

Whangarei District Council Meeting Minutes

Date: Thursday, 28 March, 2019
Time: 10:30 a.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance	Her Worship the Mayor Sheryl Mai (Chairperson) Cr Stu Bell Cr Gavin Benney Cr Crichton Christie Cr Vince Cocurullo Cr Tricia Cutforth Cr Shelley Deeming Cr Sue Glen Cr Phil Halse Cr Cherry Hermon Cr Greg Innes Cr Greg Martin Cr Sharon Morgan Cr Anna Murphy
Also present	Graeme Mathias (Legal Counsel)
Scribe	C Brindle (Senior Democracy Adviser)

Acknowledgement

The meeting observed a minute of silence to acknowledge those who lost their lives in the Christchurch tragedy.

1. Karakia/Prayer

Cr Sue Glen opened the meeting with a karakia/prayer.

Administrative matters

Her Worship covered the following administrative matters:

- Emergency evacuation procedures
- Broadcasting/recording of meeting
- Order of items – Item 6.7 Notice of Motion, to be taken after public forum.

2. **Declarations of Interest**

Item 6.1 Board Venue Policy Review
 Item 6.5 Disposal of land at Ruakaka Town Centre
 Item 6.6 Temporary road closure Fire Engine Pull.

3. **Apologies**

There were no apologies.

4. **Public Forum**

Dr Lisa Dawson – Puriri Park – introduction to presentation
 Fiona Halliwell – Puriri Park – effects of losing green space
 Nicci Webb – Puriri Park – Town Planning
 Kerry Grundy – Puriri Park – strategic planning, notification and delegations in relation to Puriri Park development
 Brian May – various.

An apology was received on behalf of Michael Benton, scheduled to speak, but unable to attend.

Item 6.7 – Notice of Motion, was taken after Item 4.

5. **Confirmation of Minutes of Previous Meetings of the Whangarei District Council**

5.1 **Minutes Whangarei District Council meeting held 28 February 2019**

Moved By Cr Cherry Hermon

Seconded By Cr Tricia Cutforth

That the minutes of the Whangarei District Council meeting held on Thursday 28 February 2019, 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

5.2 **Minutes Whangarei District Council meeting held 21 February 2019**

Moved By Cr Shelley Deeming

Seconded By Cr Sue Glen

That the minutes of the Whangarei District Council meeting held on Thursday 21 February 2019, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

5.3 Minutes of the Extra ordinary Council meeting held 6 March 2019

Moved By Cr Greg Innes

Seconded By Cr Tricia Cutforth

That the minutes of the Whangarei District Council meeting held on Wednesday 6 March 2019, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

6. Decision Reports

6.1 Board Venue Policy Review

Moved By Cr Shelley Deeming

Seconded By Cr Cherry Hermon

That Council

1. Determines the 2019 statutory review of Council's Board Venue Policy is complete.
2. Retains the existing Board Venue Policy with no changes.

Carried

Declaration of Interest:

Cr Benney declared of conflict of interest and withdrew from the table taking no part in discussions or voting on Item 6.1.

6.2 Class 4 Gambling Policy Review

Moved By Cr Vince Cocurullo

Seconded By Cr Sue Glen

That Council, after having reviewed Council's Class 4 Gambling Venue Policy:

1. Request the Acting Chief Executive to investigate and draft substantive amendments to the policy, to be reported back to council for consideration, in accordance with Option 3, as provided in section 6.2 on page 74 of the agenda.

Amendment

Moved By Cr Stu Bell

Seconded By Her Worship the Mayor

That Council, after having reviewed Council's Class 4 Gambling Venue Policy:

2. Request the Acting Chief Executive to draft a Statement of Proposal for consultation that retains the existing Policy approach,

makes the necessary changes for legislative alignment and includes a reworded Policy, to make it easier to read and understand; in accordance with the recommended Option 2 as provided in section 6.2, on page 74 of the agenda.

