

## 2. Minutes: Whangarei District Council Wednesday, 24 February 2016

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*Minutes of a meeting of the Whangarei District Council held in the Council Chamber Forum North on Wednesday 24 February 2016 at 9.00am*

**Present:**

Her Worship the Mayor S L Mai (Chairperson)

Crs S J Bell, S J Bretherton, C B Christie, S J Deeming, S M Glen, C M Hermon, G C Innes, P R Halse, G M Martin, B L McLachlan, S L Morgan and J D T Williamson

**Apology:**

Cr P A Cutforth

**Moved: Cr Bretherton**

**Seconded: Cr Morgan**

“That the apology be sustained.”

**CARRIED**

**In Attendance:**

Chief Executive (R Forlong), Group Manager District Living (P Dell), Group Manager Infrastructure and Services (S Weston), Group Manager Positive Growth (J Thompson), Group Manager Support Services (A Adcock), Legal Counsel (K Candy), Economic Development Manager (P Gleeson), Infrastructure Projects and Support Manager (D Kula), Maori Relationship Manager (S Tipene), Parks and Recreation Manager (P McDonald), Property Manager (M Hibbert), Waste and Drainage Manager (A Carvell), Team Leader Planning (G Sands), Solid Waste Engineer (J Floyd), Policy and Bylaws Analyst (S Munday), Executive Assistant (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

*Royce Anderson opened the meeting with a karakia/prayer.*

### 1. Public Forum

Royce Anderson and Vaughan Potter – Mining at Puhi Puhi.

### 2. Confirmation of Minutes of a Meeting of the Whangarei District Council held on 16 December 2015

**Moved: Her Worship the Mayor**

**Seconded: Cr Deeming**

“That the open minutes of the Whangarei District Council Meeting held on Wednesday 16 December 2015, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting subject to the following amendment to Item 17 Proposed Right of Way Easement over Rauiri Drive Recreation Reserve by Marsden Maritime Holdings Ltd:

“3. *That pursuant to Section 48(2) of the Reserves Act, the submission of Ms Hicks to decline the easement be not accepted, and the submissions of R Backhouse, Biggs*

and Steve ~~Martin~~ Martinovich to grant the easement (subject to conditions) be accepted.”

**CARRIED**

**3. Confirmation of Minutes of an Extra ordinary Meeting of the Whangarei District Council held on 3 February 2016**

**Moved: Cr Martin**  
**Seconded: Cr Williamson**

“That the open minutes of the Extra ordinary Whangarei District Council Meeting held on Wednesday 3 February 2016, 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. Proposal Alcohol Fees Bylaw 2016 – submissions report**

**Moved: Cr Williamson**  
**Seconded: Cr McLachlan**

“That the submission made to the proposed Alcohol Fees Bylaw 2016 is received.”

**CARRIED**

**5. 2016 Triennial Elections**

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

“That Council:

1. Note the report on the 2016 triennial elections provided by the Electoral Officer.
2. Adopts the random order of candidate names on voting documents for the 2016 triennial election in accordance with Regulation 31 of the Local Electoral Regulations 2001.”

Amendment

**Moved: Cr Christie**  
**Seconded: Cr Martin**

“That Council:

1. Note the report on the 2016 triennial elections provided by the Electoral Officer.
2. Adopts the alphabetical order of candidate names on voting documents for the 2016 triennial election in accordance with Regulation 31 of the Local Electoral Regulations 2001.”

Procedural motion

**Moved: Cr Martin**  
**Seconded: Cr Innes**

“That the motion now be put.”

**CARRIED**

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

For the amendment:

Crs Deeming, Glen, Bell, Christie, Martin, Hermon, Morgan, Bretherton and Halse (9)

Against the amendment:

Crs McLachlan, Williamson, Innes and Her Worship the Mayor (4)

Absent:

Cr Cutforth

**The amendment was CARRIED  
and subsequently CARRIED  
as the substantive MOTION**

## 6. Recommendation for Alterations to Delegations Manual

**Moved: Cr Bell**

**Seconded: Cr Morgan**

“That Council:

1. Amend the Delegations Manual to include the Team Leader – Project Engineers in Category G of the Financial Delegations.
2. Rescind G-IS02 and replace with the following delegations:

<b>Title</b>	<b>Delegation</b>	<b>Delegated to</b>	<b>Conditions/Notes</b>
Contracts	The power to contend that the Contractor has failed to perform its obligations under the contract.	GMIS, all IS Department Managers	In accordance with NZS3910, 3916, 3917, FIDIC and other relevant standards
Contracts	The power to instruct the Engineer to make amendments or deductions to Progress Payment Schedules, including the deduction of liquidated damages.	GMIS, all IS Department Managers	In accordance with NZS3910, 3916, 3917, FIDIC and other relevant standards
Contracts	The power to agree to the Contractor taking steps to accelerate the works.	GMIS, all IS Department Managers	In accordance with NZS3910, 3916, 3917, FIDIC and other relevant standards
Contracts	All the rights and powers as are reserved to Council as the Principal in all contracts entered into by Council, where Council is named as the Principal to such contracts unless delegated elsewhere in this manual.	CEO	In accordance with NZS3910, 3916, 3917, FIDIC and other relevant standards.”

