

# Whangarei District Council

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## Notice of Meeting

A meeting of the Whangarei District Council will be held in the Council Chamber, Forum North, Whangarei on:

**Wednesday  
28 September 2011  
10.00am**

## Committee

His Worship the Mayor (Chairperson)  
Cr C B Christie  
Cr S J Deeming  
Cr A J Edwards  
Cr S M Glen  
Cr P R Halse  
Cr J S Jongejans  
Cr G M Martin  
Cr B L McLachlan  
Cr S L Morgan  
Cr K J Sutherland  
Cr W L Syers  
Cr M R Williams  
Cr J D T Williamson

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# INDEX

Item No	Page No
1. Public Forum .....	1
2. Minutes of a Meeting of the Whangarei District Council held 24 August 2011 .....	2
3. Police Report .....	8
4. Mayoral Remuneration .....	11
5. Hikurangi Swamp Flood Protection Scheme Delegated Responsibilities .....	12

# CONFIDENTIAL INDEX

Item No	Page No
C.1 Lease.....	1
C.2 Property Transaction.....	5
C.3 Property Transaction.....	26
C.4 Property Transaction.....	44
C.5 Property Transaction.....	47

**Recommendations contained in the Council agenda are NOT Council decisions. Please refer to Council minutes for resolutions.**

# 1. Public Forum

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**Reporting officer** Carolyn Brindle (Senior Meeting Co-ordinator)

**Date** 15 September 2011

## **Public Forum**

Appendix F in Standing Orders allows for a period of up to 15 minutes to be set aside for a public forum at the commencement of each monthly council meeting.

The time allowed for each speaker is 3 minutes.

Members of the public who wish to participate should send a written application setting out the subject matter and the names of the speakers to the Chief Executive Officer at least 5 working days before the day of the meeting.

## **Speakers**

There were no applications to speak at this month's Public Forum received prior to the agenda being circulated.

## 2. Minutes: Whangarei District Council Wednesday, 24 August 2011

*Minutes of a meeting of the Whangarei District Council held in the Council Chamber, Forum North on Wednesday 24 August at 10.00 am*

### **Present:**

Deputy Mayor P R Halse (Chairperson)

Crs C B Christie, S J Deeming, A J Edwards, S M Glen, J S Jongejans, G M Martin, B L McLachlan, S L Morgan, K J Sutherland, W L Syers, M R Williams and J D T Williamson

### **Also present:**

His Worship the Mayor M C A Cutforth (leave of absence)

Cliff Colquhuon (CBEC Solutions)

Senior Sergeant R Huys and Sergeant S Duckmanton (New Zealand Police)

### **In Attendance:**

Chief Executive Officer (M P Simpson), Chief Operating Officer (J Thompson), Group Manager Support Services (A Adcock), Group Manager Infrastructure and Services (S Weston), Building Compliance Manager (B Rogers), Community Services Manager (O Thomas), Economic Development Manager (P Gleeson), Property and Community Services Manager (M Hibbert), Regulatory Services Manager (G Couchman), Team Leader Inspections (K Crocombe), Senior Strategic Planner (D Coleman), Community Safety Officer (D Palmer), Bylaws Co-ordinator (M Henehen), Media Relations Adviser (A Midson), Property Officer (J Calder), Executive Assistant (J Walters), Councillor Support (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

*His Worship the Mayor acknowledged and thanked the Councillors, in particular the Deputy Mayor, and Council staff for their continued efforts and hard work during his recent leave of absence.*

*His Worship the Mayor attended the meeting as an observer and took no part in discussions or voting on any item.*

### **1. Public Forum**

There were no speakers scheduled to speak at public forum.

The Chairperson provided the opportunity for Cliff Colquhuon to apologise for the conduct of a member of his staff at the previous council meeting.

### **2. Confirmation of Minutes of a Meeting of the Whangarei District Council held on 27 July 2011**

**Moved:** Cr McLachlan

**Seconded:** Cr Glen

“That the minutes of the meeting of the Whangarei District Council held on Wednesday 27 July 2011, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

### 3. Confirmation of Minutes of a Meeting of the 20/20 Inner City Development (City Centre/Urban Design) Subcommittee held 10 August 2011

**Moved: Cr Edwards**  
**Seconded: Cr Williams**

"That the minutes of the meeting of the 20/20 Inner City Development (City Centre/Urban Design) Subcommittee held on Wednesday 10 August 2011, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting."

