

Whangarei District Council

Notice of Meeting

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

**Wednesday
24 July 2013
10.00 am**

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

Whangarei District Council

CONFIDENTIAL – not for publication

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Cr M R Williams
Cr J D T Williamson

OPEN MEETING

APOLOGIES

CONFLICTS OF INTEREST

Members are reminded to indicate any items in which they might have a conflict of interest.

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Local Government Act 2002 Amendment Act 2012

Full consideration has been given to the provisions of the Local Government Act 2002 Amendment Act 2012 in relation to decision making and in particular the current and future needs of communities for good quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost effective for households and businesses. Consideration has also been given to social, economic and cultural interests and the need to maintain and enhance the quality of the environment in taking a sustainable development approach.

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

1. Public Forum

Reporting officer C Brindle (Senior Meeting Co ordinator)

Date of meeting 12 July 2013

Vision, mission and values

This item is in accord with Council's vision, mission and values statement.

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 received for today's Public Forum (at the time the agenda closed).

2. Minutes: Whangarei District Council Wednesday, 26 June 2013

Minutes of a meeting of the Whangarei District Council held in the Council Chamber, Forum North on Wednesday 26 June 2013 at 10.00am

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

Apology:

His Worship the Mayor M C A Cutforth

Moved: Cr Halse

Seconded: Cr Martin

“That the apology be sustained.”

CARRIED

Also present:

District Operations Manager Marty Ruth (New Zealand Police)

Mark Stuart and Family and Friends

Brian Roberts and Sarah Yeates (Northland Inc)

In Attendance:

Chief Executive Officer (M P Simpson), Group Manager Support Services (A Adcock), Group Manager District Living (P Dell), Group Manager Infrastructure and Services (S Weston), Group Manager Positive Growth (J Thomson), Financial Controller (H McKenzie), Legal Counsel (K Candy), Community Services Manager (O Thomas), District Promotions and Tourism Manager (T McInnes), Economic Development Manager (P Gleeson), Property Manager (M Hibbert), Financial Accountant (K Welford), Senior Communications Adviser (R Pascoe), Casual Communications Adviser (S Halliwell), Community Safety Officer (D Palmer), Personal Assistant (J Walters), Graphics Admin Assistant (E Loubser), Councillor Support (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

The Chairman advised Item 6 Royal Humane Society Award Ceremony would be taken before Item 5 Police Report.

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 22 May 2013

Moved: Cr Jongejans

Seconded: Cr Morgan

“That the minutes of the meeting of the Whangarei District Council held on Wednesday 22 May 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 and 15 May 2013

Moved: Cr Williams
Seconded: Cr McLachlan

"That the minutes of an Extra ordinary Council Meeting held Tuesday 14 and Wednesday 15 May 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. Confirmation of Minutes of an Extra ordinary Meeting of the Whangarei District Council held on 29 May 2013

Moved: Cr Jongejans
Seconded: Cr Williamson

"That the minutes of an Extra ordinary Council Meeting held Wednesday 29 May 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

Item 6 was taken after Item 4. Item 5 was taken after Item 6.

5. Police Report

Inspector Marty Ruth spoke to the report and answered questions from Councillors.

Moved: Cr Williams
Seconded: Cr Martin

1. That the information be received.
2. That the Mayor extend an invitation to School Principals and other interested parties from the district to meet and discuss the problem of increased truancy rates in the district."

CARRIED

6. Royal Humane Society Award Ceremony

Following the reading of the Citation by Cr Deeming, Cr Halse presented the Citation for bravery, on behalf of the Royal Humane Society, to Mark Stuart.

Moved: Cr Deeming
Seconded: Cr Jongejans

"That Council acknowledge the Royal Humane Society Certificate of Merit Award presented to Mark Stuart."

CARRIED

7. Update from Northland Inc - Tourism

Brian Roberts and Sarah Yeates spoke to the report and answered questions from Councillors.

Moved: Cr Morgan
Seconded: Cr Glen

"That the information be received."

CARRIED

8. 2013-2014 Annual Plan

Moved: Cr Syers
Seconded: Cr Glen

“That having regard to the matters set out in section 100(2)(a) –(d) of the Local Government Act 2002, Council resolves that it is financially prudent to budget for a net operating deficit in the 2013-2014 financial year as consistent with the forecast deficit in the 2012-2022 Long Term Plan.”

CARRIED

Cr Christie requested his vote against be recorded.

Moved: Cr Syers
Seconded: Cr Williamson

- “1. That Council adopt the 2013-2014 Annual Plan in accordance with Section 95 of the Local Government Act 2002.
2. That Council authorises the Chief Executive to make any necessary minor drafting, or typographical or presentation corrections to the 2013-2014 Annual Plan prior tot the document going to print.”

CARRIED

9. Rates Resolution 2013/2014

Moved: Cr Syers
Seconded: Cr Deeming

“That the Whangarei District Council in pursuance of its powers under the Local Government (Rating) Act 2002 hereby resolves to set the following rates and charges upon the rateable value of all rateable properties appearing in the District Valuation Roll now in force in the Whangarei district for the period 1 July 2013 to 30 June 2014.

The rates will be set in accordance with the relevant provisions of the funding impact statement covering the financial year 1 July 2013 to 30 June 2014.

All rates and charges include Goods and Services Tax (GST). Penalties added to unpaid rates are exempt from GST but will be applied to the GST inclusive amount.

