	Cr	M	Cardiff	Deputy Mayor
	Cr	J	Elliott	
	Cr	P	Gaylor	
	Cr	K	Gurunathan	
	Cr	J	Holborow	
	Cr	T	Lloyd	
	Mr	R	Spratt	Māori Representative
ATTENDING:	Mr	P	Dougherty	Chief Executive
	Ms	T	Evans	Group Manager Community Services
	Mr	S	Mallon	Group Manager Infrastructure Services
	Mr	W	Maxwell	Group Manager Corporate Services
	Mr	S	McArthur	Group Manager Strategy & Partnerships
	Mr	T	Creighton	Corporate Monitoring Officer
	Mr	M	de Haast	Financial Controller
	Mr	N	Mourie	Leisure and Open Space Planner
	Mr	L	Bartlett	Leisure and Open Space Asset Manager
	Ms	A	Kenna	Media Relations Manager
	Ms	F	Vining	Chair, Paraparaumu/Raumati Community Board
	Ms	C	Papps	Member, Ōtaki Community Board
	Mr	E	Gregory	Member, Waikanae Community Board
	Mr	P	Edwards	Member, Paekākāriki Community Board
	Ms	A	McLaughlin	Democratic Services Advisor
	Mrs	J	Nock	Executive Secretary, Corporate Services
LEAVE OF	Cr	D	Scott	
ABSENCE	Mr	M	Scott	Chair, Waikanae Community Board

CBC 14/05/21

## WELCOME

The Chair welcomed everyone, declared the meeting open and read the Council Blessing.

CBC 14/05/22

### (a) Apologies

There were no apologies and leave of absence was noted.

### (b) Declarations of Interest Relating to agenda items.

There were no Declarations of Interest Relating to agenda items.

Chief Executive, Pat Dougherty updated Members on the native tree prosecution case in Ōtaki and acknowledged that some of the advice the Council received was not acceptable. An investigation to understand where improvements could be made to operations and the enforcement policy would be carried out.

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The Chief Executive apologised to Mr & Mrs McLeavy and to Monkeyman Tree Services for the distress the Council had caused with the prosecutions and assured them that the Council would be working very hard to make sure there was no repetition of this type of error in the future.

CBC 14/05/23

**30 MINUTES PUBLIC SPEAKING TIME**

The Chair advised that this Council was bound by the Health & Safety in Employment Act 1992 and within public speaking time he would not allow attacks on any member of staff within the Council and speakers would be closed down immediately if this happened. If speakers did not cease from thereon he would adjourn the meeting.

Michael Woods

Mr Woods represented the Fluoridation Action Group and spoke about the speaking order of submissions during the Annual Plan Hearings.

Mr Woods requested to see the list of speakers as he felt that if the majority of pro-fluoride speakers were speaking on the Thursday it would have been a 'set up' as this would undermine the final summaries from the two parties.

The Mayor was concerned that Mr Woods used the words 'set up' as that implied that Council staff were doing something to undermine the Group. He clarified that it was not the staff that were going to make the decision on fluoride it would be the Councillors and they would be listening to all submissions.

Sharon Foss, Quality Manager Regulatory Services answered questions from Mr Woods relating to the Draft 2014/15 Annual Plan submission process. Ms Foss confirmed the speaking schedule had been circulated to the Mayor and Council, Fluoride Action Network and Capital Coast District Health Board, and then clarified the particular emphasis on fluoride for Wednesday 21 May 2014 Draft Annual Plan hearing was to allow Council to hear from the two organisations that it recognises as holding opposing views on fluoride, Fluoride Action and Capital Coast District Health Board. Ms Foss noted that individual members of the public have a democratic right to select the hearing day that best suits them and that individuals associated with both Fluoride Action and Capital Coast District Health Board retain the right to make an individual submission.

*Cr Elliott left the meeting 10.19 returned at 10.21*

The Chair commented that he had been following this process from the beginning and felt that the processes had been followed impeccably and the Council could not deny people their democratic right to state their case.

Dale Evans

Mr Evans questioned the costs for the restoration of the Kiosk at Paraparaumu Beach and also on Council using local contractors to carry out the works.

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CBC 14/05/24

**CONFIRMATION OF MINUTES: 20 February 2014**

**MOVED (Welsh/Bell)**

**That the minutes of the Corporate Business Committee meeting held on 20 February 2014 be adopted as a true and correct record.**

**CARRIED**

**Matters Under Action**

None discussed.

CBC 14/05/25

**MEMBERS' BUSINESS**

(a) Public Speaking Time Responses.