**CARRIED**

### 4. Police Report

Senior Sergeant R Huys spoke to the report and answered questions from Councillors.

**Moved: Cr Glen**  
**Seconded: Cr Edwards**

"That the information be received."

**CARRIED**

### 5. Electoral Decisions

**Moved: Cr Syers**  
**Seconded: Cr Jongejans**

1. That the information be received.
2. That pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2013 Whangarei District Council triennial election to retain the "First Past the Post" electoral system and that a public notice be given by September 19 2011 of the decision and of the right of electors to demand a poll on the electoral system to be used.
3. That staff prepare a report regarding Maori representation and consultation for consideration by Council before 23 November 2011."

**CARRIED**

### 6. Change to Elected Members' Expenses and Allowances

**Moved: Cr Syers**  
**Seconded: Cr Morgan**

"That the revised Policy for Allowances and Reimbursement of Expenses to Elected Members be adopted."

**CARRIED**

### 7. Northland Events Centre – Appointment of Trustee

**Moved: Cr Halse**  
**Seconded: Cr Deeming**

1. That the information be received.
2. That Alistair Wells be appointed as a trustee of the Northland Events Centre Trust."

**CARRIED**

### 8. Statement of Proposal – Review of the Liquor Management Bylaw

**Moved: Cr Williams**  
**Seconded: Cr Williamson**

- "1. That Council, having reviewed the Liquor Management Bylaw 2007, determines that:
- a) A bylaw is the most appropriate way of addressing the perceived problem of misuse of alcohol in public places.
  - b) The proposed bylaw is the most appropriate form of bylaw.
  - c) The proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
2. That Council adopts the Statement or Proposal, including Schedule 13 - Otuihau, Whangarei Falls (as outlined in the supplementary agenda), containing a summary of information in respect to the proposed Liquor Management Bylaw 2011.
3. That Council seeks public submissions to the proposed Liquor Management Bylaw 2011 in accordance with the special consultative procedure as provided in Section 83 of the Local Government Act 2001."

*On the motion being put Cr Martin called for a division:*

*For the motion:*

*Crs Halse, Edwards, Deeming, Williams, Williamson, McLachlan, Martin, Glen, Jongejans, Christie, Sutherland, Morgan and Syers (13)*

*Leave of absence*

*His Worship the Mayor*

**CARRIED**

## **9. Review of Council Policy on Dangerous, Insanitary and Earthquake Prone Buildings**

**Moved: Cr McLachlan**  
**Seconded: Cr Edwards**

- "1. That Council adopts the statement of proposal containing a summary of information in respect to the proposed policy on Dangerous, Insanitary and Earthquake Prone Buildings.
2. That Council seeks public submissions to the proposed Policy on Dangerous, Insanitary and Earthquake Prone Buildings in accordance with the special consultative procedure as provided in Section 83 of the Local Government Act 2002."

**CARRIED**

*Cr Christie requested his vote against be recorded.*

## **10. Progress in Scoping Whangarei Harbour Integrated Management Strategy**

**Moved: Cr Halse**  
**Seconded: Cr Deeming**

- "1. That this information be received.
2. That Councillors C B Christie and B L McLachlan be appointed as Council's representatives on the proposed working group.
3. That Council staff be directed to work with Northland Regional Council staff to progress the Whangarei Harbour Integrated Management Strategy following the recommendation approach in this report."

**CARRIED**

## 11. Proposed Sale of 24 Mair Street – Whangarei Top 10 Holiday Park

**Moved: Cr Christie**

**Seconded: Cr Williams**

"1. That the information be received.

2. That Council do not proceed with the sale of the camping ground property at 24 Mair Street."

*On the motion being put Cr Martin called for a division:*

*For the motion:*

*Crs Halse, Edwards, Deeming, Williams, Williamson, McLachlan, Martin, Glen, Christie, Sutherland, Morgan and Syers (12)*

*Against the motion:*

*Cr Jongejans*

*Leave of absence:*

*His Worship the Mayor*

**CARRIED**

## 12. International Rally of Whangarei

**Moved: Cr Williams**

**Seconded: Cr Deeming**

"That the information be received."