General rates and charges

General Rates:

	Differential Land Use Category	Cents in Dollar of Land Value including GST
1.	Residential	\$0.0030475
2.	Residential – Step 1	\$0.0015237
3.	Residential – Step 2	\$0.0007619
4.	Multi – Unit	\$0.0060950
5.	Rural	\$0.0025294
6.	Commercial / Industrial	\$0.0151110
7.	Miscellaneous Properties	\$0.0030475

Uniform Annual General Charge:

A charge of \$347.00 to every separately used or inhabited part of a rating unit.

Targeted rates

Sewage Disposal:

A targeted rate of \$581.00 for residential and for any other premises having no more than two toilet pans and a targeted rate of \$378.00 per pan for all other premises having more than two toilet pans connected to the district's sewer reticulation and sewage disposal systems. The rate will be based on the number of water closets or urinals per separately used and inhabited parts within the rating unit.

Educational establishments will be subject to a special remissions policy.

Refuse Facilities:

A targeted rate of \$144.00 in respect of every separately used or inhabited part of a rating unit.

Water Supply:

A charge of \$2.08 per cubic metre of water consumed (as measured by meter) in respect of every separate rating unit to which water is supplied and where a meter is installed.

An annual supply charge of \$29.00 will apply to every separately metered used or inhabited part of a rating unit and will be calculated and applied to each account according to the consumers' cyclic billing period.

For calculation purposes, water will be treated as having been consumed on an equal daily basis over the period of the reading. An estimated account may be calculated and this will be in accordance with clause 1.3.10.5 of the (WDC) Water Supply By-Law 2012.

Rating units, where the consumption of water is not charged through a meter, but are connected to any of the district's water supply systems, will be subject to an annual charge of \$406.00.

Rating units that are situated within 100 metres of any public water reticulation system that are capable of being connected but are not connected will be subject to an annual charge of \$29.00 (for availability).

Rating units where a backflow preventer connection is required will be subject to an annual charge based on the size of the connection applied as follows:

15/20mm connection	\$72.14
25mm connection	\$73.11
32mm connection	\$86.49
40mm connection	\$88.52
50mm connection	\$91.83
100mm connection	\$231.31
150mm connection	\$270.78
200mm connection	\$448.48

Miscellaneous targeted rates

These rates will be charged as a set amount per rating unit and will only apply to rating units within a defined and specified area where it is considered that the ratepayers within this defined area are receiving a direct benefit from the specified works.

Targeted Rates – Project Works	Annual Charge including GST
Ruakaka South Sewer Extension- (Residential)	\$2,342.95
(Non Residential)	\$3,466.87
Acacia Park Roding Remediation	\$400.00

Pataua Boat Ramp and Foreshore Protection	\$141.07
McGregors Bay, Taiharuru Erosion Protection (Beachfront)	\$2,204.07
(Other)	\$304.83

Hikurangi Swamp Major Scheme Rating District

A differential targeted rate to every rating unit within the defined rating area of the swamp scheme rating district. Rates will be charged on the basis of the land area within the rating unit in accordance with the following scale:

Class – Scale of Charges	Dollar per Hectare including GST
A	\$110.60
B	\$ 99.33
C	\$ 77.43
D	\$ 11.08
E	\$ 5.58
F	\$ 2.23

Hikurangi Swamp Drainage Rating District

A differential targeted rate to every rating unit within the defined rating area of the drainage rating district. Rates will be charged on the basis of the land area within the rating unit in accordance with the following scale:

Class – Scale of Charges	Dollar per Hectare
A	\$12.79
F	\$ 1.28

Due dates for payment

For those ratepayers who are unable to pay their year's rates in full by the due date of the first instalment (20 August 2013) payment may be made by way of four instalments with each instalment due and payable on the date specified on the rate invoice for that instalment as follows:

Instalment	Date Rates Due and Payable
1.	20 August 2013
2.	20 November 2013
3.	20 February 2014
4.	20 May 2014

Water (by meter) accounts are processed monthly, two-monthly or six-monthly. The due dates of these accounts will be relative to the consumer's cyclic billing period. The due date for payment will be shown on every separate account.

Discount for rates and charges paid in full

Discount of three per cent (3%) will be allowed if full payment of 2013/2014 rates and charges including any arrears (excluding water by meter) are paid in full by the due date of the first instalment - 20 August 2013.

Penalties added to unpaid rates

A penalty of ten per cent (10%) will be added to each instalment or part thereof, or in the case of water (by meter) to each account or part thereof, which are not paid by the due date. All rates and charges (excluding water by meter) charged prior to 30th June 2013 (i.e. all previous years rates) that still remain unpaid as at 1st September 2013 will be subject to a further additional penalty of ten per cent (10%).

For rates and charges for water by meter, still unpaid at six monthly intervals after the due date will be subject to an additional penalty of 10% at each six monthly interval."

CARRIED

Moved: Cr Deeming
Seconded: Cr Sutherland

"That staff report back regarding rating mineral royalties."

CARRIED

10. Northland Events Centre – Appointment of Trustee

Moved: Cr Deeming
Seconded: Cr Jongejans

- "1. That Council appoints Deborah Harding to the Northland Events Centre Trust under the standard indemnity applying to Trustees.
2. That Council thanks Clare Davies-Colley for her contribution to the Trust."

CARRIED

11. Public Forum

Moved: Cr Halse
Seconded: Cr Deeming

"That, in accordance with Standing Order 2.1.2, Appendix F – Public Forum be removed from Council's Standing Orders."

