

Whangarei District Council Meeting Minutes

Date: Thursday, 19 December, 2019
Time: 9:00 a.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance

Her Worship the Mayor Sheryl Mai
(Chairperson)
Cr Gavin Benney
Cr Vince Cocurullo
Cr Nicholas Connop
Cr Ken Couper
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Jayne Golightly
Cr Phil Halse
Cr Greg Innes
Cr Greg Martin
Cr Anna Murphy
Cr Carol Peters
Cr Simon Reid

Scribe C Brindle (Senior Democracy Adviser)

Acknowledgement

Those affected by the tragic eruption on Whakaari/White Island on Monday 9 December, were acknowledged.

1. Karakia/Prayer

Cr Cocurullo opened the meeting with a prayer/karakia.

2. Declarations of Interest

Item 6.10 – Temporary Liquor Ban under Alcohol Control Bylaw 2018

Item 6.11 – Temporary Road Closure – Fire Engine Pull 2020

Item 6.13 – Temporary Road Closure – Six60 Concert 2020

3. Apologies

There were no apologies.

4. **Public Forum**

Peter Vaughan - Who are the Tangata Whenua of Whangarei.

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

5.1 **Minutes Whangarei District Council meeting held 27 November 2019**

Moved By Cr Phil Halse

Seconded By Cr Anna Murphy

That the minutes of the Whangarei District Council meeting held on the 27th of November 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, subject to it being recorded that Fiona Green, public forum speaker, tabled the following two documents:

- Disabled People's Organisation Roles and Attributes
- Christchurch City Council Disability Advisory Group 2019 position description.

Carried

6. **Decision Reports**

6.1 **Northport Strategy**

Moved By Cr Phil Halse

Seconded By Cr Vince Cocurullo

That Council;

1. notes the report on the strategy for bringing the Navy and Ports of Auckland business to Marsden Point.
2. requests staff to continue working with government officials with a view to bringing the Port and Navy to Whangarei.
3. appoint a political working party comprising Bream Bay Ward Councillors and Deputy Mayor Greg Innes, to work with staff and with government officials with a view to bringing the Port and Navy to Whangarei.

Amendment

Moved By Cr Greg Martin

Seconded By Her Worship the Mayor

That Council;

1. notes the report on the strategy for bringing the Navy and Ports of Auckland business to Marsden Point.
2. requests staff to continue working with government officials with a view to bringing the Port and Navy to Whangarei.

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

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Gavin Benney		X	
Cr Vince Cocurullo		X	
Cr Nicholas Connop	X		
Cr Ken Couper	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming	X		
Cr Jayne Golightly		X	
Cr Phil Halse		X	
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Anna Murphy	X		
Cr Carol Peters		X	
Cr Simon Reid	X		
Results	9	5	0

**The amendment was Carried (9 to 5)
and subsequently Carried
as the substantive motion**

6.2 Elected member remuneration

Moved By Cr Greg Martin

Seconded By Cr Shelley Deeming

That Council:

1. Adopt option two for recommendation to the Remuneration Authority for remuneration of positions of additional responsibility, and allocation of the total remuneration pool for 2019-20:

Option 2 - continue with additional payments for the Deputy Mayor, and Chairs of the three standing committees of the whole, increasing the percentage to reflect the additional responsibilities of Committee Chairs (40% or ratio of 1.4) and the Deputy Mayor (60% or ratio of 1.6) in the new term.

2. Note the Remuneration Authority requires a recommendation by 24 January 2020 to meet the deadline for an amended Determination.
3. Note that changes to the governance structure during this term of Council, that change the number of positions of responsibility held by elected members, will require reallocation of the remuneration pool.
4. Delegates to the Chief Executive the responsibility of ensuring the documentation is completed for the Remuneration Authority.

Amendment

Moved By Cr Phil Halse

Seconded By Cr Carol Peters

That the status quo remain, continue with additional payments for the Deputy Mayor and Committee Chairs maintaining the percentage used in the previous terms of Council (25% or ratio of 1.25%).