**CARRIED**

*Cr Williams left the meeting after Item 12 at 11.29am.*

## 13. Targa Rally – Temporary Road Closure

**Moved: Cr Sutherland**

**Seconded: Cr Christie**

"1. That pursuant to the Tenth Schedule of the Local Government Act 1974, the following roads be closed to ordinary vehicular and pedestrian traffic for the 2011 Targa New Zealand event:

### **Tuesday 25 October 2011**

**Stage Name: Doctors Hill**

**Time of closure:** 11:00am – 3:00pm

**Shoemaker Road**, from house number 111 Shoemaker Road, to its intersection with Mountfield Road and Waipu Caves Road.

**Mountfield Road**, from its intersection with Hunter Road and Waipu Caves Road, to its intersection with Doctors Hill Road.

**Doctors Hill Road**, from its intersection with Mountfield Road, to house number 7 Doctors Hill Road.

**Stage Name: Maungatapere**

**Time of closure:** 1:00pm – 5:30pm

**Cemetery road**, from its intersection with Puriri Grange Lane, to the intersection with Otaika Valley Road.

**Otaika Valley Road**, to its intersection with Cemetery Road, to house number 988, Otaika Valley Road.

**Stage Name: Hukerenui**

**Time of closure:** 1:30pm – 6:00 pm

**Matarau Road**, from its intersection with Tudehope Road, to the intersection with Rushbrook Road.

**Rushbrook Road**, from its intersection with West Matarau Road, to the intersection with Jordan Valley Road.

**Jordan Valley Road**, to its intersection with Matarau Road, to the intersection with Heaton Road and Hukerenui Road.

**Heaton Road**, from its intersection with Jordan Valley Road and Hukerenui Road, to the intersection with Riponui Road.

**Riponui Road**, from its intersection with Heaton Road, to the intersection with Hukerenui Road.

**Hukerenui Road**, from its intersection with Riponui Road, to the intersection with Kopeti Road.

**Kopeti Road**, from its intersection with Riponui Road, to house number 26, Kopeti Road.

**Stage Name: Apotu**

**Time of closure:** 3:00pm – 7:00pm

**Jordan Valley Road**, from house number 59, Jordan Valley Road, to the intersection with Apotu Road.

**Apotu Road**, from its intersection with Jordan Valley Road, to the intersection with Crane Road.

**Crane Road**, from its intersection with Apotu Road, to the intersection with Pipiwai Road.

**Tuesday 25 October – Wednesday 26 October 2011**

**Show & Shone / Parc Ferme**

**Time of closure:** 3:00pm Tuesday 25 October – 9:30am Wednesday 26 October

**Cameron Street**, from the intersection with John Street to the intersection with James Street.

**James Street**, from the intersection with Cameron Street to the intersection with Robert Street.

**Wednesday 26 October 2011**

**Stage Name: Hikurangi**

**Time of closure:** 8:00am – 1:30pm

**Valley Road**, from its intersection with Belton Place to the intersection with Marua Road.

**Marua Road**, from its intersection with Valley Road, to the intersection with Whananaki South Road. and Matapouri Road.

**Matapouri Road**, from its intersection with Valley Road and Whananaki South Road, to the intersection with Kaiatea Road.

**Kaiatea Road**, from its intersection with Matapouri Road to the intersection with Ngunguru Road.

**Stage Name: Mt Tiger**

**Time of closure:** 8:30am – 2:00pm



**Mt Tiger Road**, from its intersection with Whareora Road to the intersection with Owhiwa Road.

**Owhiwa Road**, from its intersection with Mt Tiger Road, to the intersection with Whangarei Heads Road.

**Stage Name: Maungakaramea**

**Time of closure:** 12:30pm - 4:30pm

**Tauraroa Road**, from house number 51, Tauraroa Road, to the intersection with Waitotira Road.

**Waitotira Road**, from its intersection with Tauraroa Road, to the intersection with Paparoa Road. and Mangapai Road.

**Paparoa Road**, from its intersection with Mangapai Road and Waitotira Road, to house number 1059, Paparoa Road.

2. That the Chair of the Infrastructure and Services Committee and the Group Manager Infrastructure and Services be delegated to consider any objections and to cancel or amend the road closure as appropriate.”