Amendment

Moved: Cr Williams
Seconded: Cr Williamson

"That, in accordance with Standing Order 2.1.2, Appendix F – Public Forum be suspended from Council's Standing Orders until the inauguration of the new council post elections."

On the amendment being put Cr Halse called for a division:

For the amendment:
Crs Edwards, Williams, Williamson and Glen (4)

Against the amendment:
Crs Halse, Deeming, McLachlan, Martin, Jongejans, Christie, Sutherland, Morgan and Syers (9)

Absent:
His Worship the Mayor

The amendment was LOST

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

For the motion:

Crs Halse, Edwards, Deeming, Martin, Jongejans, Morgan and Syers (7)

Against the motion:

Crs Williams, Williamson, McLachlan, Glen, Christie and Sutherland (6)

Absent:

His Worship the Mayor

An amendment or alteration to Standing Orders requires a vote of not less than 75% of the members present. The 75% threshold was not met therefore Appendix F will remain in Standing Orders.

12. Notice of Motion

Cr McLachlan tabled an amended Notice of Motion.

Moved: Cr Halse

Seconded: Cr Deeming

“That Council accept Cr McLachlan’s amended Notice of Motion.”

CARRIED

Moved: Cr McLachlan

Seconded: Cr Williamson

- “1. That Council approves in principle the sale of the Old Paper Reclaim Facility on Pohe Island to Bike Northland for \$1.00.
2. That a ground lease be developed to Bike Northland and that the lease provide for performance reporting to Council.
3. That recommendations 1 & 2 be subject to the finalisation of the current review of the Reserve Management Plan for William Fraser Memorial Park on Pohe Island.
4. That staff bring back an all encompassing report including details of the final lease and sale for Council approval.”

Amendment

Moved: Cr Christie

Seconded: Cr Sutherland

- “1. That Council approves in principle the sale of the Old Paper Reclaim Facility on Pohe Island to Bike Northland for \$1.00.
2. That a ground lease be developed to Bike Northland and that the lease provide for performance reporting to Council.
4. That staff report back with the final lease and sale for Council approval.”

On the amendment being put Cr Sutherland called for a division:

For the amendment:

Crs McLachlan, Christie and Sutherland (3)

Against the amendment:

Crs Halse, Edwards Deeming, Williams, Williamson, Martin, Glen, Jongejans, Morgan and Syers (10)

Absent:

His Worship the Mayor

The amendment was LOST

On the motion being put Cr Williams called for a division:

For the motion:

Crs Halse, Edwards, Williams, Williamson, McLachlan, Martin, Glen, Christie, Sutherland and Morgan (10)

Abstained:

Crs Deeming, Jongejans and Syers (3)

Absent:

His Worship the Mayor

The motion was CARRIED

13. Update on Hundertwasser Art Centre Project

Group Manager Paul Dell provided an update on this item and answered questions from Councillors.

Moved: Cr Sutherland

Seconded: Cr Morgan

“That the report be received.”

CARRIED

Exclusion of the public

Moved: Cr Williamson

Seconded: Cr Edwards

“That the public be excluded from the following parts of proceedings of this meeting on the following grounds:

Item C.1 Confidential Minutes of the Whangarei District Council meeting held on 22 May 2013

Item C.2 Confidential Minutes of the Civic Honours Committee meeting held 11 June 2013

Reason To protect the privacy of natural persons

Grounds Section 7(2)(a).

Item C.3 Property Update

Reason To enable the council to carry on without prejudice or disadvantage negotiations

Grounds Section7(2)(i).”

CARRIED

The meeting closed at 12.26pm

Confirmed this 24th day of July 2013

P R Halse (Chairperson)

3. Minutes: Extra-ordinary Whangarei District Council Wednesday 10 July 2013

Minutes of an Extra-ordinary Whangarei District Council meeting held in the Council Chamber, Forum North on Wednesday 10 July 2013 at 11.30am

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

Apology:

His Worship the Mayor M C A Cutforth

Moved: Cr Martin

Seconded: Cr Deeming

“That the apology be sustained.”

CARRIED

In Attendance:

Group Manager Support Services (A Adcock), Group Manager Positive Growth (J Thompson), Governance Manager (D Kula), Councillor Support (J Crocombe) and Senior Meeting Coordinator (C Brindle)

1. Elected Member Remuneration for New Council

Moved: Cr Syers

Seconded: Cr Edwards

- “1. That the additional responsibilities of the Deputy Mayor and Committee Chairs be recognised with a recommendation to the Remuneration Authority to apply a 1 : 1.25 ration between Councillors compared to the Deputy Mayor and Committee Chairs from the available pool for additional pay.
2. That staff be delegated to compile all documentation required to make a recommendation to the Remuneration Authority.”

CARRIED

Cr Sutherland requested his vote against be recorded.

The meeting closed at 11.42am

Confirmed this 24th day of July 2013

P R Halse (Chairperson)

4. Amendment to Minutes

Reporting officer C Brindle (Senior Meeting Coordinator)

Date of meeting 24 July 2013

Vision, mission and values

This item is in accord with Council's vision, mission and values statement.

Minutes Whangarei District Council 22 May

The Minutes of the 22 May were confirmed and adopted on the 26 June.

Subsequent to adoption the minuted decision for Item 5 Northland Athletics and Gymnastics Stadium Trust, 'that the information be received', was found to be incorrect. An amendment to the minutes is necessary to correct this error and ensure that the minutes reflect the decision of Council.

