

## 2. Minutes: Whangarei District Council Wednesday, 28 August 2013

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*Minutes of a meeting of the Whangarei District Council held in the Council Chamber, Forum North on Wednesday 28 August 2013 at 10.00am*

**Present:**

Acting Mayor (P R Halse)

Crs C B Christie, S J Deeming, A J Edwards, S M Glen, P R Halse, 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

**Absent:**

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

**Also present:**

Area Commander Inspector Tracy Phillips (New Zealand Police)  
Frances Ferrier, Rosemary Drinnan (Submitters)

**In Attendance:**

Chief Executive Officer (M P Simpson), Group Manager Support Services (A Adcock), Group Manager Positive Growth (J Thompson), Group Manager Infrastructure and Services (S Weston), Governance Manager (D Kula), Legal Counsel (K Candy), Acting Financial Controller (F Ferrar) Economic Development Manager (P Gleeson), Property Manager (M Hibbert), Resource Consents Manager (A Hartstone), Solid Waste Engineer (J Langsford), Financial Accountant (K Welford), Media Relations Adviser (A Midson), Community Safety Officer (D Palmer), Property Officers Commercial (J Calder, G Kerr and C Walls), Councillor Support (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

*The Chairman advised Item 10 – Waipu Glebe Local Purpose Reserve would be taken after Item 4 – Police Report and Item 11 – Notice of Motion Councillor M R Williams would be taken after Item 11.*

### 1. Public Forum

There were no speakers at today's public forum.

### 2. Confirmation of Minutes of a Meeting of the Whangarei District Council held on 24 July 2013

**Moved:** Cr Martin

**Seconded:** Cr Glen

"That the minutes of the meeting of the Whangarei District Council held on Wednesday 24 July 2013, 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 an Extra ordinary Meeting of the Whangarei District Council held on 14 August 2013

**Moved:** Cr Williams

**Seconded:** Cr Deeming

“That the minutes of an Extra ordinary Council Meeting held Wednesday 14 August 2013 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**

Inspector Tracy Phillips spoke to the report and answered questions from Councillors. Inspector Phillips also spoke about the competition for music for the DVD developed by Northland District Health Board, in conjunction with Northland Police and the “It’s not OK’ Campaign’. Councillor’s listened to the winning piece of music titled ‘Enough is Enough’ by Summer Ash.

**Moved: Cr Glen**  
**Seconded: Cr Morgan**

“That the information be received.”

**CARRIED**

*Item 10 was taken after Item 4.*

*Item 5 was taken after Item 11.*

#### **5. Adoption of Carry Forwards**

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

“That Council adopt the listed projects being carried forward from the 2012-2013 financial year to the 2013-2014 and 2014-2015 financial years, and resolve that these be recorded as part of the amended budget figures for monthly financial reporting purposes.”

**CARRIED**

#### **6. Decision on Land Term Plan Amendment**

**Moved: Cr Christie**  
**Seconded: Cr Deeming**

“That the proposed 2013 Long Term Plan Amendment and changes to the Policy on Significance be withdrawn.”

**CARRIED**

*Cr Williams rejoined the meeting at 11.11am following discussions on Item 6.*

#### **7. Council Decisions Following Local Government Elections**

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

“1. That this report be received.

2. *Urgent Council Decisions Following Local Government Elections – Delegated Authority Chief Executive Officer*

(a) That from the day after the Electoral Officer’s declaration, until the convening of the meeting where the new Council is sworn in for the 2013-2016 Triennium, the Chief Executive or Acting Chief Executive be given the full powers of Council except those responsibilities, duties and powers specifically excluded in terms of clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002.

(b) That any instances where the Chief Executive or Acting Chief Executive exercises powers in accordance with (a) above, be reported to the first Ordinary meeting of the incoming Council.