**CARRIED**

*Cr Martin requested his vote against be recorded.*

*Cr Williams rejoined the meeting during Item 13 at 11.31am*

**The meeting closed at 11.38am**

Confirmed this 28<sup>th</sup> day of September 2011

P R Halse (Chairperson)

### 3. Police Report

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**Reporting officer** Carolyne Brindle (Senior Meeting Co-ordinator)

**Date** 15 September 2011

The attached report has been received from Inspector Clifford Paxton, Relieving Area Commander for Whangarei/Kaipara.

#### Recommendation

That the information be received.

#### Attachment

[Police Report](#)

**WHANGAREI POLICE****REPORT TO THE WHANGAREI DISTRICT COUNCIL****SEPTEMBER 2011****INTRODUCTION****Rugby World Cup:**

The first rugby world cup game between Tonga and Canada went relatively smoothly with the 18,000 crowd generally well behaved. There was the odd incident at the game, however the majority by and large were well behaved. Whangarei CBD was very busy with 12 arrests being made for Disorder, Breach of Liquor Ban, particularly at the conclusion of the game.

Traffic was reported as being steady during the day although was very heavy at the game conclusion. There were no crashes or incidents or any note, however there were several bottle-necks both within town and at the intersection of State Highway 1 and Rewarewa Road.

A flash mob haka was initiated through Facebook. A crowd in the vicinity of approximately 1,000 people built up at the intersection of Bank Street and Rust Avenue from about 3.15pm. This caused slight delays to some motorists, but once the haka was completed the crowd moved to Cameron St Mall, and numbers decreased quickly.

**STATISTICS:**

The Whangārei Patrol Group carried out the following for the month of August:

268	Arrests made compared with 201 in July
1455	Infringement Notices were issued this month compared to 788 in July
142	Traffic Offence Notices issued compared with 122 in July
962	Bail checks carried out compared with 868 in July
70	DNA samples taken this month compared with 39 in July
27	Excess Breath Alcohol recorded compared with 29 in July
128	Domestic incidents attended compared with 139 in July
32	Motor vehicle crashes attended compared with 34 in July

**CRIME TRENDS:**

Whangarei area started the new fiscal year quieter than previous years with the reductions in the number of crime categories including Burglary. The exceptions to this are in the areas of Unlawful Takings and Domestic Violence. It is somewhat concerning that Northland continues to experience a number of vehicles which are being stolen and not recovered. It is perhaps timely to remind people to ensure that their vehicles are kept well secured with valuables within the vehicle out of sight and if possible, the vehicles stored overnight off the road and out of sight.

Domestic Violence continues to be an area of focus and whilst we have a number of partner agencies and support programmes available, the opportunities for us to get a sustained reduction in domestic violence are still to be realised. Northland Police are looking at new

opportunities with Northland Health to see what can be done to assist some of these families to ensure that they are able to realise their full potential.

### **Youth**

Northland Police, together with a number of partner agencies, including the Whangarei Road Safety Co-ordinator, NZTA, NRC, Ace Towing and Sub Lab have obtained a modified Subaru Impreza motor vehicle which has been taken to a number of schools in the Whangarei area including Whangarei Girls High School, Whangarei Boys High School and Pompallier College to assist the students in identifying the safety implications of driving or riding in modified vehicle. The demonstrations have been held during lunchtimes and the pupils are invited to undertake a quiz which identifies the modifications and the subsequent safety implications. The demonstrations have been very well received by pupils at the schools and further demonstrations are organised in the Whangarei area in the near future.

