

| MINUTES                              | MEETING                         | TIME            |
|--------------------------------------|---------------------------------|-----------------|
| <b>KĀPITI COAST DISTRICT COUNCIL</b> | <b>THURSDAY 28 JANUARY 2016</b> | <b>10.00 AM</b> |

Minutes of a six-weekly meeting of the Kapiti Coast District Council on Thursday 28 January 2016, commencing at 10.00 am in Council Chambers, Ground Floor, Kapiti Coast District Council, 175 Rimu Road, Paraparaumu.

#### PRESENT

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

#### ATTENDING

|    |     |                 |   |
|----|-----|-----------------|---|
| Mr | P   | Edwards         | (Chair, Paekākāriki Community Board)          |
| Mr | J   | Cootes          | (Chair, Ōtaki Community Board)                |
| Ms | F   | Vining          | (Chair, Paraparaumu-Raumati Community Board)  |
| Mr | E   | Gregory         | (Chair, Waikanae Community Board)             |
| Ms | A-M | Ellison         | (Member, Te Whakaminenga o Kāpiti)            |
| Mr | P   | Dougherty       | (Chief Executive)                             |
| Mr | V   | Fallon          | (Acting Group Manager, Strategy and Planning) |
| Mr | S   | Mallon          | (Group Manager, Infrastructure Services)      |
| Mr | W   | Maxwell         | (Group Manager, Corporate Services)           |
| Mr | K   | Currie          | (Group Manager, Regulatory Services)          |
| Ms | T   | Evans           | (Group Manager, Community Services)           |
| Ms | J   | McDougall       | (Communications Manager)                      |
| Ms | V   | Starbuck-Maffey | (Democracy Services Manager - Minute-Taker)   |

The Mayor welcomed everyone to the meeting. He read the Council blessing and called for apologies.

KCDC 16/01/464

#### **APOLOGIES AND DECLARATIONS**

There were no apologies.

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KCDC 16/01/465

**DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were no declarations.

KCDC 16/01/466

**PUBLIC SPEAKING TIME (FOR ITEMS RELATING TO THE AGENDA)**

Trevor Daniell on behalf of Grey Power congratulated Cr Diane Ammundsen on her recent QSM award.

KCDC 16/01/467

**MEMBERS' BUSINESS**

- (a) Responses to Public Speaking Time: none was required
- (b) Leave of Absence

**MOVED (Welsh/Gaylor)**

**That leave of absence is granted to the following Councillors:**

**Cr Murray Bell 8-17 February 2016 inclusive**

**Cr D Scott 4 February 2016**

**Cr M Scott 2-9 March 2016**

**Cr Holborow 1-5 February 2016**

**CARRIED**

- (c) Matters of an Urgent Nature – there were none.

*Fiona Vining arrived at 10.05am.*

KCDC 16/01/468

**MAYOR'S REPORT**

The Mayor gave a verbal report, highlighting:

- The opening of the new cycleway/walkway 'Te Ara o Whareroa' last weekend. The project was an excellent example of successful multiagency partnership and collaboration. This sentiment was shared by Councillors. Jan Nesbit and Council officer Stu Kilmister were commended for their contribution.
- The Garden Trail was scheduled for this weekend.
- A meeting of the Wellington Regional Amenities Fund Joint Committee was scheduled for next week. One of the topics to be discussed was a reassessment of a successful applicant's changed project. One of the participating councils had decided not to continue membership after June 2016.

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KCDC 16/01/469

**LEASE TO OCCUPY LAND AT 11 NGAIO ROAD, WAIKANAĒ, NORTH END BREWING (CS-16-1783)**

Group Manager Infrastructure Services Sean Mallon spoke to the report. Discussion featured the following issues:

- The removal of a Council signboard (about the conservation of water) near the site in question was queried. The new strategy around Council's provision of community noticeboards was clarified – its aim was to better manage signage on Council land across the district, including addressing road safety issues.
- It was acknowledged that this new initiative could have been better promoted to the community and Community Boards would be updated on this matter in the coming weeks, including advice on how to use and book space on the community noticeboards.
- The hours of the café/restaurant permitted in the resource consent were clarified as 7am-11.30pm Monday to Sunday but the owners would have to apply separately for a liquor licence.
- Would the leasing of this reserve land set an undesirable precedent for other cafes who might want to extend their café space onto council-owned land? It would in fact make the situation fairer with Council starting to charge for a lease at the market rate. It also aligned with Council's Visitor Attraction Strategy.
- The provision of carparking was discussed with some concern expressed about the possibility of increased congestion around the site, and the need for a consistent approach across the District but this issue was addressed as part of the company's resource consent application which included a consultant's survey; staff confirmed the approach to parking was adequate.
- Each application was treated on its merits, with Council taking a pragmatic approach.
- The issue of public safety was raised by two Councillors with concern around the possibility of people sitting outside the café at the new site being injured by road traffic, and accompanying line of sight issues. Other Councillors didn't agree that safety issues were applicable.
- It was agreed that another signboard site could be discussed as part of the Town Centre development.
- As this lease charge was a new arrangement a policy around such situations would be brought back to Councillors at a later stage.
- The wording of one of the resolutions was queried where it referred to 'submissions in opposition' and the process was clarified. The wording of the resolutions had been crafted so as to allow the owners to commence operations; however if any submissions in opposition were received and upheld at the hearing stage the lease may need to be cancelled.