**The amendment was Carried
and subsequently Carried
as the substantive motion**

Cr Christie gave notice of a further amendment.

6.3 LGNZ Local Government Leaders' Climate Change Declaration

Moved By Cr Stu Bell

Seconded By Cr Anna Murphy

That the Council becomes a signatory to the LGNZ Local Government Leaders' Climate Change Declaration.

Carried

Cr Halse requested his vote against be recorded.

6.4 2019 Triennial Election

Moved By Her Worship the Mayor

Seconded By Cr Tricia Cutforth

That the Council

1. Notes the report on the 2019 Triennial Election provided by the Electoral Officer
2. Adopts the pseudo random order of candidate names on voting documents for the 2019 triennial election in accordance with Regulation 31 of the Local Electoral Regulations 2001.

Amendment

Moved By Cr Stu Bell

Seconded By Cr Vince Cocurullo

That the Council

1. Notes the report on the 2019 Triennial Election provided by the Electoral Officer
2. Adopts the alphabetical order of candidate names on voting documents for the 2019 triennial election in accordance with

Regulation 31 of the Local Electoral Regulations 2001.

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

Recorded	For	Against	Absent
Her Worship the Mayor		X	
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth		X	
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon		X	
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Sharon Morgan	X		
Cr Anna Murphy			X
Results	10	3	1
		Carried (10 to 3)	

6.5 Disposal of land at Ruakaka Town Centre

Moved By Cr Shelley Deeming

Seconded By Cr Greg Innes

That the Council

1. Approve proceeding with the sale of Lot 2 DP65791 and part Lot 1 DP 39687 for \$141,500 plus GST and to enter into a sale and purchase agreement with associated Private Developers Agreement (PDA) with Town Centre Properties Ltd.

Carried

Declaration of Interest: Cr Halse declared an interest.

Item 6.6 was taken after Item 4.

6.6 Temporary road closure Fire Engine Pull

Moved By Cr Vince Cocurullo

Seconded By Cr Cherry Hermon

That Whangarei District Council,

1. Revokes the resolution made on 7 February 2019 for a temporary road closure for the purpose of the Fire Engine Pull event organised by Whangarei Rotary and Cancer Society Northland in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.
2. Approves the temporary closure of the following road to ordinary traffic for the Fire Engine Pull event organised by Rotary Club of Whangarei South and Cancer Society Northland event in accordance with section 342 (1)(b) and Schedule 10 Clause 11 of the Local Government Act 1974.

Saturday 6 April 2019 (Rain date Saturday 13 April 2019)

James Street from Cameron Street to Robert Street

Period of Closure: 10.00am – 2.00pm.

3. Approves the temporary closure of the side roads off the road to be closed for up to 100 meters from the intersection for safety purposes.

Carried

Declaration of Interest:

Cr Christie declared a conflict of interest and withdrew from discussions and voting on Item 6.6.

6.7 Notice of Motion

Cr Bell sought to alter his notice of motion in accordance with Standing Order 26.4.

Cr Bell's request to include recommendation 5 for consideration, was agreed by a majority of Councillors (show of hands).

Graeme Mathias provided legal advice on:

- Conflict of interest – if Councillors were to make a decision on revoking the delegation
- Natural justice
- Other matters in regard to the Resource Management Act.

The motion was decided in parts.

Moved By Cr Stu Bell

Seconded By Cr Vince Cocurullo

1. That the Whangarei District Council notes the Joseph Rowntree Foundation's report on social housing and in particular the following extract from the reports summary of findings,

'Looking simply at descriptive data, we find consistent and widespread adult disadvantage among those who grew up in social housing. Successive generations of children living in social housing have experienced worse outcomes in adulthood than their contemporaries who did not, across nearly all the adult outcomes we measure and at all ages in early to mid-late adulthood. On some measures, the gap has grown over the years. For very few has it got smaller. If this trend persists for the millennium cohort, we will see an even greater division in adult outcomes between the current generation of children growing up in social housing and their peers than we have for previous generations. This is cause for concern.'