### **Alcohol**

Northland Police together with Northland Health and the Alcohol and Drug Helpline have recently implemented an initiative into Whangarei and the greater Northland district. Those whom are received, who have alcohol and/or drugs as a component of their offending are provided with a brief and early intervention pack and invited to consent to a referral to the Alcohol and Drug Helpline. The Helpline will make contact within 72 hours and provide assistance over the phone and if need be refer the person through to Northland Health for further alcohol and drug assistance. A number of referrals were made during the month of August, including a number from Whangarei for both drink driving and crime related matters.

### **Organised Crime**

Some concerns have been raised both within the Raumanga and Ruakaka communities in regards to organised crime activities. Our members are encouraged to engage with the communities and to look at problem solving opportunities to prevent organised crime activities from becoming entrenched in these communities. This will continue to remain our focus to ensure that our tamariki and community members remain safe.

### **SUMMARY:**

The Rugby World Cup has been a key focus area for Whangarei Police over the past weeks and months and will continue to be in the next few weeks. It provides a fantastic opportunity for Whangarei to be profiled to international media and we continue to look forward to positive reporting on Whangarei.

Whilst there is a need to support World Cup activities during this exciting time, there is also a requirement to ensure our focus remains steadfastly on the safety of our communities, particularly some of those communities which are experiencing pressure points from organised criminal activities and other socio-economic challenges.

*Clifford Paxton  
Inspector  
Relieving Area Commander for Whangarei / Kaipara  
September 2011*

## 4. Mayoral Remuneration

**Reporting officer** Alan Adcock (Group Manager Support Services)

**Date** 16 September 2011

***Vision, mission and values***

*Consistent with our values of excellence and visionary leadership.*

***Local Government Act 2002 – The four well-beings***

***Cultural*** No direct link.

***Economic*** Prudent economic management.

***Environmental*** No direct link.

***Social*** Achieving and maintaining effective and efficient leadership.

In May 2011 Council granted His Worship the Mayor M C A Cutforth leave of absence for medical reasons as per the following resolution.

*“That pursuant to Standing Order 3.6.1, leave of absence be granted to His Worship the Mayor M C A Cutforth for the period 18 May to 24 August 2011”*

At a subsequent meeting it was resolved that:

*That Council recommends to the Remuneration Authority that during the period 18 May 2011 to 31 August 2011 for which Council has granted His Worship the Mayor leave of absence, 40% or \$47,520 of the gross Mayoral Remuneration be allocated to the Deputy Mayor taking his total gross remuneration to \$98,954 for this period and the Mayor receive a residual gross remuneration of \$71,280 for this period; and*

*That the Mayoral Vehicle be stored securely on Council premises during the Mayor's leave of absence and to be available for the Mayor to use on his return.*

During the period these arrangements were in place the Mayor's gross remuneration was increased to \$118,800 by the Remuneration Authority. This was ratified by Council in April 2011.

The Mayor returned to full duties following his leave of absence on 1 September 2011. It is therefore recommended that the pay adjustments referred to above are cancelled, with both His Worship the Mayor Cutforth and Cr. Halse returning to the gross remuneration levels adopted by Council and approved by the Remuneration Authority for the period 1 July 2011 to 30 June 2011:

- His Worship the Mayor Cutforth \$118,800
- Cr. Halse (as Deputy Mayor) \$51,434

His Worship the Mayor Cutforth also uplifted the mayoral vehicle, which was in storage, upon his return to full duties. A re-assessment of the mayor's private use of the vehicle is currently being made, and his gross remuneration will be adjusted to reflect this by the Remuneration Authority.

Following the adoption of this recommendation the Remuneration Authority will be advised of Council's decision and once they have been approved, the remuneration adjustments will be gazetted and become effective from 1 September 2011.

### Recommendation

That Council recommends to the Remuneration Authority that for the period 1 September 2001 to 30 June 2012, gross remuneration levels are set at:

His Worship the Mayor	\$118,800
Deputy Mayor	\$51,434

## 5. Hikurangi Swamp Flood Protection Scheme Delegated Responsibilities

**Reporting officer** Andrew Carvell (Waste and Drainage Manager)

**Date** 14 September 2011

### ***Vision, mission and values***

*Management of the Hikurangi Swamp Flood Protection Scheme is in keeping with the Council's obligations under the Local Government Act*

### ***Local Government Act 2002 – The four well-beings***

**Cultural** Operation of the scheme can impact on Cultural Values.

**Economic** The scheme has economic benefits to its rated area through farming.

**Environmental** Operation of the scheme affects the environment within the swamp itself and the Wairua River.

**Social** The scheme affects a wide range of the community through employment, leisure and a source of food.

### **Report**

In a public meeting held on 31 August 2011 it was resolved that a liaison committee would be established to provide direction to Council in its management of the Hikurangi Swamp Flood Protection Scheme. A copy of the Terms of Reference for this committee is attached. The Committee shall have no delegated financial authority of council.