**CARRIED**

## 7. Whangarei Art Museum Trust – Trust Deed Review

**Moved: Cr Hermon**  
**Seconded: Cr Bretherton**

- “1. That the following resolution adopted by Council on 16 December 2015, be rescinded:  
  
*“That the Chief Executive undertake a full and comprehensive review of the Trust Deed and endeavours to report back to Council by the end of March 2016”.*
2. That Council request the Whangarei Art Museum Trustees undertake a comprehensive review of the Trust Deed using an agreed independent third party funded by Council.”

### Amendment

**Moved: Cr Deeming**  
**Seconded: Bretherton**

- “3. That the review be limited to no more than \$10,000.”

**The amendment was CARRIED  
and subsequently CARRIED  
as the substantive MOTION**

## 8. Tai Tokerau Northland Economic Action Plan and Prosperity Roadmap February 2016

**Moved: Cr Innes**  
**Seconded: Cr Glen**

- “1. That Council endorse the Tai Tokerau Northland Economic Action Plan and Prosperity Roadmap February 2016.
2. That it be noted in the Action Plan Work streams under 3.8 Tertiary Education Precinct/Cluster in Whangarei and on page 14 of the Action Plan document, that Northtec is the lead agency and Whangarei District Council is a key partner.”

**CARRIED**

## 9. Classification of Rauiri Drive Easement

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

- “1. That Council consult with the public in order to determine the classification of the reserve under Section 16 of the Reserves Act, prior to notifying the new easement application by Marsden Maritime Holdings Ltd to generate a further 310 vehicle movements per week over the Rauiri Drive Reserve.
2. That Council resolves to give public notice, in accordance with Section 119 of the Reserves Act, of its intention to classify the reserve as Local Purpose (Drainage) under Section 16 of the Reserves Act.”

**CARRIED**

## 10. Project carry-forwards update

Moved: Cr McLachlan  
Seconded: Cr Bell

“That the information be received.”

**CARRIED**

## 11. Rural Transfer Station Hours

Moved: Her Worship the Mayor  
Seconded: Cr McLachlan

“That Council

1. Implement the winter transfer station operating hours set out in the table below, commencing on the Tuesday after Easter Weekend and ending on the Friday previous to Labour Weekend annually.

### Winter Transfer Station Operating Hours

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hikurangi	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00
Ngunguru	8:00-1:00		8:00-1:00		8:00-1:00	8:00-1:00	8:00-1:00
Uretiti	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00
Tauraroa		1.00-5.00			1.00-5.00	8.00-5.00	8.00-5.00
Parua Bay		8:00-12:00	8:00-12:00	8:00-12:00	8:00-12:00	8:00-12:30	8:00-12:30
Kokopu			7.30-4.30			7.30-4.30	7.30-4.30
Ruatangata		7.30-12.30		7.30-12.30		12.00-5.00	12.00-5.00
Oakura	8:00-12:00		8:00-12:00		8:00-12:00	10:00-2:00	10:00-2:00

2. Implement the summer transfer station operating hours set out in the table below, commencing on Labour Weekend and ending on Easter Monday annually inclusive of those days.

### Summer Transfer Station Operating Hours

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hikurangi	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-5:00	8:00-5:00
Ngunguru	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00
Uretiti	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-1:00	8:00-5:00	8:00-5:00
Tauraroa		1.00-5.00			1.00-5.00	8.00-5.00	8.00-5.00
Parua Bay	8:00-12:00	8:00-12:00	8:00-12:00	8:00-12:00	8:00-12:00	8:00-3:00	8:00-3:00
Kokopu			7.30-4.30			7.30-4.30	7.30-4.30
Ruatangata		7.30-12.30		7.30-12.30		12.00-5.00	12.00-5.00
Oakura	8:00-12:00	8:00-12:00	8:00-12:00	8:00-12:00	8:00-12:00	10.00-4:30	10.00-4:30

3. Council continue to monitor transfer station operating hours.”

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

For the motion:

Crs Christie, McLachlan, Hermon, Williamson, Morgan and Her Worship the Mayor (6)

Against the motion:

Crs Deeming, Glen, Bell, Bretherton, Innes, and Halse (6)

Abstained:

Cr Martin

Absent:

Cr Cutforth

**The motion was CARRIED  
on the Casting Vote of Her Worship the Mayor**

### Exclusion of the public

**Moved: Cr Morgan**

**Seconded: Cr Glen**

“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 Whangarei District Council Meeting held 16 December 2015	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		
C.3	Infrastructure Upgrade		

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	For the reasons as stated in the open minutes	
C.2	To enable the Committee to carry on without prejudice or disadvantage negotiations	Section 7(2)(i)
C.3	To enable the Committee to carry on without prejudice or disadvantage negotiations	Section 7(2)(i).”

**CARRIED**

**The meeting closed at 12.52pm**

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

S L Mai (Chairperson)