The following recommendation includes the resolution Council adopted for item 5, all other minutes from the 22 May Council meeting are correct as confirmed by Council on 26 June.

Recommendation

That Item 5 of the Minutes of the Council Meeting of 22 May be amended to:

1. *That the report be received.*
2. *That council advance an additional \$25,000 to Northland Athletics and Gymnasium Stadium Trust and this along with the \$80,000 for the resource consents is secured as an eight year zero interest loan.*
3. *That the Chief Executive Officer be authorised to negotiate payment terms for the additional car park costs of \$454,311 with the contractor."*

5. Police Report

Reporting officer C Brindle (Senior Meeting Coordinator)

Date of meeting 24 July 2013

Vision, mission and values

This item is in accord with Council's vision, mission and values statement.

The attached report has been received from Tracy Phillips Area Commander for Whangarei/Kaipara.

Recommendation

That the information be received.

Attachment

[Police Report](#)



**Whangārei /Kaipara
Area**

Council Report

Submitted 12 July 2013

Whangārei Police are in the process of developing an Area Prevention Team that will focus on the five drivers of crime: Alcohol, Youth, Families, Organised crime and Road Policing; with a focus on responsiveness to Maori. The team initially will be one Sergeant and four constables, who will focus on volume crime such as dishonesty offending and family violence, with the aim of reducing victimisation through short term suppression techniques, while implementing sustainable longer term solutions with the community and partners.

This is a really exciting opportunity for our staff to be innovative and find solutions that will make a very real impact on crime and crash in the community. This team will raise the visibility of police, and their flexibility will mean we are able to deploy to beat demand by working with partners in a more planned and coordinated way.

Crime

Staff have had some excellent results with a burglary ring in Tikipunga including school aged children being interviewed and dealt with by the Youth Crime Team.

Onerahi staff have also been busy executing a large number of search warrants and catching burglars and car thieves which included a 14 year old boy.

I was really impressed with Dairy at Onerahi that made a decision not to sell "legal" highs anymore after police discussed the fact that the 14 year old boy was smoking K2 with his father before going out to commit burglaries. The dairy recognised that the product that they were selling was having a negative impact on their community and saw the need for them to be socially responsible.

With the new Alcohol Legislation coming into effect in December it will be time for the off licensed premises to consider how they too will be required to be more responsible for the harm caused by the sale of alcohol in their community. Research clearly shows that for every off licensed premises opened in an area, there is an attributable and significant percentage increase in crime such as family violence. Dairies for example, have never been allowed by law to have an off licence, but some have slipped through the net in the past so as they come up for renewal Police are systematically opposing their renewals in an effort to have better compliance and reduce harm.

Police have provided data to the Council to help support the development of Local Alcohol Plans and look forward to working to assist council set clear boundaries that support a vibrant city that does not become violent after midnight.

Road Policing

Last month's Operation Fire Alarm was truancy-focused, and we worked with Iwi Social Services and schools. The next operation will have a repeat victim focus and will look at how we provide a good wrap around service putting victims at the forefront and working with them to make them safe and feel safer. August is set down for a Road Policing operation, and will be focused on the Fatal Five, and in particular speed, restraints and intersections.

Inspector Tracy Phillips
Area Commander
Whangārei Kaipara

6. Whangarei Art Museum Trust - Memorandum of Understanding

Reporting officer Paul Dell (Group Manager District Living)

Date of meeting 24 July 2013

Vision, mission and values

This item is in accord with Council's vision, mission and values statement as encouraging community partners to work with Council to provide cultural opportunities in the District. The support to the Trust has seen a quality Art Museum facility being made available to the community and contribute to Sense of Place.

Introduction

The public Art Museum of Whangarei was first established by the Chair of the Whangarei District Council Arts Committee, David Culham QSM in October 1995. The Whangarei Art Museum Trust was established on 3 July 1996.

The Trust is a Council controlled organisation as under the Trust Deed Council appoints four trustees of whom one is a current Councillor.

In 2011 as part of the ongoing development at the Town Basin, Council created "The HUB" which included the new Art Museum space. With relocation to the new facility visitor numbers have increased from 6000 per year to approximately 18000 per year. The new facility is open longer hours, has state of the art storage facilities and quality climate control systems.

In the recent Audit report it was noted that the support relationship between the Council and the Trust should be documented. The relationships identified in the Trust Deed and leases do not reflect the support of Council to the Trust, but more the establishment / Governance relationship and standard lease.

The Memorandum of Understanding (MOU) outlines the commitments of Whangarei District Council to the Trust and vice versa. It also formalises the operational liaison role.

Recommendation

- 1 That the report be received.
- 2 That the Memorandum of Understanding between Whangarei District Council and Whangarei Art Museum Trust be approved.

Attachment

[Memorandum of Understanding](#)

Memorandum of Understanding

**Whangarei District Council and Whangarei
Art Museum Trust**

Memorandum of Understanding

Between

Whangarei District Council – referred to as “Council”

and

Whangarei Art Museum Trust – referred to as “the Trust”

1 Introduction

The public art museum of Whangarei was first established by the Chair of Whangarei District Council Arts Committee, David Culham QSM in October 1995 with the appointment of an Arts Advisor who was commissioned to write a Report to Council. With the Town Basin redevelopment completed the former Clock Museum premises in Cafler Park became available for Council's Art Collection and exhibition programs.

This report 'Whangarei Art Museum – Te Wharetaonga O Whangarei' was adopted in full by Council in February 1996 and naming the institution as outlined in the Report.

