

# 1. Minutes: Whangarei District Council Thursday 15 December 2016

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*Minutes of a meeting of the Whangarei District Council held in the Council Chamber Forum North on Thursday 15 December 2016 at 9.00am*

**Present:**

Her Worship the Mayor S L Mai (Chairperson)

Crs Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth, Shelley Deeming, Sue Glen, Jayne Golightly, Phil Halse, Cherry Hermon, Greg Innes, Greg Martin, Sharon Morgan and Anna Murphy

**In Attendance:**

Chief Executive (R Forlong), Group Manager District Living (P Dell), Group Manager Positive Growth (J Thompson), Group Manager Infrastructure (S Weston), Group Manager Support Services (A Adcock), Governance Manager (J Marris), Legal Counsel (K Candy), Infrastructure Projects and Support Officer (D Kula), Parks and Recreation Manager (P McDonald), Property Manager (M Hibbert), Team Leader District Plan (M McGrath), Senior Roading Engineer Traffic and Parking (N Marshall), Operations Engineer, Waste and Drainage (A Twose), Engineering Officer Waste and Drainage (T Robinson), Field Officer Waste (G Alsop), Policy and Bylaws Analyst (S Munday), Media Relations Adviser (A Midson), Executive Assistant (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

*Cr Cocurullo opened the meeting with a prayer.*

*Her Worship advised Items 15, 16, 17 & 18 (located in the supplementary document) would be taken after Item 1 on the agenda.*

## 1. Confirmation of Minutes of a Meeting of the Whangarei District Council held on 24 November 2016

**Moved: Cr Deeming**

**Seconded: Cr Morgan**

“That the minutes of the Whangarei District Council Meeting held on Thursday 24 November having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

*Items 15, 16, 17 & 18 were taken after Item 1.*

*Item 2 was taken after Item 18.*

## 2. Decision-making over the 2016/17 Christmas Recess

**Moved: Cr Glen**

**Seconded: Cr Martin**

“That Council:

1. delegates to any two of either the Mayor or Deputy Mayor, and the Chairperson of a Committee of the Whole, the power to make urgent decisions on behalf of Council or its Committees between the last scheduled Council meeting in December 2016 and the first meeting of Council or other relevant Committees in 2017;

2. notes that if it is considered necessary, an extraordinary meeting of Council will be called during the 2016/17 Christmas recess period;
3. approves the increase of the Chief Executive's financial delegation to \$5,000,000 (excluding GST), for the period between the last scheduled Council meeting in December 2016 and the first meeting of Council or other relevant Committees in 2017;
4. notes that if the urgent decision-making process or the Chief Executive's increased delegation is exercised, the instances will be reported to the first Council or relevant Committee meeting, in 2017."

**CARRIED**

### **3. Appointments to Outside Organisations**

**Moved: Cr Deeming**  
**Seconded: Cr Golightly**

"That Council approves the replacement of Council representatives to outside organisations as listed in Attachment 2, excepting that the appointee to the Whangarei Harbour Management Trust be recorded as Councillor Shelley Deeming and that Councillor Phil Halse be appointed to the Saorsa Trust and to Stonehaven Trust."

**CARRIED**

*Cr Cocurullo requested his vote against be recorded.*

*Secretarial Note: Subsequent to the 15 December meeting NRC notified the disestablishment of the NRC Environmental Management Committee. The Committee has been removed from the Elected Member Appointments list.*

### **4. Private Plan Change Application PC135 GNLC Limited**

**Moved: Cr Innes**  
**Seconded: Cr Deeming**

"That the Council

- a) Accepts the request for a private plan change by GNLC Limited pursuant to clause 25(2)(b) of Part 2 of the First Schedule of the Resource Management Act 1991;
- b) Endorses the commencement of public notification of the private plan change under Clause 26 of Part 2 of the First Schedule of the Resource Management Act 1991;
- c) Records that its decision to accept the request for a Plan change for notification does not fetter it's decision-making in relation to the hearing and determination of submissions of the Plan Change following notification;
- d) Records that the applicant shall pay the full actual and reasonable cost of processing this private plan change.

**CARRIED**

## 5. Saorsa Retirement Village

**Moved: Cr Deeming**  
**Seconded: Cr Golightly**

“That Council;

- a) authorise the purchase of Lots 2 and 3 DP 200311, comprising of 1688m<sup>2</sup> and 2632m<sup>2</sup> for the sum of \$390,000 plus GST (if any).
- b) endorse the Saorsa Retirement Village Trust reinvesting the \$390,000 on capital works for the units.
- c) authorise the sale of the council owned units (and hall) to the Saorsa Retirement Village Trust for \$1 plus GST (if any).
- d) agree there is no obligation to form car parking on Lots 2 and 3 DP 200311.
- e) note the management of Lots 2 and 3 DP 200311 remain in the hands of the Saorsa Retirement Village as a temporary carpark.
- f) approve the Saorsa Retirement Village Trust first right of refusal if any such future sale of Lots 2 and 3 DP 200311 is ever considered.
- g) authorise the Chief Executive Officer to finalise all terms and conditions to complete the relevant documentation and requirements of the proposal a) through f).”