The Terms of Reference require Council input on decisions made in the operation and management of the flood scheme, either via Council resolution or through decisions made on its behalf by delegates. Delegations will allow Council to manage and operate the scheme in an efficient and effective manner.

A list of delegations are set out as a recommendation to this committee, with the funding approval levels set at a level consistent with Council's Delegations Manual.

### **Recommendation**

1. That the information be received.
2. That the following positions be delegated to act on Council's behalf in matters associated with the operation and management of the Hikurangi Swamp Flood Protection Scheme:

<b>Position</b>	<b>Currently held by</b>	<b>Maximum delegated approval level</b>
Chief Executive Officer	Mark Simpson	\$2,000,000
Manager Infrastructure and Services	Simon Weston	\$250,000
Waste and Drainage Manager	Andrew Carvell	\$50,000
Stormwater and Wastewater Operations Supervisor	Andy Keith	\$5,000
Council's Operating Contractor	Transpacific Industrial Services Ltd	\$500

### **Attachment**

[Terms of Reference](#)

## Hikurangi Swamp Scheme Liaison Committee Terms of Reference

Approved 31 August 2011 at Public Forum

1. The Hikurangi Swamp Farmers Liaison Committee shall consist of:
  - One representative from each pocket: Junction, Te Mata, Otonga, Mountain, Tanekaha, Ngararatunua, and Okarika;
  - One representative from each catchment upstream of SH1: Whakapara and Waiotu
  - An iwi/hapu representative;

Any pocket, catchment or Iwi/hapu can elect not to have a representative on the committee.

2. The purpose of the committee is to provide a mechanism for scheme stakeholders to have input into management of the Hikurangi Swamp Drainage Scheme and provide direction to the Whangarei District Council, which is the Scheme operator and administrator. It is there to assist the interface between the Council and Farmers.
3. Each representative has one vote on the committee. A representative can elect not to vote on any issue.
4. The farmer liaison committee shall be chaired by an independent person who may also chair public meetings of ratepayers and therefore may link the liaison committee to the Council and to all ratepayers. The chair shall be approved by WDC and majority of committee members and will not have voting entitlement.
5. The farmer liaison committee including the independent chair will meet on a monthly basis or as agreed by the committee. If requested by the committee a representative of Council may also attend;
6. That the committee forms recommendations by majority decision of the farmer liaison committee with regards to expenditure and long term planning on the Scheme. Council, or its delegated representative, will have final decision on expenditure, income or any other matter related to the scheme, taking into consideration the committee recommendations.
7. That all ratepayers (not just the farmer liaison committee) have visibility of expenditure on the scheme and works related to the Scheme - we suggest by way of posting, on the relevant section of Council's website, of relevant invoices, details of contracts for works or services, details of the current Scheme Management Plan plus details of any proposed changes to the Scheme Management Plan. The Council, or its delegated representative, may elect not to disclose expenditure or works details where disclosure could place Council in breach of regulations governing release of information. The Council, or its delegated representative, shall provide explanation to the committee if details are withheld.
8. Where the Council chooses to progress contrary to the majority decision of the farmer liaison committee the Council, or its delegated representative, shall report the matter to a public meeting of ratepayers by asking the independent chair to list it as an agenda item at the next public meeting. Included with the agenda will be a short explanation of why the Council wants the farmer liaison committee to reconsider its decision.
9. Public meetings shall continue until such time that they are deemed unnecessary;
10. These Terms of Reference shall be reviewed on at least an annual basis;
11. While Council will endeavor to inform the farmers committee of its actions and expenditure, it may act in any manner it considers necessary to meet its obligations.