

2. Minutes: Whangarei District Council Wednesday, 22 June 2016

Minutes of a meeting of the Whangarei District Council held in the Council Chamber Forum North on Wednesday 22 June 2016 at 10.30am

Present:

Her Worship the Mayor S L Mai (Chairperson)

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

Apology:

Cr C B Christie

Moved: Cr Innes

Seconded: Cr Halse

“That the apology be sustained.”

CARRIED

Also present:

George Riley (GM, Maori Economic Development Northland Inc)

In Attendance:

Chief Executive (R Forlong), Group Manager Positive Growth (J Thompson), Group Manager Infrastructure and Services (S Weston), Group Manager Support Services (A Adcock), Governance Manager (J Marris), Maori Relationship Manager (S Tipene), Property Manager (M Hibbert), Policy and Bylaws Analyst (S Munday), Team Leader Planning (G Sands), Team Leader Information and Records (A McIntosh), Executive Assistant (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

Cr Morgan opened the meeting with a karakia.

Cr Glen joined the meeting at 10.31am following the karakia.

1. Public Forum

There were no applications received to speak at public forum.

2. Confirmation of Minutes of a Meeting of the Whangarei District Council held on 25 May 2016

Moved: Cr Deeming

Seconded: Cr Williamson

“That the minutes of the Whangarei District Council Meeting held on Wednesday 25 May 2016, 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 17, 18 & 19 May 2016

Moved: Her Worship the Mayor
Seconded: Cr Cutforth

“That the minutes of the Extra ordinary Whangarei District Council Meeting held on Tuesday 17, Wednesday 18, Thursday 19 May 2016, 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 minor typographical corrections.”

CARRIED

4. Confirmation of Minutes of an Extra ordinary Meeting of the Whangarei District Council held on 24 May 2016

Moved: Cr Martin
Seconded: Cr Bretherton

“That the minutes of the Extra ordinary Whangarei District Council Meeting held on Tuesday 24 May 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

5. Tai Tokerau Northland Economic Action Plan Progress Report

Jude Thompson and George Riley spoke to the Progress Report (including the MPI Report – Growing the Productive Base of Maori Freehold Land), and answered questions from Councillors.

Moved: Cr Innes
Seconded: Cr Deeming

“That Council;

- a) notes the Tai Tokerau Northland Economic Action Plan Progress Report (June 2016).”

CARRIED

Secretarial Note:

Minor changes to attachment – Refer Enablers – Key Priorities for coming months – bullet point 4:

*‘Connecting Northland: Progress ~~construction~~ of Puhoi to Warkworth expressway section **and** Mangakahia Road conversion to State Highway; complete the business cases for Kaeo and Taipa bridges and release tender documents.’*

6. Easement Application by Marsden Maritime Holdings Ltd

Moved: Cr Deeming
Seconded: Cr Halse

“That in accordance with Section 48 (2) of the Reserves Act 1977, Council:

- a) notes the application by Marsden Maritime Holdings Ltd has been advertised in accordance with Section 119 of the Reserves Act, and no submissions or objections have been received.

- b) approves the application by Marsden Maritime Holdings Ltd (subject to terms and conditions recommended by Council's Solicitor) to enable Marsden Maritime Holdings Ltd to generate 310 light vehicle movements per week (in addition to the 40 boat haulage movements previously authorised) across the easement over the Local Purpose (Wetland/ Drainage) Reserve (Lot 803 DP 376145) at Rauiri Drive, One Tree Point."

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

For the motion:

Crs Morgan, Deeming, Williamson, Bretherton, McLachlan, Martin, Glen, Hermon, Halse, Innes and Her Worship the Mayor (11)

Against the motion:

Crs Bell and Cutforth (2)

Absent:

Cr Christie

CARRIED

7. Review of Vehicles on Beaches Bylaw

Moved: Cr Deeming

Seconded: Cr Bretherton

"That Whangarei District Council:

