

## 2. Minutes: Whangarei District Council Thursday 23 February 2017

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*Minutes of a meeting of the Whangarei District Council held in the Council Chamber Forum North on Thursday 23 February 2017 at 10.30am*

### **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 (Rob Forlong), Group Manager District Living (Alison Geddes), Group Manager Infrastructure (Simon Weston), Group Manager Support Services (Alan Adcock), Governance Manager (Jason Marris), Financial Controller (Rich Kerr), Legal Counsel (Kathryn Candy), Infrastructure Projects and Support Officer (Dominic Kula), Parks and Recreation Manager (Paul McDonald), Property Manager (Mike Hibbert), Roading Manager (Jeff Devine), Waste and Drainage Manager (Andrew Carvell), Waste and Drainage Engineer (Casper Kandori), Waste Water Treatment Technician (Shaw Wilson), Planning and Management Accountant (Bronwyn Jeeves), Management Accountant (Nicole Butturini), Economic Development Manager (Pete Gleeson), Team Leader Planning Infrastructure Projects and Support (Gemma Sands), Strategic Planning Co-ordinator (Gina Chapman), Media Relations Adviser (Ann Midson) and Senior Meeting Co-ordinator (C Brindle)

*Cr Cocurullo opened the meeting with a prayer.*

### **1. Public Forum**

Speakers:

Stephanie Mitchell Vitalise Whangarei – events CBD  
Alex Wright – Sealing of Wright and McCardle Roads  
Andrew Blake – Sealing of Wright and McCardle Roads  
Gary Leslie – Sealing of Wright Road  
Brian May – Council spending as per agendas.

### **2. Confirmation of minutes of a Meeting of the Whangarei District Council held on 15 December 2016**

**Moved: Cr Innes**

**Seconded: Cr Deeming**

“That the minutes of the Whangarei District Council Meeting held on Thursday 15 December 2016, having been circulated, including the confidential section, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

### 3. Annual Plan Engagement

**Moved: Cr Halse**  
**Seconded: Cr Cocurullo**

“That Whangarei District Council consult on the 2017-18 Annual Plan.”

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

*For the motion:*

*Crs Christie, Cocurullo, Golightly, Halse, Glen and Cutforth (6)*

*Against the motion:*

*Crs Bell, Deeming, Hermon, Martin, Innes, Murphy, Morgan and Her Worship the Mayor (8)*

**LOST**

Further motion

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

“That Whangarei District Council:

- a) confirms that the 2017-18 Annual Plan will not be consulted on as there are no significant or material differences from Year Three of the 2015-25 Long Term Plan.”

**CARRIED**

*Crs Christie, Cocurullo, Cutforth, Glen and Golightly requested their votes against be recorded.*

### 4. Decision made under temporary delegation during the Christmas Recess period

**Moved: Cr Deeming**  
**Seconded: Cr Morgan**

“That Council notes the decision made under temporary delegation during the Christmas recess period.”

**CARRIED**

### 5. Outside Organisations – Appointments

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

“That Council approves the appointments to outside organisations as detailed in the attachment and including the appointment of:

- Peter Bruce as community member to the Whangarei Quarry Gardens Trust;
- Councillors Greg Martin and Anna Murphy to the Whangaruru Coastal Community Group;
- Councillors Shelley Deeming and Phil Halse to the Waipu Riding Residents and Ratepayers Association Incorporated;

- Councillors Jayne Golightly, Tricia Cutforth and Crichton Christie to Tikipride; and
- That Council note the Waipu Business Promotion Group has been removed from the list.”

**CARRIED**

*Cr Cocurullo requested his vote against be recorded.*

## **6. Amendment to Springs Flat Contractors Limited Constitution**

**Moved: Cr Deeming**

**Seconded: Cr Martin**

“That Whangarei District Council:

- Approves the Written Resolution of the Shareholders adopting a new Constitution for Springs Flat Contractors Limited.
- Approves the Written Resolution of the Shareholders that no auditor be appointed for Springs Flat Contractors Limited.
- Approves the Written Resolution of the Shareholders consenting and confirming the resolution of directors of Springs Flat Contractors Limited to undertake all matters and things necessary to make the Company a dormant company.”

**CARRIED**

*Cr Christie recorded an interest but no conflict of interest.*

## **7. Additional Information on Recovery of Rural Fire Costs**

**Moved: Cr Murphy**

**Seconded: Her Worship the Mayor**

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

**CARRIED**

*Crs Deeming, Halse and Martin requested their votes against be recorded.*

## **8. Road Dust Management Programme**

**Moved: Cr Martin**

**Seconded: Cr Deeming**

“That Council;

- Endorses the proposed Dust Management Programme.
- Funds the \$610,000 local share in the 2016/17 and 2017/18 financial years for sealing 2.5km of Wright/McCardle Road, in accordance with the approved funding application.
- Notes the Programme and funding methodology for recommendation 2 will be reported to Council in March 2017.”