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

Recorded	For	Against	Abstain
Her Worship the Mayor		X	
Cr Gavin Benney			X
Cr Vince Cocurullo			X
Cr Nicholas Connop		X	
Cr Ken Couper			X
Cr Tricia Cutforth		X	
Cr Shelley Deeming		X	
Cr Jayne Golightly		X	
Cr Phil Halse	X		
Cr Greg Innes		X	
Cr Greg Martin		X	
Cr Anna Murphy		X	
Cr Carol Peters		X	

Cr Simon Reid

X

Results

1

9

4

The amendment was Lost (1 to 9)**The motion was Carried****6.3 Elected Member Code of Conduct**

Subsequent to the agenda being circulated the draft Elected Member Code of Conduct 2019 with tracked changes was distributed.

Item 6.3 was taken in parts.

Moved By Her Worship the Mayor

Seconded By Cr Anna Murphy

That Council

1. Resolves that the updated 2019 Elected Member Code of Conduct includes the description of the role of the Chief Executive.

Carried

2. Resolves that the updated 2019 Elected Member Code of Conduct includes clause 7.2 – Information Received in Capacity as an Elected Member.

Carried

3. Resolves that the updated 2019 Elected Member Code of Conduct sets the declaration of gift value at \$50 (incl. GST).

Lost

4. Resolves that the updated 2019 Elected Member Code of Conduct excludes the public from directly making a complaint under the Code.

Lost

5. Adopts the updated 2019 Elected Member Code of Conduct located at Attachment One, incorporating the decisions above.

Carried

6. Delegates to the Chief Executive the authority to make editorial and typographical changes to the 2019 Elected Member Code of Conduct, if required, and in consultation with the Mayor.

CarriedAmendment

Moved By Cr Greg Martin

Seconded By Cr Simon Reid

3. Resolves that the updated 2019 Elected Member Code of Conduct sets the declaration of gift value at \$200 (incl. GST).

The amendment was Lost

Cr Murphy left the meeting from 10.23am to 10.25am during Item 6.2.

6.4 Appointments to outside organisations - 2019-2022 term

Moved By Cr Carol Peters

Seconded By Cr Tricia Cutforth

That Council:

1. Approves the appointment of elected members as Council representatives to outside organisations as follows:
 - (a) Creative Northland – Cr Carol Peters
 - (b) Whangarei Art Museum Trust – Cr Ken Couper
 - (c) Whangarei Museum and Heritage Trust (Kiwi North) – Cr Anna Murphy and Cr Simon Reid
 - (d) Whangarei Quarry Gardens Trust – Cr Tricia Cutforth
 - (e) Sport Northland – Her Worship the Mayor
 - (f) Northland Events Centre Trust – Cr Phil Halse
 - (g) Whangarei Waste Limited – Cr Greg Martin
 - (h) NRC Whangarei Public Transport Working Party – Cr Tricia Cutforth, Cr Greg Martin, Cr Anna Murphy and Cr Simon Reid
 - (i) Kaipara Moana Working Party – Cr Phil Halse, Cr Greg Innes as alternate
 - (j) Creative Communities Assessment Committee – Cr Tricia Cutforth.

Carried

The meeting adjourned from 10.42am to 11.00am following Item 6.4.

6.5 Triennial Agreement

Moved By Cr Shelley Deeming

Seconded By Cr Greg Innes

That Council:

1. Approve the Mayor and Chief Executive to sign the Triennial Agreement on behalf of Council.

Carried

6.6 Decision making over the 2019-20 Christmas recess period

Moved By Cr Tricia Cutforth

Seconded By Cr Greg Innes

That Council:

1. Delegates the power to make urgent decisions on behalf of Council or its Committees between the last scheduled meetings in December 2019 and the first meeting of Council or its Committees in 2020 (the 2019-20 Christmas recess period) to:
 - any two of either the Mayor or Deputy Mayor, and the Chairperson of either the Infrastructure, Strategy Planning and Development, or Community Development Committees
2. In the event the Mayor and Deputy Mayor are both absent from Council at the same time, delegates the power to make urgent decisions on behalf of Council or its Committees over the 2019-20 Christmas recess period to:
 - Any two Chairpersons of either the Infrastructure, Strategy Planning and Development, or Community Development Committees.
3. Notes that if it is considered necessary, an extraordinary meeting of Council will be called during the 2019-20 Christmas recess period;
4. Notes that if the urgent decision-making process is exercised, the instances will be reported to the first Council or relevant Committee meeting in 2020.
5. Designates Councillor Nicholas Connop the authority under section 25(5) of the Civil Defence Emergency Management Act 2002 to declare a state of local emergency in the event the Mayor is unavailable over the 2019-20 Christmas recess period.