**CARRIED**

*Cr Halse declared a conflict of interest and withdrew from the table and left the room at 9.35am. Cr Halse took no part in discussions or voting on Item 5.  
Cr Halse re-joined the meeting at 9.45am following Item 5.*

## 6. Mobility parking

**Moved: Cr Cocurullo**  
**Seconded: Cr Hermon**

“That Whangarei District Council;

- a) endorses the non-payment of parking by vehicles displaying a mobility parking permit in designated mobility parking spaces until such time as the review of the Parking and Traffic Bylaw is completed.”

**CARRIED**

## 7. Recovery of Rural Fire Costs

**Moved: Cr Golightly**  
**Seconded: Cr Hermon**

“That Council recover costs associated with the fire at 185 Kauri Mountain Road.”

Procedural motion

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

“That this item does lie on the table and not be discussed further at this meeting.”

**The procedural motion was CARRIED**

## **8. Kamo Shared Path – KiwiRail approval granted**

**Moved: Cr Christie**

**Seconded: Cr Hermon**

“That Council note that KiwiRail has given Council approval to construct the Kamo Shared Path within KiwiRail land.”

**CARRIED**

*Cr Cocurullo declared a conflict of interest and withdrew from the table taking no part in discussions or voting on Item 8.*

## **9. Revised Public Toilet Construction Programme – Years 2 and 3**

**Moved: Cr Martin**

**Seconded: Cr Cocurullo**

“That Council;

- a) Agrees to implement the revised public toilet construction programme for Year 2 of the LTP as follows:
  - i. Construct a new public toilet facility at Ruakaka Skatepark and Playground;
  - ii. Construct a new public toilet facility at the lower carpark on Parihaka;
  - iii. Undertake a refurbishment of the existing public toilet facility at Maunu Cemetery.
- b) Agrees to co-fund the provision of public toilets at Parihaka and near Abbey Caves in the event of the Ministry of Business, Innovation and Employment Regional Mid-sized Tourism Facilities Grant is awarded.”

**CARRIED**

## **10. Tikipunga Children’s Park**

**Moved: Cr Cutforth**

**Seconded: Cr Golightly**

“That Council

- a) Approves the Chief Executive to apply for the subdivision to create the park title and make payment of subdivision costs.
- b) Approves the development of the park, initially with a contribution from Tikipunga Protestant Childrens Home Trust.
- c) Considers development budgets for the park during 2018 Long Term Plan.”

**CARRIED**

## 11. Parks and Gardens Maintenance, Contract Procurement

**Moved: Cr Martin**  
**Seconded: Cr Hermon**

“That Council approves the procurement process for parks and gardens maintenance services.”

Procedural motion

**Moved: Cr Cutforth**  
**Seconded: Cr Innes**

“That this item does lie on the table and not be discussed further at this meeting.”

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

*For the motion:*

*Crs Bell, Christie, Cocurullo, Golightly, Glen, Cutforth and Innes (7)*

*Against the motion:*

*Crs Deeming, Hermon, Halse, Martin, Murphy, Morgan and Her Worship the Mayor (7)*

**The procedural motion was LOST  
on the casting vote of Her Worship the Mayor  
The motion was CARRIED**

*Cr Cutforth requested her vote against be recorded.*

*A tea break was taken from 10.52am to 11.00am following Item 11.*

## 12. Capital Projects Update December 2016

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

“That Council;

- a) Notes the capital projects carry forward update (December 2016) for the year 2016/2017.
- b) Approves the proposed bring forward projects identified below:
  - Hikurangi Sewer Network Upgrade \$630,000
  - Storm Water Projects Programmed Works \$352,000.”

**CARRIED**

## 13. Delegated Authority - Financial

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

“That Whangarei District Council:

- a) Approves the change to the delegated financial authorisation and added to the operative list of delegated financial authorities and the delegations manual as from 15 December 2016 until further notice.

<b>Team Leader Consents</b>	
Currently Category H \$2,000.00	Change to Category G \$5,000.00.”

**CARRIED**

#### **14. Standing Orders for the Whangarei District Council**

This item was taken in parts.

Approval of not less than 75% of members is required to adopt (or amend) standing orders. Voting on each resolution was by a 'show of hands'.

