

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

Minutes of a six-weekly meeting of the Kapiti Coast District Council on Thursday 12 December 2013, commencing at 9.14 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)
Mr	M	Scott	(Chair, Waikanae Community Board from 9.31am)
Mr	J	McDonald	(Chair, Paekākāriki Community Board)
Mr	P	Dougherty	(Chief Executive)
Mr	S	McArthur	(Group Manager, Strategy and Partnerships)
Ms	T	Evans	(Group Manager, Community Services)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Mr	R	Foley	(Strategic Communications Manager)
Mr	M	McGlinchey	(Acting Group Manager Finance)
Ms	V	Starbuck-Maffey	(Democratic Services Team Leader)

The Mayor welcomed everyone to the meeting and read the Council blessing.

KCDC 13/12/025

APOLOGIES

MOVED (Mayor/Cardiff)

That an apology for an early departure be accepted from Cr Ammundsen.

CARRIED

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

KCDC 13/12/026

PUBLIC SPEAKING TIME

The Mayor noted that Public Speaking Time seemed to be attracting a lot of speakers. He pointed out that under Standing Orders oral submissions needed to generally relate to items on the agenda, and sought feedback from the community and Elected Members on this provision.

1. Betty van Gaalen spoke on behalf of Kapiti Grey Power (submission circulated), urging the new Council to observe the Code of Conduct (on the agenda today), and also to take into account the impact on ratepayers of the proposed changes to the Local Government Act in respect of development contributions. She acknowledged that some in the community were disappointed by the late installation of the ramp for the disabled at the Coastlands Aquatic Centre.
2. Sue Emirali, the Chair of the Kapiti Accessibility Advisory Group, spoke about the delay to the installation of the ramp at the Coastlands Aquatic Centre. The Group supported the deferral of the ramp's installation until February as the pool was at its busiest over the Xmas/New Year period. The disabled were already able to access the programmes pool and there was also a hoist. She had not heard any complaints about accessibility from users and acknowledged that the pool was a public facility, needing to cater to the needs of many different groups. She was concerned about the impact on other users of the ramp taking up one whole lane and suggested, from her own personal point of view, the ramp should never be in the pool during school holidays.
3. Caron Ashford spoke in support of the facilities for the disabled at the Coastlands Aquatic Centre, saying that the pool staff were phenomenal and the service outstanding. She noted the range of facilities for the disabled and said it was important that the disabled fit in with the rest of the community.

Michael Scott joined the meeting at 9.31am.

4. Kaye Kay-Smith spoke as a new resident in Kapiti and pool user, saying the staff were wonderful. She had concerns about the ramp taking up a whole lane as it was important that children have enough room to swim in.
5. John Le Harivel spoke to his submission (circulated) which contained questions about a number of projects: the legal costs associated with a dog case currently before the Court; monitoring and evaluation for the Clean Technology Centre; costs for the 'Little Greenie' project; the final costs and completion date of remaining works for the Coastlands Aquatic Centre, and the costs of non-compliance with the resource consent for the River Recharge Scheme, as well as the ongoing costs of maintaining water meters.
6. Mike Alexander spoke about a number of matters previously covered in Public Speaking Time some time ago. He thought the Mayor's suggestion about Public Speaking Time would discourage people from attending meetings. He thought Council had chosen the wrong time of year (ie during school holidays) in which to carry out vegetation control on urban streets. He mentioned two invoices each for \$25,000 which appeared to be from the same company for the same work and he had asked previously for

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

information on this. The Mayor said his concerns would be addressed as an OIA request.

KCDC 13/12/027

CONFIRMATION OF MINUTES

There was one amendment required to the 29 October minutes where the word 'Apologies' appeared halfway down the page in a heading which should read "Declarations by New Community Board Members".

MOVED (Ammundsen/Cardiff)

The the amended minutes of the Council meeting on 29 October 2013 be accepted as a true and accurate record of that meeting.

CARRIED

In respect of the 7 November minutes there was one amendment to point 3, second sentence where the word 'comments' should be changed to 'a comment' so the sentence should read "...there was a perception of bias following a comment made by Cr Ammundsen in the press about the Proposed District Plan (PDP)."