The art museum formally opened with a civic ceremony and blessing with the Mayor and Councillors on 29 May 1996.

The Whangarei Art Museum Trust was established on 3 July 1996 and Councillor Dave Culham was appointed Chair of the Trust.

The Trust had a number of responsibilities identified for it, including;

- Responsibility for the establishment and management of an Art Museum
- Maintaining, cataloguing and displaying works of Art including the art collection of Council
- To support, stimulate and enhance the artistic and cultural life of Whangarei District
- To purchase, collect and show quality work of art to enhance and enlarge the present collection
- To maximise the benefits of an art museum for the Whangarei District and encourage the people of the Whangarei District and elsewhere to visit
- To hold classes and lectures so as to improve the practice and understanding of Art in all its visual forms.

Under the Trust deed Council appoints four Trustees of whom one is a current Councillor and three are members of the community one of whom shall be a representative of Local Iwi.

The Trust also appoints a minimum of two and a maximum of three other Trustees. Council by Resolution can remove Trustees at any time.

In 2011 as part of ongoing development at the Town Basin, Council created “The HUB” which included the new Art Museum Space, an Information Centre and an intercity bus facility. The new location and facility has required an increased commitment in terms of resourcing and operational costs.

The new facility is now within the Arts / Heritage / Culture Precinct, is open longer hours, has state of the art storage facilities, climate control and display space and is attracting increased numbers of visitors. The facility adds vibrancy to the Town Basin and is used to host various receptions for important events and dignitaries to the District.

2 Commitments

Whangarei District Council (WDC)

In recognition of the relationship that Council has with the Trust, Council agrees to financially support the Trust activities through:

- Recognising the work of WAM
- Providing an annual rent concession to cover the full rental cost of the Art Museum Space
- Provide an Annual Operation Grant, through Council's Operational Support Fund, on an agreed annual business plan prepared by the Trust and compliance with the conditions of the fund
- Providing where appropriate administrative support.

Whangarei Art Museum (WAM)

In accordance with its Trust deed and to recognise their significance in enhancing the Town Basin as the City's Arts/Heritage/Culture Precinct, WAM agree to:

- Manage an accessible, efficient and effective art museum space
- Maintain, Catalogue and Display the Council's art collection
- Maximise opportunities for all of the District's residents and visitors to experience and enjoy the Whangarei Art Museum and Town Basin.
- Display Art in various Council facilities ie. Forum North, Library.
- Seek external funding opportunities.

3 Liaison

To ensure coordinated liaison on operational matters; the Chief Executive Officer will appoint a staff member to be the contact person for Trust activities. This person will also attend Trust meetings as and when required but has no voting rights. This will allow Council to keep up to date with delivery of the Business Plan outputs and ensure a "no surprises" relationship.

Signed by:

CEO
Whangarei District Council

Chairperson
Whangarei Art Museum Trust

7. Lake Waro Land Swap

Reporting officer Robin Rawson (Group Planner, Infrastructure & Services)

Date of meeting 24 July 2013

Vision, mission and values

The proposed land swap would improve access and recreation opportunities in a Council reserve. This would support Council's mission to create the ultimate living environment.

Background

Lake Waro is located within a Scenic Reserve under the Reserves Act, and is owned and managed by Whangarei District Council. The lake is identified as an esplanade priority area in the Whangarei District Council District Plan.

The northern edge of Lake Waro is located very close to the northern boundary of the reserve and the reserve area does not allow sufficient room for access around the lake. In another area nearby the terrain is difficult for access within the reserve boundary.

The Yvonne Stewart Memorial Walkway circumnavigates the lake and has recently been completed by Whangarei District Council and the community. Public access in two areas near the northern end of the lake is not within the area of the reserve, and access is made possible by the grace of the owner of adjoining land at 58A Waro Drive, Mr Stuart Clark. Mr Clark has offered to swap small areas of land that would legalise existing access in this area.



Figure 1: Northern end of Lake Waro with access problem areas highlighted

Proposed land swap

The area of land to be swapped would be favourable to Council, and would also provide the neighbour with some benefits in relation to access and fencing. The new boundary would coincide with existing fences for more than half of the new boundary.

The areas of land required to be swapped are small; 691 m² would be transferred to Council ownership and 299m² would be transferred to Mr Clark, with a net area of 392 m² being transferred to Council. No compensation is sought by Mr Clark for this exchange.

The areas of proposed boundary have been surveyed. Processing costs for the proposal including a resource consent application can be covered by existing budgets.

Benefits

The proposal would secure the future right for public access on a walkway constructed by the community. There would be a net gain of land, and this would improve the future planning and management of Lake Waro Reserve.

Land exchange process

The proposal is consistent with the purpose of Scenic Reserves as defined in the Act, and would ensure continued public access around the lake. The Ngati Hau Resource Management Unit and the local office of the Department of Conservation support the proposal.

Section 15 of the Reserves Act sets out the process for exchanging reserve land for other land. The process includes the following:

- Council as the owner signs a memorandum of agreement for the land swap to proceed
- Council as the administering body approves public advertisement of the proposal
- 1 month public consultation period to call for any objections
- Resource consent application lodged
- Report to Council including any objections to the proposal
- Council passes a resolution requesting the exchange
- The Minister of Conservation authorises the exchange by notice in the *Gazette*.

Recommendation

1. That the information be received.
2. That the Memorandum of Agreement for the land swap signed by Mr Stuart Clark be approved for execution by Council.
3. That the proposed land swap be approved by Council for advertising and public release for submission in accordance with Section 15 of the Reserves Act 1977.