Carried

Secretarial note: The wording 'and to increase the Chief Executive's financial delegation', to be deleted from the 'Purpose' section of the agenda report.

6.7 Reducing waste- a more effective landfill levy - consultation response

Moved By Cr Anna Murphy

Seconded By Cr Carol Peters

That the Council endorses a submission to the Ministry for the Environment's "Reducing waste: a more effective landfill levy" consultation in support of broadening the scope of the levy and increasing the rate.

Carried

Cr Halse requested his vote against be recorded.

6.8 Baches on Whananaki Road Reserve - Licence to Occupy Review

Moved By Cr Greg Innes

Seconded By Cr Shelley Deeming

That Council

1. Receive the information.
1. That council note the request from the bach owners to extend their licences to occupy.
2. Acknowledge the feedback from the Whananaki Community and the themes raised.
3. Agree to extend the existing licences to occupy, at the Whananaki North road reserve known as the Whananaki Baches for a further 10 years conditional on;
 - a. an acceptable safe and sanitary – Building Condition Assessment Report in accordance with The Residential Property Inspection Standard NZS 4306.
 - b. wastewater disposal continues to meet the requirements of the Regional Plan rules as required by the Northland Regional Council.
 - c. a fair and market rental is determined via independent valuation advice.
4. Amend Clause 1.c) of the existing Structures on Coastal Reserves Policy (0070) to read:

'That all existing tenancies on coastal reserve other than those in b) shall be nontransferable except to a family relative and shall cease on 30 June 2030.'

(Note: b) refers to all existing legal agreements be honoured)
5. Authorise the Chief Executive to negotiate and finalise all terms and conditions relating to conditional Licences to Occupy.

Carried

6.9 William Fraser Memorial Park on Pohe Island Masterplan Programme

Moved By Cr Phil Halse

Seconded By Cr Vince Cocurullo

That Whangarei District Council

1. Approves the re-forecast of Pohe Island Development budgets and re-phasing of project timings within the \$8.262m 2018-2028 Long Term Plan financial envelope, as noted in Table 1 below:

Table 1 – Pohe Island Development - Proposed Projects Lists, Timing and Budget Allocation

Indicative Projects List and Allocation	Financial Year	Forecast
SOP – Pohe Island Central Carpark	2019/20	\$0.847m
SOP – Camera Obscura Landscaping (Grant)	2019/20-21	\$0.106m
SOP – Pohe Island Skate Park Upgrade	2019/20-21	\$1.400m
SOP – Pohe Island Masterplan Services (New)	2019/20	\$0.600m
SOP – Pohe Island Destination Playground	2020/21	\$2.200m
SOP – Pohe Island Playground Toilets	2020/21	\$0.334m
SOP – Pohe Island Bike Park	2021/22	\$1.200m
SOP – Pohe Island Marine Hub Development	2025/26-27	\$1.575m
SOP – Bridge Connecting Pohe to Riverside	2028+	\$0
SOP – Pocket Park (Sea Scouts)	2028+	\$0
SOP – Parks Interpretation Wayfinding	2028+	\$0
SOP – Waterfront Development on Pohe Island	2028+	\$0
TOTAL 2018-28 LTP BUDGET		\$8.262m

Carried

6.10 Temporary Liquor Ban under Alcohol Control Bylaw 2018

Moved By Cr Vince Cocurullo

Seconded By Cr Greg Martin

That Whangarei District Council approves;

1. In accordance with clauses 6.1 and 8.1 of the Alcohol Control Bylaw 2018 a temporary liquor ban for the following events for the area

shown in Appendix 1 of the agenda report:

- a. SIX60 concert – 15 February 2020 to apply for 24 hours from 6am to 6am the following morning.
- b. Whangarei Fritter Festival – 28 March 2020 to apply for 24 hours from 6am to 6am the following morning.
- c. Super Rugby Blues v Jaguares – 18 April 2020 to apply for 24 hours from 6am to 6am the following morning.

