

OIR: 2526/31

17 September 2025

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tēnā koe [REDACTED]

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **25 July 2025** and further refinement email of **28 July 2025** requesting the following information:

Initial Email

I formally request information in relation to the development at 16-20 Eruini Street, Waikanae Beach, specifically concerning interactions, communications, and engagements between the developers Palmer and Cook and Kapiti Coast District Council staff and/or elected Councillors.

1. Identification of Interactions

Please provide the following:

a. The names of all Council staff (whether permanent, temporary, or contracted) and elected Councillors who have met, communicated, or engaged with the developers Palmer and Cook in relation to the abovementioned development.

I note that:

- The developer did not attend the pre-application meeting in person.
- However, the developer met with the Director Strategic Development, Development Facilitation Lead, and me (GM Strategy and Growth) in an online meeting on 27 June 2025. There are no meeting minutes for this discussion, however for completeness I can confirm that this was a 'meet

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

and greet' with the developer to introduce the team and ensure that the developer was aware of the opportunity Council provides re visual design and approach for developments, in advance of pre-application meetings. The Resource Consent application for the Eruini Street development was not discussed. The developers agent attended this meeting.

- Following this hui, the developer contacted the GM Strategy and Growth by phone on 20 August 2025. There are no meeting minutes for this discussion, however, for completeness the call sought clarity on community board discussions about the development at the most recent Waikanae community board meeting where it was discussed.
- Council's processing planners have been communicating with the applicant's agent and have not had any in person meeting with the developer.

Please also refer to the attached documents and declinatures outlined in question 3(b) below.

b. The dates, times, venues, and formats (e.g., in-person meetings, phone calls, emails) of all such interactions.

Please see the response to Question 1(a).

c. Copies of all correspondence, records, and documentation pertaining to these interactions—including emails, meeting minutes or notes, text messages, agendas, reports, or other forms of communication.

Please see the response to Question 1(a).

d. Any third-party involvement (e.g., consultants, legal advisors, or contractors engaged by either Council or the developers) in supporting or facilitating these interactions.

Please refer to the responses Questions 1(a)-(c) above. All interactions have been with the Developer's agent and these are set out in the attached documents.

e. Disclosures of any private, informal, or unofficial meetings or communications between Council staff, elected Councillors, and the developers Palmer and Cook.

Any relevant meetings or communications are detailed in the attached documents.

2. Disclosure of Benefits, Gifts, Entertainment, or Perquisites

Please disclose the following:

a. Details of any gifts, entertainment, or perquisites received by Council staff or elected Councillors from the developers Palmer and Cook,

including but not limited to meals, tickets, vouchers, travel, accommodations, goods, or other items or services.

b. The monetary value (or best estimate) of any such gifts, entertainment, or perquisites.

c. Records of disclosure and/or declarations made regarding such gifts, entertainment, or perquisites (e.g., entries in gift registers, internal disclosures, or declarations in compliance with Council policy or legal obligations).

There is no record of any staff or elected members receiving gifts, entertainment or perquisites from Palmer and Cook.

Please note that as we are unable to provide the information in relation this question, we must advise that this part of your request is refused under section 17(e) of the Act as the information requested does not exist.

3. Conflicts of Interest

a. Any declarations of conflict of interest made by Council staff or elected Councillors in relation to the developers Palmer and Cook or the development at 16-20 Eruini Street, Waikanae Beach.

Please see response to question 3(b) below.

b. Documents detailing how any declared conflicts of interest were managed, including records of recusals, abstentions, or mitigations taken to ensure compliance with Council policies and relevant legal frameworks.

I can confirm that during the resource consent process there was a conflict of interest identified for a staff member, and as such an independent traffic engineer was engaged to assess the application as part of Council mitigating the conflict of interest. To ensure we appropriately balance our obligations for transparency and privacy, the information relating to the conflict-of-interest has been withheld to protect the privacy of the individual and to allow for the free and frank expression of opinions between persons regarding the matter.

Where the personal details of some individuals have been withheld from the information provided, the decision to withhold this information is made under section 7(2)(a) of the Act which allows for Council to withhold information in order to protect the privacy of natural persons, including that of deceased natural persons.

Some of the information requested is withheld under section 7(2)(f)(i) of the Act. The withholding of the information is necessary 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.

Some of the information you are seeking is commercially sensitive and is withheld under section 7(2)(b)(ii) of the Act. Section 7(2)(b)(ii) provides that Council may withhold information in order to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied it, or who is the subject of the information.

In each instance where information has been withheld, I am satisfied that the withholding of this information is not outweighed by public interest considerations in section 7(1) favouring release.

Some information has been redacted as it is outside the scope of your request and relates to other matters.

4. Relevant Policies and Procedures

Please provide:

a. Copies of Council policies or guidelines regarding gifts, entertainment, and conflicts of interest applicable to staff and elected Councillors.