- a) Determines that in accordance with section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problems.
- b) Approves the staff recommendations for proposed amendments to the Vehicles on Beaches Bylaw 2009 as a result of a review of the Bylaw in accordance with section 158 of the Local Government Act 2002 as follows:
1. The existing vehicle prohibition is retained and the map and description of the prohibited area is amended to indicate that the prohibited area starts at the Bream Bay Drive Access way entry point to the beach and ends as the Ruakaka River mouth.
 2. A new vehicle prohibition area is included in the Bylaw on Ruakaka Beach (north), starting at the location of NIWA's seawater supply line, with the prohibition ending at the Ruakaka River mouth.
 3. The format, structure and wording of the Bylaw is updated to reflect Council's current bylaw template as well as legislative changes, including the following:
 - The introductory clauses (1-3) are amended and replaced with new clauses 1-6, including appropriate changes to the interpretation clause
 - clauses 5 and 11, 4a, 4b, 4c and 12 b in the current bylaw are deleted as these issues are provided for elsewhere in the Bylaw, in other bylaws of Council or by statute
 - the offences and penalties sections (current clauses 6-9) are updated to reflect the enforcement provisions of the Land Transport Act 1998
 - clause 10 is modified to include the ability of Council to revoke any exemption permits issued as well as removing the reference to provisions provided for in other bylaws (a (ii))
 - clauses 4d and 12a are combined into a new clause 6 ('Prohibitions')

- clause 12c is deleted as the process for amendments is now determined through the LGA
 - A clause for transitional provisions is added to clarify the status of exemptions issued under the current version of the Bylaw.
- c) Determines that the proposed amended Bylaw meets the requirements of section 155 of the Local Government Act 2002, in that it:
- i. is the most appropriate form of bylaw
 - ii. does not give rise to any implications under the New Zealand Bills of Rights Act.
- d) Adopts the Statement of Proposal, including the proposed amended Vehicles on Beaches Bylaw 2009 for public consultation using the special consultative procedure in accordance with section 156 of the Local Government Act 2002.”

CARRIED

8. Whangarei District Council Priorities for Te Karearea

Moved: Her Worship the Mayor

Seconded: Cr Morgan

“That Council:

- a) approves the following priorities for discussion at Te Kārearea:
- i. Early hapū engagement
 - ii. Enabling Economic Growth
 - iii. Improve Whangarei’s Connectivity
 - iv. A Pathway to Settlement Plan
 - v. Improved Water Quality.”

Amendment

Moved: Cr Bretherton

Seconded: Cr Martin

“That it be noted that part iv “A Pathway to Settlement Plan” does not include a. iv “A shared understanding of co-governance and co-management in a post-settlement environment.””

Cr Glen gave notice of a further amendment.

Cr Hermon gave notice of a further amendment.

Procedural motion

Moved: Cr Deeming

Seconded: Cr Cutforth

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

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

For the motion:

Crs Bell, Deeming, Bretherton, McLachlan, Martin, Glen and Cutforth (7)

Against the motion:

Crs Morgan, Williamson, Hermon, Halse, Innes and Her Worship the Mayor (6)

Absent:

Cr Christie

CARRIED

9. Recommendations from the Civic Honours Committee

Item 9 – supplementary agenda No 1 was distributed separately but within the timeframe specified in LGOIMA.

Moved: Cr Glen

Seconded: Cr Deeming

“1. That, having considered the recommendations of the Civic Honours Selection Committee made on 14 June 2016, Council:

Adopt the Civic Honours Policy (Policy 0026) with the following substantive changes:

- a. That the maximum number of guests a recipient can invite to the awards ceremony is increased from 10 to 20;
 - b. That Council reserves the right to consider joint nominations separately;
 - c. That the statement of authority of the committee to be updated to match its terms of reference, in particular, that the existing section: “The committee’s minutes are forwarded to full Council for the information to be received” is changed to “The committee’s recommended award recipients are forwarded to full Council for decision”;
 - d. That the nomination period will be open from the awards ceremony in August until May the following year.
2. That the open minutes of the Civic Honours Committee meeting held Tuesday 14 June 2016, having been circulated be taken as read and now adopted as a true and correct record of proceedings of that meeting.”

CARRIED

10. Confirmation of Minutes of an Extra ordinary Meeting of the Whangarei District Council held on 14 June 2016

Item 10 – supplementary agenda No 3 was distributed separately but within the timeframe specified in LGOIMA.

Moved: Cr Cutforth

Seconded: Cr Morgan

“That the minutes of the Extra ordinary Whangarei District Council Meeting held on Tuesday 14 June 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

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	Confidential Minutes of the Whangarei District Council Meeting held 25 May 2016	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Appointment		
C.3	Property Matter		
C.4	Property Transaction		
C.5	Recommendations of the Civic Honours Selection Committee		

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 stated in the open minutes.	
C.2	To protect the privacy of natural persons	7(2)(a)
C.3	To protect the privacy of natural persons	7(2)(a)
C.4	To enable the Council to carry on without prejudice or disadvantage negotiations	7(2)(i)
C.5	To protect the privacy of natural persons	7(2)(a).”

CARRIED

The meeting closed at 12.05pm

Confirmed this 27th day of July 2016

S L Mai (Chairperson)