That Council:

**Moved: Cr Cocurullo**

**Seconded: Cr Morgan**

- “a) Agrees to retain sections 12.11 – 12.16 from the draft standing orders located at Attachment Two, on attending meetings by audio-visual link, in the final Whangarei District Council Standing Orders.”

**LOST**

**Moved: Cr Cocurullo**

**Seconded: Cr Hermon**

- “b) Agrees to retain section 4.4 and Appendix 5 from the draft standing orders located at Attachment Two, on webcasting meetings, in the final Whangarei District Council Standing Orders.”

**CARRIED**

**Moved: Cr Deeming**

**Seconded: Cr Hermon**

- “c) Agrees to retain section 21 from the draft standing orders located at Attachment Two, providing options for speaking and moving amendments, in the final Whangarei District Council Standing Orders.”

**CARRIED**

**Moved: Cr Cutforth**

**Seconded: Cr Morgan**

- “d) Agrees that public forum be included for meetings of Council and Committees of the Whole in the final Whangarei District Council Standing Orders.”

**LOST**

**Moved: Cr Deeming**  
**Seconded: Cr Hermon**

“(e) Agrees to retain section 18.3 from the draft standing orders located at Attachment Two, providing for a Chair’s Casting Vote, in the final Whangarei District Council Standing Orders.”

**CARRIED**

**Moved: Her Worship the Mayor**  
**Seconded: Cr Morgan**

(f) Agrees that public forum be included for meetings of Council in the final Whangarei District Council Standing Orders.

**CARRIED**

**Moved: Her Worship the Mayor**  
**Seconded: Cr Morgan**

“(g) Requests the Chief Executive include decisions made at this meeting in the final Whangarei District Council Standing Orders.

(h) Adopts the final Whangarei District Council Standing Orders, incorporating decisions made at this meeting, located at Attachment Two of this report, as the Whangarei District Council Standing Orders.”

**CARRIED**

*Items 15, 16, 17 and 18 were distributed subsequent to the agenda being circulated but within the legislative timeframe specified in LGOIMA.  
Items 15, 16, 17 and 18 were taken after Item 1.*

## **15. Committee Structure for 2016 – 2019 Triennium**

**Moved: Her Worship the Mayor**  
**Seconded: Cr Morgan**

“That Council

a) Notes the committee structure, chairpersons and membership of the committees, for the 2016-2019 triennium.”

**CARRIED**

*Crs Bell, Cocurullo and Halse requested their votes against be recorded.*

*Secretarial Note: a typographical error was corrected subsequent to the meeting – the financial delegation for the Community Funding Committee was recorded as \$20,000 instead of \$15,000.*

## 16. Meeting Schedule 2016 – 2019 Triennium

**Moved: Cr Hermon**  
**Seconded: Cr Cocurullo**

“That Council;

- a) adopts the schedule of meetings for the 2016-2019 triennium, effective from February 2017, as attached to this agenda item.
- b) delegates to the Chief Executive the ability to amend or add to the meeting schedule in conjunction with the relevant Chair of any meeting.”

**CARRIED**

## 17. Committee Terms of Reference for 2016 – 2019 Triennium

**Moved: Cr Morgan**  
**Seconded: Cr Golightly**

“That Council adopts the committee terms of reference attached to the agenda report.”

**CARRIED**

## 18 Elected Member Remuneration

**Moved: Cr Halse**  
**Seconded: Cr Bell**

“That Council:

- a) Recommends to the Remuneration Authority that the Deputy Mayor role be recognised as an additional responsibility, remunerated with a further 25% of the 2016/17 councillor honorarium, from the available pool.
- b) Recommends to the Remuneration Authority that the Chair roles of the four Standing Committees be recognised as additional responsibilities for those in the roles, remunerated with a further 25% of the 2016/17 councillor honorarium, from the available pool.
- c) Requests that the Chief Executive completes the documentation for the approval of the Remuneration Authority.”

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

*For the motion:*

*Crs Bell, Christie, Cocurullo, Deeming, Hermon, Golightly, Halse, Martin, Glen, Cutforth, Innes, Murphy, Morgan and Her Worship the Mayor (14)*

**CARRIED**  
**Unanimous**



## Exclusion of the public

**Moved: Cr Martin**

**Seconded: Cr Innes**

“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	Property Matter	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Property Transaction		

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, are as follows:

Item	Grounds	Section
C.1	To enable the Committee to carry on without prejudice or disadvantage negotiations	Section 7(2)(i)
C.2	To enable the Committee to carry on without prejudice or disadvantage negotiations	Section 7(2)(i).”

**CARRIED**

**The meeting closed at 12.06pm**

Confirmed this 23<sup>rd</sup> day of February 2016

S L Mai (Chairperson)