Carried

Declaration of interest:

Cr Halse declared an interest as a Trustee on the Northland Events Centre Trust. Cr Halse withdrew from the table and took no part in discussions or voting on Item 6.10.

6.11 Temporary Road Closure - Fire Engine Pull 2020

Moved By Cr Greg Martin

Seconded By Cr Gavin Benney

That Whangarei District Council,

1. Approves the proposal to temporarily close the following road to ordinary traffic for the Fire Engine Pull event on the following date in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

Saturday 14 March 2020

James Street, from Cameron Street to Robert Street.

Period of Closure: 9am – 1pm.

2. Approves the proposal to temporarily close the side roads off the roads to be closed for up to 100 meters from the intersection for safety purposes.
3. Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notice of these proposed temporary closures, to consider any objections and to either approve, cancel or amend any or all of the temporary road closures if applicable.

Carried

Declaration of interest:

Cr Cocurullo declared an interest. Cr Cocurullo withdrew from the table and took no part in discussions or voting on Item 6.11.

6.12 Temporary Road Closure - International Rally of Whangarei 2020

Moved By Cr Vince Cocurullo

Seconded By Cr Shelley Deeming

That Whangarei District Council,

1. Approves the proposal to temporarily close the following roads to ordinary traffic for the International Rally of Whangarei 2020 on the following dates in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

Wednesday 6 May 2020

Testing

Hosking Road, from Paparoa Oakleigh Road to Walker Road

Period of Closure: 8:00am – 5:00pm

Friday 8 May 2020

Ceremonial Start

Dave Culham Drive, from Port Road to Riverside Drive

Period of Closure: 4:00pm – 11:00pm

Saturday 9 May 2020

Special Stages 3 and 7 HELENA

Webb Road, from the end of the tarmac (Helena Bay) to Kaiikanui Road

Kaiikanui Road, from Webb Road to Pigs Head Road

Pigs Head Road, from Kaiikanui Road for approx. 500 meters

Period of Closure: 6:45am – 10:45am & 12:00pm – 4:00pm

Special Stages 5 and 9 CROWS NEST

Crows Nest Road, from SH1 to Paiaka Road

Paiaka Road, to the District Boundary

Period of Closure: 9:00am – 1:00pm & 2:15pm – 6:00pm

Special Stages 6 and 10 MARLOW

Otakairangi Road, from Swamp Road to Riponui Road

Riponui Road, from Otakairangi Road to Marlow Road

Marlow Road, from Riponui Road to the District Boundary

Period of Closure: 9:30am – 1:30pm & 2:45pm – 6:15pm

Sunday 10 May 2020

Special Stages 11 and 15 TANGIHUA

Otuhi Road, from Weke Road to Codlin Road

Codlin Road, from Otuhi Road to Tangihua Road

Tangihua Road, from Codlin Road to Bint Road

Bint Road, from Tangihua Road to Porter Road

Period of Closure: 6:30am – 2:30pm

Special Stages 12 and 16 WAIOTIRA

Waiotira, to Awarua Road

Hartnell Road, from Awarua Road to Taipuna Road

Taipuna Road, from Hartnell Road to Neville Road

Neville Road, from Taipuna Road to Hosking Road

Hosking Road, from Neville Road to Walker Road

Walker Road, from Hosking Road to Waikiekie North Road

Waikiekie Road, from Walker Road to Paparoa Road

Period of Closure: 7:00am – 3:15pm

Special Stages 13 and 17 MILLBROOK

Millbrook Road, from the District Boundary to Walters Road

Period of Closure: 7:45am – 3:45pm

Special Stages 14 and 18 WAIPU

Waipu Caves Road, from Shoemakers Road to Mangapai Caves Road

Mangapai Caves Road, from Waipu Caves Road to Graham Road

Graham Road, from Mangapai Caves Road to Ruarangi Road

Ruarangi Road, from Graham Road to Mangapai Road

Period of Closure: 8:00am – 4:15pm

2. Approves the proposal to temporarily close the side roads off the roads to be closed for up to 100 meters from the intersection for safety purposes.
3. Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notice of these proposed temporary closures, to consider any objections and to either approve, cancel or amend any or all of the temporary road closures if applicable.