MOVED (Holborow/Welsh)

The the amended minutes of the Council meeting on 7 November 2013 be accepted as a true and accurate record of that meeting.

CARRIED

KCDC 13/12/028

MEMBERS' BUSINESS

(a) Responses to Public Speaking Time

- To Betty van Gaalen – her concern about development contributions charges would be taken into account during the next Annual Plan and Long Term Plan cycles.
- To Sue Emirali, Caron Ashford and Kaye Kay-Smith – the Group Manager Community Services Tamsin Evans read out a statement by the architect who designed the ramp which explained it was a complex design and build, and that because components had to be custom-made this had created unforeseen delays which were not the responsibility of Council. Onsite instruction was needed to ensure that the ramp could be used without damage to the pool. Ms Evans apologised for the delay saying the ramp would be made available as soon as practicable and probably in early February. Prior to the ramp being commissioned it was Council's belief that it had met its legal obligations in respect of disabled access to the pool but the REACT group had clearly disagreed. The various disability access features including the ramp would provide an additional level of service to those with

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

different degrees of mobility. Safety concerns had been met through the design of the ramp and there was no danger to users.

- To John Le Harivel – Most of the questions would be responded to as an OIA, but it was noted that the water meter costs would be ‘ring-fenced’. Costs of meter operation and maintenance are included in the Annual Plan. Depot staff would be carrying out maintenance and an external contractor would carry out meter-reading.
- To Mike Alexander – his concerns about weedspraying had already received a response to the effect that Council was comfortable with the timing of the activity. Regarding the two invoices it was explained that the company undertaking the work had changed hands while remaining at the same premises. Cr Scott requested information on water meters, the projected costs of repairing and their lifespan as well as information on how the reading contract is going to operate, and this information would be provided.

(b) Leave of Absence – none was requested.

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

(d) Declarations of interest – the Chair of the Ōtaki Community Board James Cootes declared an interest in item 10 as his company had previously tendered for the catering contract.

KCDC 13/12/029

MAYOR’S REPORT

The Mayor’s report was tabled.

KCDC 13/12/030

RIVER RECHARGE AND WATER TREATMENT PLANT – CONSTRUCTION CONTRACT (IS-13-1062)

Group Manager Infrastructure Services Sean Mallon and Water Supply Project Manager Phil Stroud spoke to this report. After the Council decision on the 28th of November regarding the Water Supply project it was important to progress the various parts of the project. The decision required today could not be delayed until the New Year as it was required in order for the Council to comply with consent conditions. It was clarified that the cost of the monitoring programme required under the consent conditions was covered in the project budget, as was the contingency funding.

MOVED (Ammundsen/Cardiff)

That the Council authorises the Chief Executive to award Contract 2012/C035 to construct the first stage of River Recharge with Groundwater and the first stage of the Waikanae Water Treatment Plant upgrade to Downer New Zealand Limited to a maximum value of \$8.8 million.

CARRIED

Cr Scott voted against the motion.

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

Cr Lloyd left the meeting at 9.58am and returned at 10.06am.

The meeting agreed to reorder the agenda to bring item 12 forward.

KCDC 13/12/031

**CONFIRMATION OF CODE OF CONDUCT FOR ELECTED MEMBERS FOR THE
2013-2016 TRIENNIUM (Corp-13-1070)**

The Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to this report explaining that the Code of Conduct presented today had been amended to reflect the changes to the Local Government Act 2002. This included changes to include the new Mayoral powers, and some other more minor amendments. Elected Members discussed the provisions in the document around dress code and approved a simpler approach. All other amendments were approved.

MOVED (Welsh/Ammundsen)

That Council confirms the amended Code of Conduct for Elected Members at Appendix 2 of report Corp-13-1070.

CARRIED

The meeting adjourned at 10.25am and reconvened at 10.40am.

KCDC 13/12/032

SUPPORT FOR #GIGATOWNKAPITI (SP-13-1030)

Senior Advisor Jane Hewitt and Group Manager Strategy and Partnerships Stephen McArthur presented this report, noting there were two options for Council's consideration.