Mr Woods' responses were covered during public speaking time and it was clarified that the Hearings were not a tribunal but part of the Annual Plan process in accordance with the Local Government Act.

Dale Evans

Lex Bartlett, Leisure & Open Space Asset Manager explained that initially, due to the fire, the matter was handled by Council's Insurance Adjustors and they believed that the damage would not amount to the insurance cover. The Adjustors advised Council engage a contractor to give a breakdown of costs to fix the damage.

The \$60,000 breakdown was received from a local builder who has worked on the structure and this information had been given to Mr Evans.

Council engaged a specialist contractor experienced in fire reinstatement who was developing contract specifications after carrying out a detailed inspection of the Kiosk and was also working with Council Officers particularly in the Building Control and Resource Consents teams to confirm consent requirements.

Once the building reinstatement contract specifications were received the Council would ask for three quotes from local builders and seek a building consent.

The Paraparaumu/Raumati Community Board commented about their concerns with the delay and requested that the process be given priority and completed as soon as possible.

Mr Evans' remaining queries would be answered through the Official Information Act process.

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A member requested details on the Chief Executive's performance review and the Chair stated it was inappropriate at this meeting and a point of order was called as per Standing Orders:

3.13 *Points of Order*

3.13.6 *The Chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument before deciding. The ruling of the chairperson upon any point of order is not open to any discussion and is final.*

*The meeting adjourned at 10.39am meeting reconvened at 10.49am.*

(b) Leave of Absence

**MOVED (Gurunathan/Mayor)**

**That leave of absence be accepted from Cr Welsh for 22 May 2014.**

**CARRIED**

(c) Matters of an Urgent Nature.

There were no matters of an urgent nature

CBC 14/05/26

**LEASE CONCESSION TO OCCUPY COUNCIL LAND AT 26 REIKORANGI ROAD WAIKANAE FOR THE KAPITI COAST ARCHERY CLUB INCORPORATED (CS-12-758)**

Nathan Mourie, Leisure and Open Space Planner spoke to this report.

*The Mayor left the meeting at 10.53am.*

Members requested a Title search on the history of the block.

**MOVED (Cardiff/Ammundsen)**

**That the Committee gives approval to enter into a concession for three years with two three year rights of renewal commencing 01 July 2011 between the Kāpiti Coast District Council and the Kāpiti Archery Club Incorporated, for the land at 26 Reikorangi Road shown in Appendix 2 to report CS-12-758 at an annual rental set by the Council in the Long Term Plan or Annual Plan.**

**CARRIED**

Further update on the Kiosk

With regard to the renovation of the Kiosk at Paraparaumu Beach, Mr Bartlett returned to the meeting to add that the specialist clarified that he was waiting on a Structural Report and Fire Inspector's Report so he was hoping to finalise his report within the next three weeks.

The Chair reiterated the urgency of the completion of this project.

Mr Bartlett would contact Mr Evans with these updates.

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CBC 14/05/27

**FINANCIAL REPORT TO 31 MARCH 2014 (Corp-14-1199)**

Wayne Maxwell, Group Manager Corporate Services introduced Mark de Haast, Financial Controller and gave a presentation showing the key points of the report including:

- financial performance including revenue, expenditure and the net surplus forecast;
- financial position - changes between March and June; and
- cash flows.

**MOVED (Welsh/Holborow)**

**That the Corporate Business Committee notes the actual financial performance and position for the nine month period ended 31 March 2014 and the full year forecast as contained in this report Corp-14-1199.**

**That the Corporate Business Committee notes the cash flows for the period ended 31 March 2014 and the full year forecast as contained in this report Corp-14-1199.**

**That the Corporate Business Committee notes the actual rates funding surplus for the period ended 31 March 2014 and the full year forecast as contained in this report Corp-14-1199.**

**That the Corporate Business Committee notes the total rates outstanding (current and arrears) as at 31 March 2014 as contained in this report Corp-14-1199.**

**That the Corporate Business Committee notes Council's full compliance (actual and forecast) against its key Treasury Management Policy Limits as contained in this report Corp-14-1199.**

**CARRIED**

CBC 14/05/28

**INVESTMENT AND BORROWING REPORT TO 31 MARCH 2014 (Corp-14-1200)**

Wayne Maxwell gave a brief presentation showing:

- the Overview of the Economy
- OCR Considerations
- ten year swap rates
- fixing long – current and proposed loans

The policy approach to handling debt would be looked at again during the Long Term Plan process.