Carried

6.13 Temporary Road Closure - Six60 Concert 2020

Moved By Cr Anna Murphy

Seconded By Cr Vince Cocurullo

That Whangarei District Council,

1. Approves the temporary closure of the following road to ordinary traffic for the Six60 Concert on the following date in accordance with section 342 (1)(b) and Schedule 10 Clause 11 of the Local Government Act 1974.

Saturday 15 February 2020

Okara Drive, from Porowini Avenue to Port Road

Period of Closure: 12pm – 12am.

2. Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notices of these temporary road closures.

Carried

6.14 Temporary Road Closure - Whangarei Street Sprint 2020

Moved By Cr Vince Cocurullo

Seconded By Cr Greg Martin

That Whangarei District Council,

1. Approves the proposal to temporarily close the following roads to ordinary traffic and pedestrians for the Whangarei Street Sprint on the following dates in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

Saturday 16 – Sunday 17 May 2020

Railway Road, All of the street apart from the area closest to Walton Street. The road closed sign to be placed in a position to allow access to the Mobil Station and the Car Park at Walton Plaza.

Woods Road, total closure

Commerce Street, A small portion of the street closest to Woods Road. The road closed sign to be placed on the Woods Road side of the access way that leads behind the G & H Training and Flip Out building on the corner of Woods and Commerce Street.

Albert Street, All of the street apart from the area closest to Walton Street. The road closed sign will be placed in a position to allow access to the Mobil Station, the Car Park at Walton Plaza and also the access way between Albert Street and Clyde Street which runs along the back of the My Ride business.

Clyde Street, All of the street from the area closest to Walton Street. The road closed sign to be placed in a position to allow access to the access way between Clyde Street and Albert Street which runs along the back of the My Ride business.

Lower Cameron Street, All of the street apart from the area closest to Walton Street. The road closed sign to be placed in a position to allow access to the Police Car Park building and the driveway to the businesses in the old Police Station.

Reyburn Street, the small portions from Cameron Street to the roundabout which leads over the bridge to Okara Shopping Centre.

Hannah Street, all of the street apart from the area closest to Walton Street. The road closed sign to be placed in a position to allow access to the rear of the Police Car Park building back entrance (down the access way) and allow access to Fabers Furnishings Car Park.

Please refer to Appendix A – Proposed Closure Map

Period of Closure: 10:00pm Saturday 16 May – 7:00pm Sunday 17 May 2020.

2. Approves the proposal to temporarily close the side roads off the roads to be closed for up to 100 meters from the intersection for safety purposes.
3. Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notice of these proposed temporary closures, to consider any objections and to either approve, cancel or amend any or all of the temporary road closures if applicable.

Carried

Cr Cutforth abstained from voting on Item 6.14.

6.15 Temporary Road Closure - Northland Car Club March - July 2020

Moved By Cr Ken Couper

Seconded By Cr Vince Cocurullo

That Whangarei District Council,

1. Approves the temporary closure of the following roads to ordinary traffic for the Northland Car Club events on the following dates in accordance with section 342 (1)(b) and Schedule 10 Clause 11 of the Local Government Act 1974.

Sunday 8 March 2020

Hilford Road, Waiotira (total closure)

Sunday 19 April 2020

Ruakaka Street Sprint, Sime and Kepa Roads (totally closure to both roads)

Sunday 14 June 2020

Coxhead Road, Parakao, from a point 800 meters from SH 15.

Sunday 5 July 2020

Springfield Road, from a point 7.5kms from SH1 to the intersection of Ormiston Road.

Period of Closure: 9:00am – 5:00pm.

2. Approves the temporary closure of the side roads off the roads to be closed for up to 100 meters from the intersection for safety purposes.
3. Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notices of these temporary road closures.

Carried

7. Public Excluded Business

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	Confidential Minutes Whangarei District Council 27 November 2019	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Appointment of District Licensing Commissioner		
1.3	Employment Contract		

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 open minutes.	
1.2	To the privacy of natural persons included that of a deceased person	Section 7(2)(a)
1.3	To the privacy of natural persons included that of a deceased person	Section 7(2)(a)

Carried

8. Closure of Meeting

The meeting concluded at 12.01pm.

Confirmed this 27th day of February 2020

Her Worship the Mayor Sheryl Mai (Chairperson)