**CARRIED  
Unanimous**

**9. Notice of motion**

**Moved: Cr Halse**  
**Seconded: Cr Cocurullo**

- “1. That Council continues to lobby the NZTA and Government departments for roading subsidies that cover rural roads for safety and to mitigate dust problems.
2. That Wright and McCardle roads be classified as special needs roads by WDC as these roads attracted the Regional Development Fund (forestry subsidy made available to WDC in 2007/8) and that they require attention.
3. That Council through its budgeting process consider funding to extend the seal on the above named roads commencing in 2017.”

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

*For the motion:*

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

**CARRIED**  
**Unanimous**

**10. Recommendation for extension of contracts – North Maintenance Area CON12001, South Maintenance Area CON12002 and Central Maintenance Area CON1203**

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

“That Whangarei District Council

- “1. Approves the contract for North Maintenance Area (Contract 12001) be extended for a further 12 months from 1 July 2017 to 30 June 2018 and the contract value increased by the sum of \$4,780,000 bringing the total contract value to \$26,179,588.75 exclusive of GST.
2. Approves the contract for South Maintenance Area (Contract 12002) be extended for a further 12 months from 1 July 2017 to 30 June 2018 and the contract value increased by the sum of \$5,150,000.00 and the total contract value increased to \$26,819,852.35 exclusive of GST.
3. Approves the contract for Central Maintenance Area (Contract 12003) be extended for a further 12 months from 1 July 2017 to 30 June 2018 and the contract value increased by the sum of \$3,600,000.00 and the total contract value increased to \$15,431,277.03 exclusive of GST.”

**CARRIED**

**11. CON16067 – Tarewa Park Underground Wastewater Storage and Treatment Tank**

**Moved: Cr Martin**

**Seconded: Cr Halse**

“That Council approves the award of CON16067 for the construction of the Tarewa Park underground wastewater storage and treatment tank to Hawkins Infrastructure (NZ) Ltd, based on their conforming Tender proposal for the sum of \$4,406,230.77 excluding GST.”

**CARRIED**

**12. Contract 15076 Mill/Nixon Intersection Upgrade State 2-Variation to Contract**

**Moved: Cr Martin**

**Seconded: Cr Deeming**

“That Council approves the contract amount for CON15076, Mill/Nixon Intersection Improvements Stage 2 (Kamo/Kensington), be increased from \$3,346,536.65, by \$476,098.00 to \$3,822,634.65 (Three Million, Eight Hundred and Twenty Two Thousand, Six Hundred and Thirty Four Dollars and Sixty Five Cents) excluding GST.”

**CARRIED**

**13. Recommendation to Award CON16076 – Hikurangi Wastewater Upgrade-Stage 1**

**Moved: Cr Martin**

**Seconded: Cr Murphy**

“That Council approves the award of Contract 16076 for Hikurangi Wastewater Stage 1 to United Civil Construction Ltd for the adjusted tendered sum of two million and sixty-seven thousand, seven hundred and fifty five dollars and fifty four cents (\$2,067,755.54) excluding GST.”

**CARRIED**

**14. Triennial Agreement**

**Moved: Cr Hermon**

**Seconded: Cr Innes**

“That Council approve the Mayor to sign the Triennial Agreement on behalf of council.”

**CARRIED**

## 15. Notice of motion – Councillor Cutforth

**Moved: Cr Cutforth**  
**Seconded: Cr Deeming**

“That WDC commission an independent review of:

- Council’s decision-making processes re the Hundertwasser project from October 2010 (post local body elections) to date;
- the potential financial and legal implications of the project to Council going forward.
- Council commission specialist legal expertise (selected in conjunction with advice from LGNZ) to conduct the review and that the results of the review be reported back to Council by May 2017.”

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

*For the motion:*

*Crs Bell, Cocurullo, Halse and Cutforth (4)*

*Against the motion:*

*Crs Christie, Deeming, Hermon, Golightly, Martin, Glen, Innes, Murphy, Morgan and Her Worship the Mayor (10)*

**LOST**

## Meeting duration

Part way through Item 15 council resolved to extend the meeting time beyond 3 hours before a break.

**Moved: Cr Innes**  
**Seconded: Cr Halse**

“That the meeting continues until such time as debate on Item 15 concludes.”

**CARRIED**

*A lunch break was taken from 1.44pm to 2.15pm following Item 15.*

## Exclusion of the public

**Moved: Cr Innes**  
**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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for passing this resolution</b>

C.1	Confidential Minutes Whangarei District Council meeting 15 December 2016	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Property Sale		
C.3	Development proposal		

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 minutes	
C.1	To enable the Committee to carry on without prejudice or disadvantage negotiations	Section 7(2)(i)
C.2	The making available of information would be likely to unreasonably prejudice the commercial position of the persons who are the subject of the information.”	Section 7(2)(b)(ii).”

**CARRIED**

**The meeting closed at 2.39pm**

Confirmed this 30<sup>th</sup> day of March 2016

S L Mai (Chairperson)