Attachment

[Plan of proposed land swap](#)



Stuart Blair Clark

SIGNED BY STUART BLAIR CLARK
AS CONFORMATION OF ACCEPTANCE
OF AREAS SHOWN

LOT 3
DP 85715

AREA 2
2.8390 ha.
(BALANCE CLARK TITLE)

AREA 3
188m (TO CLARK)

AREA 4
551m (TO WDC)

AREA 5
111m (TO CLARK)

AREA 6
140m (TO WDC)

AREA 1
11.4560 ha.
(BALANCE LAKE WARO TITLE, WDC)

PT ALLOT SW40
PARISH OF HIKURANGI
(CLARK)

LOT BOUNDARY

LOT BOUNDARY

FENCELINE

NORTH AUCKLAND LINE

LOT BOUNDARY

AREA TO WDC = AREA 4(551m) + AREA 6(140m) = 691m²
AREA TO CLARK = AREA 3(188m) + AREA 5(111m) = 299m²
SHORTFALL OF EQUAL AREA = 392m²

REV	DATE	DESCRIPTION	CHK	APD
1	10/12/12	AREAS AFTER SURVEY		



GREYBURN & BRYANT
PLANNERS, SURVEYORS &
PROJECT MANAGERS

Reyburn & Bryant 1999 Ltd
PO Box 191
7 Selwyn Ave - Whangarei
Ph (09) 438 3563 - Fax (09) 438 0251
Email: reyburn@reyburnandbryant.co.nz
Web: http://www.reyburnandbryant.co.nz

CLIENT
**WDC - PARKS
& S. CLARK (LANDOWNER)**

TITLE
**BOUNDARY ADJUSTMENT
AREAS FOR SWAP
AT LAKE WARO, HIKURANGI**

DATE	DEC 2012	SCALE	1:1000 @A3
NO.	12844	Sheet No.	1
D12844			B

8. Future of the Whangarei Railway Station

Reporting officer Mike Hibbert (Property Manager)

Date 10 July 2013

Purpose of Report

To seek resolution of Council to sell the Old Railway Building to the Community Group known as the 'Whangarei Men's Shed' to preserve the structure of the Whangarei Railway Station and provide secured interim occupancy of the building.

Introduction

The Whangarei Railway Station is situated at the end of Railway Road at the rear of established businesses on Commerce Street. No significant maintenance has been completed on the building since 2007, resulting in the slow demise of basic structural integrity accelerated by the poor condition of the roof, petty vandalism and graffiti. Approximately one third of the building internally consists of training rooms, offices, kitchen, community group facilities and other shared spaces established initially through initiatives of the now in recess Prince of Wales Trust. The remaining two thirds again lends itself to established workshop space, rooms and storage however the condition is very poor and some what inhabitable.

The Whangarei Men's Shed incorporated have approached Councils with an aim of acquiring the Railway Building to ensure future tenancy and provide external funding opportunities to future preserve the structure.

Brief History

Council purchased the site in 1997 from the railways for the purpose of extending Railway Road as part of a larger roading objective to link Okara Drive to the CBD. The site was formally leased from Council by the Prince of Wales Trust until late 2006 when the trust went into recess. The National Trust Board agreed to transfer all assets, contracts and interests to the Whangarei Railway Station Charitable Trust (WREST). In accordance with this a Deed of Assignment of License was duly executed by Council. In late 2007 the WREST secured a \$40,000 contribution toward the replacement of the roof and internal structures and asked Council for a further \$20,000 contribution so the project could be completed in its entirety. An extension of the lease was also requested to allow the continued internal upgrade of the facility to maximise the efforts of the roof replacement to fully renovate the remaining two thirds of the building. The recommendation was to support the initiative, however the Council at the time resolved not to extend the lease and the WRSCT folded in December of that year.

Current use

The building has effectively been empty since December 2007, however due to escalating vandalism, repeated reports of antisocial behaviour and the constant risk of fire, security breaches and safety of the structure, an interim month by month agreement now exists with 2Meke training. 2Meke training pay for all outgoings including security monitoring, painting over graffiti and clearing broken bottles etc, in return for use of the building at no cost.

In mid 2011, ground maintenance work was initiated to clear the rear of the site and extend the existing car park. Additional lighting and the removal of the aging bus stop structures was completed to accommodate the recently adopted changes to the Parking strategy. The site was also used to capacity as an overflow space for the World Cup events at Toll Stadium. Council staff painted the exterior of the building on a shoe string budget to help lift the presentation of the building, to lift the feel of the environment and to improve safety perceptions to the public and visiting world cup fans.

Heritage Building Status

The building is not a registered Heritage building in the District Plan. Council decided not to support such a recommendation as this would restrict any future potential development. However the building has been recognised as a significant building through the New Zealand Historic Places Trust (NZHPT) and such support was formally addressed in the agreement to lease the building to the Prince of Wales Trust until late 2006 with WRSCT to complete a renovation programme to establish the building to its original glory.

Community Interest

The Whangarei 'Men's Shed'

In the past twelve months Council staff have been approached regarding a new initiative for the district called The 'Men's Shed'. This initiative appears to be gaining momentum in other parts of the country with now up to 50 different Men's Sheds being formalised including Christchurch, Masterton, Auckland, Blenheim, Palmerton North, Ashburton, Levin, Kaikoura, and Devonport to name a few. Their over arching mission is to establish an environment for men to socialise, work together, learn new skills, and to share their skills, talents and knowledge with others and the wider community. This is based around sharing companionship, a sense of purpose and support networks.