**MOVED (M Scott/Welsh)**

**That Council authorises the Chief Executive to negotiate and sign a lease for the recreation reserve land (in general accordance with the proposed terms outlined in this report (CS-15-1783)) for the land at Ngaio Road, Waikanae shown in Attachment 1 to Food Folk Ltd, provided no submissions in opposition are received.**

**That Council authorises the Chief Executive to negotiate and sign a lease for the road reserve land (in general accordance with the proposed terms outlined in this report (CS-15-1783)) for the land at Ngaio Road, Waikanae shown in Attachment 1 to Food Folk Ltd, provided no submissions in opposition are received.**

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**That the Council authorises a temporary licence for occupation to be arranged with Food Folk Ltd to cater for the opening event on 1 March 2016.**

**CARRIED**

Cr Elliott voted against the motion.

KCDC 16/01/470

**REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS (CORP-16-1807)**

- As the report contained a recommendation from the Paekākāriki Community Board the Chair Philip Edwards was asked to comment. He explained the Board's thinking.
- The Trans-Pacific Partnership Agreement (TPPA) had been discussed at a recent meeting of mayors where there was little appetite for further action. The Ministry of Foreign Affairs and Trade had already conducted an analysis of the document, but it was noted that this was a general analysis which was not what the recommendation was asking be done. LGNZ had already been approached by Council about this matter some time ago.
- Mr Edwards said the Board would be amenable to having the phrase 'current text' removed which would allow LGNZ to carry out a less onerous study. The point was made that the Agreement was about to be signed (4 February) so any kind of study was unlikely to be completed in the interim but it would still be valuable post-ratification.
- The adoption in 2015 by Council of the 12 principles was noted and it was queried whether any response had been received from MP Tim Groser, to whom Council had written at the time.
- Councillors were concerned that the usual democratic process of public consultation had not been followed in relation to this Agreement.
- Council noted the Board's recommendation.

**MOVED (Holborow/Gaylor)**

**That the Council requests Local Government New Zealand (LGNZ) to undertake an independent analysis of the implications for local government of the proposed Trans-Pacific Partnership Agreement.**

**A division was requested:**

**For the motion: Cr Ammundsen, Cr Gaylor, Cr Holborow, Cr D Scott, Cr Gurunathan, Cr Elliott, Cr Bell, the Mayor**

**Against the motion: Cr Welsh, Cr Cardiff, Cr M Scott**

**CARRIED**

**MOVED (Holborow/M Scott)**

**That Council receives Report Corp-16-1807 (Reports and Recommendations from Standing Committees and Community Boards).**

**CARRIED**

|                                      |                                 |                 |
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KCDC 16/01/471

**CONFIRMATION OF MINUTES: 10 DECEMBER 2015**

There was one amendment agreed, to add Eric Gregory Chair of the Waikanae Community Board to the list of attendees.

**MOVED (M Scott/Ammundsen)**

**That the amended minutes of the Council meeting on 10 December 2015 be accepted as a true and accurate record of that meeting.**

**CARRIED**

KCDC 16/01/472

**PUBLIC SPEAKING TIME (COVERING OTHER ITEMS NOT ON THE AGENDA)**

There were no public speakers.

KCDC 16/01/473

**RESOLUTION TO GO INTO PUBLIC EXCLUDED**

**MOVED (M Scott/Bell)**

| <b>PUBLIC EXCLUDED RESOLUTION</b>   |   |   |
|---|---|---|
| <p><b>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:</b></p> <ul style="list-style-type: none"> <li>• <b>Time of Use Electricity Contract (SP-16-1785)</b></li> </ul> <p><b>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:</b></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>   |
| <b>Time of Use Electricity Contract (SP-16-1785)</b>  | Section 7(2)(b)(ii)—to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. | 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**

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Cr David Scott voted against the motion.

*The meeting came out of public excluded session 11.16am and was closed.*

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Mayor Ross Church  
Chair