- Mr McArthur referred to an article in the *Dominion Post* this morning about Gigatown (copies were circulated to Councillors).
- Option 1 in the report was preferred in terms of existing resources.
- It was noted that a meeting with the Minister on the issue of broadband for Otaki (20 February 2014) was being organized and staff were currently working on a Social Media Strategy which would be brought back to Council in the New Year. The Social Media Strategy was a separate issue to the one being discussed today.
- In response to a question about the benefits to ratepayers it was pointed out that the discount to users would be significant and the speed of internet connection for the successful 'town' would be 100 times faster than that for the rest of the country.

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

- Some Councillors were concerned about the continued support by Chorus and the recommendation was amended to reflect this issue.
- Other Councillors thought it was a valuable opportunity to engage with the community on new technology as now 75% of all households have access to the Internet. It was an opportunity for Council to show leadership with longterm benefits possible for the community.

Cr Ammundsen left the meeting at 10.50am.

MOVED (Gaylor/Bell)

That Council approves for the period from now until September 2014 supporting and raising awareness of the Community Gigatown Campaign as outlined in Option 1 of SP-13-1030, pending confirmation from Chorus as to its continuation.

CARRIED

KCDC 13/12/033

PROVISION OF CATERING FOR COUNCIL MEETINGS (Corp-13-1060)

The Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to this report explaining that it was presented in response to an earlier request from Councillors to review this budget with a view to achieving savings. Issues raised during discussion included:

- While the savings achieved may not be significant, it was more important that Council 'walk the talk' in respect of reducing costs wherever it could.
- If Councillors had to provide their own lunches this would interrupt valuable networking time.
- The impact of cutting catered lunches would be negligible compared with other budget cuts which would impact rates.
- While it was not Council's role to take responsibility for the success or otherwise of individual local businesses it was acknowledged that if Council voted today to cut the provision of catered lunches this would impact on a local firm.

Cr Bell foreshadowed an additional motion. While there was some debate as to the order in which the motions should be dealt with Cr Welsh agreed that Cr Bell's motion should be dealt with first.

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

MOVED (Bell/Cardiff)

That the remaining catering budget for Council meetings for 2013/14 be halved.

A division was requested:

For the motion: Cr Bell, Cr Lloyd, Cr Elliott, Cr Gaylor, Cr Holborow, Cr Scott, Cr Cardiff

Against the motion: Cr Welsh, Cr Gurunathan, the Mayor

CARRIED

KCDC 13/12/034

GRANTING OF A NEW LEASE FOR KAPITI COAST MUSEUM AT ELIZABETH STREET WAIKANAE (CS-13-961)

Group Manager Community Services Tamsin Evans spoke to this report explaining the origin of the lease and rental rate. In response to a question about earthquake strengthening of Council-owned buildings Ms Evans explained that a programme of seismic assessments would be undertaken when the regulations have been approved by the government. Councillors agreed that the Museum was a valuable asset to the District.

MOVED (Cardiff/ Lloyd)

That the Council authorise the Chief Executive to enter into a new lease with Kapiti Coast Museum Incorporated for ten years from 1 January 2014 at a rental rate of \$544.00 including GST per annum, for the Kapiti Museum at 9 Elizabeth Street Waikanae outlined in Appendix 2 to report CS-13-961.

CARRIED

KCDC 13/12/035

EXEMPTION TO THE DEFINITION OF COUNCIL CONTROLLED ORGANISATION (Corp-13-1024)

The Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to this report explaining that the exemption was sought at the beginning of each Triennium in order that the Community Centre would not have to incur costs for formal auditing which would be onerous for such a small organization. In response to questions it was explained that the exemption did not preclude Council from closely monitoring the organisation's operations.

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

MOVED (Gaylor/Holborow)

That the Council approves an exemption for the Te Newhanga Kapiti Community Centre Incorporated from the definition of 'council-controlled organisation' under section 7(4) of the Local Government Act 2002.

CARRIED

KCDC 13/12/036

**ELECTED MEMBER REMUNERATION AND EXPENSES RULES 2013-2014
(Corp-13-1025)**

The Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to this report, explaining that the Remuneration Authority had recently conducted a review of the system and had proposed a new system of Elected Member remuneration which was now reflected in the 2013/14 Determination presented today.