The Whangarei Men's Shed is recently incorporated with 30 registered members from a variety of backgrounds. Letters of support have been received from the NZ Police, Work and Income NZ, Age Concern and the Disability Sector Reference Group. Business entities are also on board with a growing number of business showing interest and allowing fundraising opportunities and the donation of tools. The initiative is now reaching its 12 month anniversary and has already out growth space currently occupied at Heritage Park.

The available space at the Railway Station provides a suitable, accessible space to store equipment; facilitate a workshop, rooms for administration and support services. The disrepair of the building provides a working project to accommodate the initiatives of the group while providing a home base. As a charitable trust the Men's shed will be eligible to apply for community funds from a variety of sources. The organising committee has an entrepreneur focus and can see numerous possibilities for community fundraise.

2Meke Training Limited

Currently 2Meke Training Limited occupy a third of the building on a month by month basis. Established in 2005 their vision is to meet the education gaps of a large community of the youth, adult and early childhood groups, who for various reasons are not accessing education services.

The organization is an accredited tertiary education provider with a four year New Zealand Qualification Authority (NZQA) performance cycle. Programmes include Youth Hospitality Training and Adult and Youth Numeracy Literacy. In 2011 the Ministry of Social Development (MSD) provided wages to employ 14 students for 6 months in the Bay of Islands/Whangarei area, while travel, tools and other outgoings were provided through fundraising. Students experienced real hands on work, employment commitments and motivation. Each student was signed up in compulsory saving schemes and driver learning to achieve their own financial sustainability, drivers licence and 40 NZQA unit standards.

The Railway Station office, kitchen, classroom and toilets has become the hub for the free tertiary education/social/pastoral care services that are provide to people of all ages throughout Te Tai Tokerau.

Recent meetings with 2Meke have indicated a willingness to work with the Men's Shed in ensuring workable opportunities.

Considerations

Status Quo

To do nothing will eventually see the buildings condition deteriorate to a stage where the premises would have to be condemned. Although a time frame can not be accurately predicted, the risks associated with fire, structural failure and continued vandalism during this time would greatly increase. The cost to dispose of the structure would also incur unnecessary cost.

Purely from a Council asset management perspective to simply allow the building to deteriorate to such a stage that it could not be salvaged may be perceived to be a failure of Council from a rate payer point of view.

Roof Condition

Although patches and waterproofing of the existing roof has continued through the contributions of 2Meke training, a recent inspection through by Councils Building Compliance staff have identified a number of major leaks, rot, damage to flashings and barges, internal valleys and gutters. The renovations completed during the time of the Prince of Wales Trust and later the Whangarei Railway Station Charitable Trust have been compromised further due to the roof condition. The Men's Shed are aware of the current condition and relishes the opportunity to make such necessary repairs in parallel with the use of the building as a multi-use community asset.

Heritage Places Trust

Council Staff have recently discussed the future of the building. Although not the preference support would be given to the Whangarei Men's Shed owning the building in order to fund the future preservation.

Community Tenancy

The nature of the building and the current internal space lends itself to community activities. To date 2Meke training has maintained the current facility at a level to accommodate classroom and administrative requirements to facilitate their youth programmes. The empty and somewhat in need of repair remaining two thirds also presents a huge opportunity to use the facility as a project itself to support the initiatives of the 'Men's Shed' in transferring skills and bridging gaps between generations.

Each group is currently in need of securing longer term agreement to help further expand and invest in their current programmes and contribution to youth and youth employment, or to establish a home to instigate a nationally growing initiative to help contribute to the social and community development of individuals and the community while preserving traditional skills. To sell the structure to the Men's Shed would protect the asset and further upgrade and preserve the facility, similar to other community groups that currently manage Council owned community halls and buildings.

Future development

The Roothing division has indicated the current Long Term Plan does not have any funding allocations for any roading links to occur from this site within the next 10 years. The recently completed Porowini Ave extension in effect has superseded the need for Railway Road to be developed further. The Parking Strategy has identified the location as a prominent site.

Any agreed sale would need to reflect a buy back option for Council to purchase from the Men's Shed at the same price. This would ensure flexibility for any future development and or assurances to Council if the Men's Shed disband.

Summary

The future of the Whangarei Railway Station has not been determined as a Council priority in the Annual Plan or the Long Term Plan (LTP). Options to relocate or upgrade are expensive and can not be justified against more pressing Council projects and spend. From an asset management perspective obligations to ensure the continued integrity of the building with further deterioration avoided remain with Council.

An opportunity has arisen to allow the building to secure occupancy with Community based groups, to management and maintain the building. This will allow Council time to formalise a plan to address the future of the building, while at the same time, ensure the structure remains secure, weather proof and with a purpose of allowing such groups to contribute to the wider community. Selling the structure to the Whangarei Men's Shed will provide better opportunities for future funding and the preservation of the structure.

Recommendation

1. That the information be received.
2. That Council approve the sale of the 'the Old Railway Building to the 'Whangarei Men's Shed' incorporated for the sum of \$1.
3. 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.
4. That the Chief Executive Officer be given the delegated authority to finalise terms and conditions to complete the transaction.

Attachment

[Consultants Brief](#)

Consultants Brief
In respect of the acquisition of the
Whangarei Railway Station

1st July 2013

The Whangarei Community Mens Shed.