The rules and requirements for staff to follow in relation to offers of gifts or entertainment is set out in the Receipt of Gifts and Hospitality Policy (copy attached). Requirements for staff in relation to conflicts of interest are set out in our staff Code of Conduct and Procurement Policy (copies attached).

Elected members are required to declare their interests – these declarations can be seen on the declaration of elected member interests register on Council's website [here](#). Elected members are also guided by the elected members code of conduct which is also available on Council's website [here](#).

I also note that Councillors would have to declare any interest if the matter was discussed during a formal meeting of Council or a Committee.

b. Procedures followed by Council to ensure accountability, compliance, and impartiality when interacting with developers or other external parties.

Council ensures accountability, compliance and impartiality by using a combination of training, monitoring and regular reminders about the requirements of corporate policies including the Code of Conduct.

Refinement Email

I am writing to submit an official request under the Local Government Official Information and Meetings Act 1987 (LGOIMA) regarding the Resource Consent application for the property located at 16–20 Eruini Street, Waikanae Beach. To ensure clarity, specificity, and comprehensiveness in your response, I request the following information:

5. Issues Identified by the Council

Please provide:

- ***A summary of all specific issues identified by the Council regarding this Resource Consent application. This includes, but is not limited to:***
 - ***Environmental compliance, infrastructure concerns, traffic management, stormwater drainage, cultural considerations, and community consultation.***
- ***Include both:***
 - ***Issues explicitly communicated to the developer; and***
 - ***Issues raised internally or discussed by the Council as part of its review process.***
- ***Any formal notices issued under the Resource Management Act or other applicable legislation in relation to this application.***

I would like to clarify upfront that Council is not yet in a position to comment on the details of its assessment, as this work is still underway. That aside, I can share that as at 17 September 2025:

- Under the Resource Management Act (2002), the proposal is defined as a discretionary activity, meaning that any effects relating to the activity on the site can be considered as part of the consent process.
- Key areas of interest for this consent include Stormwater and Flood Hazard management; Urban Design and Landscape; and Traffic management.
- Council has gone through the formal request for information (RFI) process to clarify and address specific matters of concern. The applicant has provided responses, which are now being assessed and peer reviewed.

For that reason, I need to decline to provide the information at this stage, on the basis that the assessment is ongoing and not yet complete. This information is withheld under section 7(2)(f)(i) of the Act. The withholding of the information is necessary 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. I am satisfied that the withholding of this information is not outweighed by public interest considerations in section 7(1) favouring release.

6. Status of the Resource Consent Application

Please provide:

- ***A detailed update on the current status of the Resource Consent application (e.g., awaiting further information from the developer,***

under review by the Council, on hold, or at the decision-making stage).

- ***An explanation of the Council's next steps in the process and anticipated timelines for completion or decision-making.***

I can confirm that:

- Council requested more information on the application on 30 April 2025.
- The applicant provided their most recent response on 14 July 2025.
- Council are checking that the information is complete and answers the matters that were raised by the Council in the further information request. This includes getting some of the information that was provided, peer reviewed by external experts; and requesting subsequent external reports on urban design and landscape assessment.

Once that's confirmed, the next step will be to decide whether the application needs to be notified (shared with the public or affected neighbours for comment) or if it can be processed without notification. At the time of writing, this has not been finalised yet.

7. Delays in the Process

If there have been delays in the processing of this Resource Consent application, please provide:

- ***A timeline of key milestones to date, including dates for submission, feedback, responses, and any other relevant events.***
- ***Explanations for any delays, including whether they are attributable to the Council, the developer, or other stakeholders/third parties.***

There are no specific delays in timeframes related to this application. The timeline has progressed with Council as below:

<i>Lodged</i>	<i>4/04/25</i>
<i>Acknowledged</i>	<i>8/04/25</i>
<i>Further information requested</i>	<i>30/04/25</i>
<i>Information received</i>	<i>14/07/25</i>

The time that passes between when Council requests further information and when it is received depends on how quickly the applicant provides the full scope of information requested. Of note:

- Under the RMA, Council must check that the applicant's response addresses all of the matters raised.
- This means the clock on processing does not start again until Council is satisfied that the information is complete.
- Only once the information is confirmed as complete does the application move forward to the next step of deciding whether it should be notified (publicly, to affected parties only, or not at all) before progressing to the detailed assessment and decision stage.

8. Other Relevant Information

Please include:

- ***Any additional documents or materials associated with the Resource Consent application that may reasonably fall within the scope of this request. For example:***
 - ***Correspondence (emails, memos, letters), assessments, reports, submissions from third parties, or internal Council documents.***
- ***If such materials exist but cannot be provided, indicate their existence and provide an explanation for withholding them.***

Please refer to attached documents and response to question 3(b) above.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi,



Kris Pervan

Group Manager Strategy and Growth
Te Kaihautū Rautaki me te Tupu

If you are interested in the attachments which accompany this response, please contact us at: informationrequest@kapiticoast.govt.nz.