- The Authority had recognised a number of positions of additional responsibility with additional payment and these included fees for Elected Members performing the role of Hearing Commissioner for the District Plan Review if this was to go ahead.
- The Authority had not approved additional payments for Community Boards as it did not accept Council's argument for increased workload/responsibility.
- All Community Boards had received the Remuneration information at the first round of their meetings.

MOVED (Welsh/Bell)

That Council notes the Remuneration Determination for the Kapiti Coast District Council for the 2013-14 year, as well as the Mileage and Expenses rules as at Appendices 1 and 3 to report Corp-13-1025.

CARRIED

KCDC 13/12/037

RMA HEARING COMMISSIONER TRAINING 2014 (Corp-13-1069)

The Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to this report explaining that with the change in Elected Members in the new Triennium it was important that the number of available Elected Member Hearing Commissioners be increased. Councillors agreed to add Cr Holborow to the list as she had indicated an interest in attending.

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

MOVED (Welsh/Scott)

That Council approves the attendance of Cr Lloyd at the “RMA Making Good Decisions” Chair Recertification course in Auckland in March 2014, and the attendance of Cr Bell, Cr Elliott, Cr Holborow, and Community Board member Fiona Vining at the Foundation Course in Wellington in 2014.

CARRIED

KCDC 13/12/038

LOCAL GOVERNMENT ACT 2002 AMENDMENT BILL (NO 3) (SP-13-1061)

Alison Lash spoke to this report and gave a powerpoint presentation which highlighted the key features of the Bill. A draft submission will be brought to the Council meeting on 23 January 2014. It was difficult to understand the full impact of the proposed changes until the Select Committee recommendations were clear. The Council could support the submissions developed by the Society of Local Government Managers (SOLGM) and Local Government New Zealand (LGNZ), as well as submitting its own.

Councillors were interested in any potential impact on 2013/14 rates. The Acting Group Manager Finance Matt McGlinchey clarified that there would not be a lot of impact but that didn't take into account the possibility of paying back developers for contributions already taken. Councillors agreed that the Council submission should spell out the financial implications of the amendments for this community.

MOVED (Holborow/Bell)

That the Council agree to making a submission on the Local Government Act 2002 Amendment Bill (No 3) addressing problems identified in report SP-13-1061 with the proposed development contributions provisions (including a detailed financial impact).

That the Council agree to officers' investigating the suitability of supporting submissions on the Local Government Act 2002 Amendment Bill (No 3) by Local Government New Zealand and the Society of Local Government Managers.

That the Council directs officers to present a draft submission on the Local Government Act 2002 Amendment Bill (No 3) to the Council meeting of 23 January 2014.

CARRIED

Cr Scott voted against the motion.

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

KCDC 13/12/039

FINAL CALENDAR OF MEETINGS JANUARY – JUNE 2014 (Corp-13-1072)

The Democratic Services Team Leader Vyvien Starbuck-Maffey spoke to this report explaining that the Draft Calendar presented to Council on 7 November had been circulated to all the Community Boards, with one amendment (an additional meeting for the Ōtaki Community Board during the Annual Plan consultation period).

MOVED (Gaylor/Lloyd)

That the Council approves the final calendar of meetings for January – June 2014 as detailed in Appendix 1 of report Corp-13-1072.

CARRIED

The meeting adjourned at 12.30 and reconvened at 12.30pm

KCDC 13/12/040

RESOLUTION TO GO INTO PUBLIC EXCLUDED

The meeting went into public excluded session at 12.50pm

MOVED (Lloyd/Welsh)

PUBLIC EXCLUDED RESOLUTION

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:

- **To report on Council Support for the Clean Technology Initiative (CS-13-1071)**
- **Minutes of the Chief Executive Performance and Employment Committee – Thursday 29 August 2013**

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:

MINUTES	MEETING	TIME
KĀPITI COAST DISTRICT COUNCIL	THURSDAY 12 DECEMBER 2013	9.14 AM

To report on Council support for the Clean Technology Initiative (CS-13-1071)	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).	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.
Minutes of the Chief Executive Performance and Employment Committee – Thursday 29 August 2013	Section 7(2)(a) – to protect the privacy of natural persons	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 came out of public excluded session at 1.58pm and was closed at 1.59pm

Signed / / 2013

Mayor Ross Church, Chair