This incorporated society was constituted by resolution on 5th March 2012 and subsequently registered with the Registrar of Incorporated Societies in April 2012. (Ref. No. 2558523)
It forms a part of a world wide movement which currently has 800 sheds in Australia and 40 spread through New Zealand.

The Whangarei "Shed" was officially opened on 1st September 2012 at the Whangarei Museum & Heritage Park Trust site in Maunu, Whangarei.

At the end of the first financial year of operating it had 44 paid up members.

The society is managed by a committee of seven elected members with three officers i.e. a Chairman, Secretary and Treasurer.

The society is a member of the National Association of Mens Sheds in New Zealand.

The purposes of the society are laid out in the "Rules" lodged with the Registrar of Incorporated Societies. The main principles are to create a place and a sense of purpose for men whereby they connect with each other and the community.

The major means of achieving these principles are by providing an all purpose workshop and recreational facilities whereby men can become involved in projects for the community at large and also be free to follow their own requirements in respect of personal creativity.

The aim of the society, at this time, is focused on the future provision of a 'custom' shaped shed which would revolve around woodworking, metalworking and a collection of pastimes e.g. modelling, information technology equipment and training as well as an attractive area for social interaction. These are pursuits we are unable to cater for in our present restricted space, which only allows a maximum of six members working at any one time.

The measure of the flexibility of the Shed operation and acceptance of a wide section of the public and non- profit agencies has been established in a remarkably short time frame. This is exemplified by (a) the doubling of the society's membership in the first twelve months and (b) the volume of projects initiated by outside sources.

We have carried out projects for worthy individuals in need of assistance e.g. building a footstool for a handicapped car driver in order to gain exit and access to his vehicle and repairing an elderly lady's table leg as well as carrying out larger projects for :-

- (a) The Northland Health Board
- (b) The Northaven Hospice retail store
- (c) The Whangarei Museum
- (d) The Whangarei Homeschoolers organisation
- (e) The Maunu Primary School
- (f) The Whangarei District Council
- (g) The international SISTEMA group, devoted to attracting children to musical instruments.

Every week we are approached by some non- profit body enquiring if the Whangarei Mens Shed can assist with a worthwhile social task that would benefit the public. In many instances we have both the skills and appropriate equipment but do not have the physical space to undertake yet another contract.

The Whangarei Railway Station with its size and scope is an ideal building to expand not only our working space but the accommodation for a greater number of men with varied skills who would be given a fresh lease of life by working and socialising with other men.

As the General Manager of the Australian Mens Sheds Association is quoted as saying - ***"Mens Sheds are not just about building wooden toys and fixing furniture - they are about building communities and fixing men"***

The Whangarei Railway Station.

In searching for a benevolent property owner, in our quest for larger long term premises for our society, we have reviewed the potential of our local railway station, which no longer performs the function of a passenger rail terminal and is of no further use to Kiwi Rail.

The size of the building, the central location and its historical significance to the Whangarei community indicate that this building would be an ideal facility for the expansion of our operation.

The very necessary repairs to make this almost derelict complex tenable and the medium to long term return to near original condition is a task that the Whangarei Mens Shed would relish, running as it would, in parallel with the use of the building as a multi- use community asset.

The obvious win / win outcome of restoring a decaying iconic building to its former position of community focus and redirecting its usefulness as a community hub in the centre of the city is one of the most exciting projects to be undertaken in this region for decades.

With the transfer of title to the building from the Whangarei District Council to the Whangarei Mens Shed, with conditions to be decided, both the incentive to carry out the works necessary and the availability of funds to carry out such work will be greatly enhanced.

The entire emphasis of the restoration will be directed towards totally remaining within the external design of the railway station and retaining the embodiment of a functioning railway facility whilst reconfiguring the interior partitions to adequately accommodate the various activities that the Mens Shed can offer its members and the community.

Ongoing costs and proposed funding

Whilst the society has been the grateful recipient of a \$5,000 Whangarei Council grant towards our first year cost of overheads (which includes insurance, rent, power, water, telephone and administration expenses) we have been able to return \$1200 of the grant by reason of our efforts to generate funds with the object of being self-sustaining as quickly as possible.

To date we have operated successful "Sausage sizzles" regularly at the Produce Market held in Whangarei and also twice a month at the local Mega Mitre 10.

Apart from this form of trading, we are producing bench seats and picnic tables for resale as well as "planter" wheelbarrows for Garden Nursery outlets.

We are currently negotiating with our Council to take over the administration and maintenance of a Public Hall which, on present Council provided accounts, will net us in the vicinity of \$9,000 per annum on a continuing basis. Volunteer labour within our organisation will assist in this endeavour.

Entry charges to our existing Shed are currently netting the society \$1,500 a year

Our trading budget for 2013 /14 is set to raise approximately \$15,000 to cover all overhead costs.

In respect of the Railway Station funding we can only determine two fixed sums at this stage.

The first is the nominal sum we pay to Whangarei District Council for the acquisition of the building title (Estimated at \$1)

The second is the assessment / feasibility study to be carried out by an architectural consultant which will be the sum we approach the Lottery Community Facilities Fund to finance (Estimate at this time \$10,000 - \$12,000) .

The reconstruction and improvement costs necessary for the Railway Station will only emerge once our feasibility study is concluded and the timeframe associated with Stage 1, that being the successful application for the grant to conduct the feasibility study and the completion of that study, is assessed at the time of this brief as being January 2014.

Summary of requirements for feasibility study.

To be added after further consultation with our consultant architect