**MOVED (Bell/Ammundsen)**

**That the Corporate Business Committee notes that the General, Separate and Special Fund Investments as at 31 March 2014 were \$8,110,976 (\$8,699,448 as at 31 December 2013).**

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**That the Corporate Business Committee notes that Gross Public Debt as at 31 March 2014 was \$135,004,136 (\$135,077,123 as at 31 December 2013).**

**That the Corporate Business Committee notes the effective average interest rate of the Council's Public Debt, after taking into account the interest rate swaps and margins as at 31 March 2014, was 5.67% (5.62% as at 31 December 2013).**

**CARRIED**

CBC 14/05/29

**CONTRACTS UNDER DELEGATED AUTHORITY (Corp-14-1198)**

**MOVED (Bell/Holborow)**

**That the Corporate Business Committee notes that two contracts over \$250,000 were approved under delegated authority for the period 1 February to 30 April 2014.**

**CARRIED**

CBC 14/05/30

**ACTIVITY REPORTS: 1 July 2013 – 31 March 2014 (SP-14-1196)**

Wayne Maxwell advised that following suggestions from Members, for future reporting, the Activity Report would give brief introductions with selected highlights.

Terry Creighton, Corporate Monitoring Officer spoke to this report and advised that the report covered the third quarter of the 2013/14 year.

Members discussed the individual activities and staff responded to their questions. Some issues needed further investigation and would be followed up after the meeting or added to matters under action.

*Russell Spratt left the meeting at 11.40am and returned at 11.41am.*

#### Resource Consents

Members requested that timeframes be measured on processing resource consents and it was confirmed that systems and processes for building and resource consents would be reported back to Council.

#### Coastlands Aquatic Centre

It was confirmed that negotiations were continuing with the Receivers to retrieve some of the costs of the Bond and a designated Councillor would be involved in this process.

Members requested clarification on the insurance details of Coastlands Aquatic Centre land and building.

*The Mayor returned to the meeting at 11.58am.*

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### Community Facilities

Members felt that the target for cleanliness in public toilets and swimming pools was too low and it was clarified that if Members requested increases in KPI's there would be financial consequences and these would need to be discussed during the Asset Management Plan/Activity Management Plan process.

*The meeting adjourned at 12.04pm and reconvened 12.14pm.*

### Development Management

Stephen McArthur, Group Manager Strategy & Partnerships updated Members on the Coastal Panel report advising that Council had met with the parties to the Weir case and had agreed changing some of the wording to reflect the current situation in terms of legal advice. Also with regard to the information on the KCDC website it was agreed, in principle, that those reports would stay on the website with a disclaimer in terms of the CSL report and the wording had been circulated to the relevant parties.

*Philip Edwards joined the meeting at 12.17pm*

A Member questioned the providence of land title transfer on Tamati Place and also mapping out areas of regional Māori significance within the District. Mr McArthur confirmed he would meet to discuss further.

It was commented that it would be useful if this was also discussed with the Te Whakaminenga O Kāpiti. It was also advised that the land was bought by the Waikanae Land Company and was now privately owned. Any further discussions needed to include the owners of the land.

### Economic development

Members agreed that the Clean Technology Development needed re-branding and asked for an update on the timeline internal review. Mr McArthur advised that the review was likely to be completed by the middle of June.

Mr Spratt updated Members on the support of the Māori Development Strategy and also roads of national significance and training initiatives and confirmed discussions were continuing and steady progress was being made.

### Stormwater management

Sean Mallon, Group Manager Infrastructure Services advised that with regard to the Waikakariki Stream Gravel Extraction it showed a 'green' category and should show 'orange' as the project would not be completed within this financial year as negotiations were still taking place with the owner.

### **MOVED (Gurunathan/Cardiff)**

**That the Corporate Business Committee notes the performance results for the third quarter (October 2013 to 31 March 2014) contained in the Activity Reports attached as Appendix B to this Report SP-14-1196.**

**CARRIED**

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CBC 14/05/31

**PUBLIC EXCLUDED RESOLUTION**

**MOVED (Mayor/Bell)**

**That the Corporate Business Committee move into a Public Excluded meeting:**

<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>Extension of Contract R589 Road Maintenance (IS-14-1188)</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>		
<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds under Section 48(1) for the passing of this resolution</b>
To discuss and decide on the extension of the Road Maintenance contract.	Section 7(2)(i) – to enable any 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 went into public excluded session at 1.12pm.

*The meeting came out of public excluded session at 1.15pm.*

The meeting closed at 1.15pm

.....  
Chairperson

.....  
Date