3. *Temporary Increase to the Chief Executive's Financial Delegation Following Local Government Elections*
  - (a) That temporary financial authority up to \$3,000,000 plus GST for the period 12 October 2013 until 28 February 2014 be given to the Chief Executive Officer.
  - (b) That any instances where the Chief Executive exercises this delegation be reported to the subsequent meeting of the incoming Council.
4. *Civil Defence Emergency Management – Group Continuance During Elections*
  - (a) That in accordance with clause 30(7) Schedule 7 of the Local Government Act 2002, the Northland Civil Defence Emergency Management Group Committee be deemed not to be discharged on the coming into office of the members of the Council elected at the next triennial election.
  - (b) That Council's current representative be appointed as Council's representative on the coming into office of the members of the Council elected at the next triennial election and in the event of the Council's current representative not being re-elected, the Mayor shall by default be the Council's representative on the Civil Defence Emergency Management Group Joint Committee until the incoming Council has appointed its new representative."

**CARRIED**

## **8. Cruise NZ**

**Moved: Cr Jongejans**

**Seconded: Cr Deeming**

- "1. That the information be received.
2. That the Council support staff further investigating Cruise Ship opportunities for Whangarei and report back to council."

**CARRIED**

## **9. Solid Waste Management Bylaw - Adoption**

**Moved: Cr McLachlan**

**Seconded: Cr Martin**

- "1. That Council considers and adopts the Solid Waste Management Bylaw 2013, with any changes it requires.
2. That submitters be thanked and supplied with a copy of the agenda item and the finalised Bylaw.
3. That Council gives public notice of the finalised Bylaw coming into operation from 1 October 2013."

**CARRIED**

*Cr Syers declared a conflict of interest and withdrew from the table taking no part in discussions or voting on Item 9.*

*The Chief Executive Officer declared a conflict of interest and withdrew from the proceedings. Group Manager S Weston took the place of the Chief Executive for this item.*

*Item 10 was taken after Item 4.*

## 10. Waipu Glebe Local Purpose Reserve

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

- “1. That Council receive this report including the response from Patuharakeke tabled at this meeting.
2. That the submissions be received and heard.”

**CARRIED**

Council heard from the following two submitters:

Frances Ferrier  
Rosemary Drinnan.

In accordance with Standing Order 3.19.6 Council resolved to extend Rosemary Drinnan's speaking time.

**Moved: Cr Martin**  
**Seconded: Cr Deeming**

“That Rosemary Drinnan's speaking time be extended.”

**CARRIED**

## 11. Notice of Motion Councillor M R Williams

In accordance with Standing Order 3.10.4 Councillor Williams sought the consent of the meeting to amend his Notice of Motion.

**Moved: Cr McLachlan**  
**Seconded: Cr Morgan**

“That Council accept Cr Williams amended Notice of Motion.”

**CARRIED**

**Moved: Cr Williams**  
**Seconded: Cr Christie**

- “1. That the information be received.
2. That Council approve the sale of the Old Railway Building to the ‘Whangarei Men's Shed’ incorporated for the sum of \$1.
2. That a lease over the associated land be formalised with the Whangarei Men's Shed for a period of 10 years, including performance measures specific to the preservation of the building, buy back option to Council and type of activity permitted.
3. That the Chief Executive be given the delegated authority to finalise terms and conditions to complete the transaction after consultation with the Property Governance Steering Group.”

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

*For the motion:*

*Cr Edwards, Williams, McLachlan, Martin, Glen, Jongejans, Christie, Morgan and Syers (9)*

*Against the motion:*

*Crs Halse, Deeming, Williamson and Sutherland (4)*

Absent:  
His Worship the Mayor

**CARRIED**

Cr Williams left the meeting at 11.09am after Item 11.  
Item 5 was taken after Item 11.

## Exclusion of the public

**Moved:** Cr Edwards  
**Seconded:** Cr Martin

“That the public be excluded from the following parts of proceedings of this meeting. The general subject of each matter to be considered while the public is 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:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
C.1	Minutes of the Council meeting 26 June – public excluded	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Property Matter		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public is as follows:

Item	Grounds	Section
C.1	As stated in the minutes	
C.2	To enable the council to carry on without prejudice or disadvantage negotiations	Section 7(2)(i).”

**CARRIED**

**The meeting closed at 11.35am**

Confirmed this 25<sup>th</sup> September 2013

P R Halse (Chairperson)