On the recommendations being put Cr Martin called for divisions:

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie		X	
Cr Vince Cocurullo	X		
Cr Tricia Cutforth			X
Cr Shelley Deeming		X	
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon		X	
Cr Greg Innes			X
Cr Greg Martin	X		
Cr Sharon Morgan		X	
Cr Anna Murphy			X
Results	7	5 4	3
		Carried (7 to 4)	

2. That the Whangarei District Council notes the information contained in the Information Pack assembled by the Save Puriri Park Committee.

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Sharon Morgan	X		
Cr Anna Murphy	X		
Results	14		

Carried (unanimous)

3. That the Whangarei District Council informs the Leaders of all New Zealand Political Parties that currently are represented in Parliament, the Minister of Housing and the Opposition Housing Spokesperson that it does not welcome the development of social housing projects similar to the artists representation of the type of housing HNZ could put on the park land at Puriri Park Road, within the Whangarei District.

Recorded	For	Against	Abstain
Her Worship the Mayor		X	
Cr Stu Bell	X		
Cr Gavin Benney		X	
Cr Crichton Christie		X	
Cr Vince Cocurullo			X
Cr Tricia Cutforth			X

Cr Shelley Deeming		X	
Cr Sue Glen		X	
Cr Phil Halse		X	
Cr Cherry Hermon			X
Cr Greg Innes		X	
Cr Greg Martin	X		
Cr Sharon Morgan		X	
Cr Anna Murphy		X	
Results	2	9	3
		Lost (9 to 2)	

4. That the Whangarei District Council asks the New Zealand Government to with some urgency implement measures that will meaningfully mitigate the contributing factors that are influencing both the demand for housing and housing affordability with regards to both rental accommodation and home ownership

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming		X	
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Sharon Morgan	X		
Cr Anna Murphy	X		
Results	13	1	
		Carried (13 to 1)	

5. That while processing any application for Resource Consent for any future development on the land currently owned by Housing New Zealand adjacent to the Council owned Puriri Park reserve on Puriri Park Road in Maunu, Whangarei, in accordance with Policy Statement 9 of the Whangarei District Council's Procurement Policy, the delegations listed in the Whangarei District Council's delegations register as, RMA 95A – Determining if an application is publicly notified and RMA 94C(2) – Power to determine that special circumstances exist requiring notification of an application, are revoked.

Recorded	For	Against	Abstain
Her Worship the Mayor		X	
Cr Stu Bell	X		
Cr Gavin Benney		X	
Cr Crichton Christie		X	
Cr Vince Cocurullo	X		
Cr Tricia Cutforth		X	
Cr Shelley Deeming		X	
Cr Sue Glen			X
Cr Phil Halse	X		
Cr Cherry Hermon		X	
Cr Greg Innes		X	
Cr Greg Martin		X	
Cr Sharon Morgan		X	
Cr Anna Murphy		X	
Results	3	10	1
		Lost (10 to 3)	

7. **Public Excluded Business**

Moved By Cr Greg Innes

Seconded By Cr Sue 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
1.1	Closed Minutes Whangarei District Council 28 February 2019	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Closed Minutes Whangarei District Council 21 February 2019		
1.3	Closed Minutes Extra ordinary Whangarei District Council 6 March 2019		
1.4	Bade debts to write off for 2018-2019		
1.5	Airport Location Options Study		
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	
1.1	For the reasons as stated in the previous minutes		
1.2	For the reasons as stated in the previous minutes		
1.3	For the reasons as stated in the previous minutes		
1.4	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information	Section 7(2)(b)(ii)	
1.5	To maintain legal professional privilege To enable Council to carry on without prejudice or disadvantage commercial activities	Section 7(2)(g) Section 7(2)(h)	

Carried

8. Closure of Meeting

The meeting concluded at 2.36pm

Confirmed this 24th day of April 2019

Her Worship the Mayor Sheryl Mai (Chairperson)