

## Whangarei District Council Meeting Minutes

**Date:** Thursday, 25 June, 2020  
**Time:** 9:00 a.m.  
**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

<b>In Attendance</b>	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 Simon Reid
<b>Not in Attendance</b>	Cr Carol Peters
<b>Scribe</b>	C Brindle (Senior Democracy Adviser)

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**1. Karakia/Prayer**

*Cr Cocurullo opened the meeting with a prayer/karakia.*

**2. Declarations of Interest**

Item 6.2 Elected Member Remuneration - 2019-2022 term amendment

**3. Apology**

Cr Carol Peters

**Moved By** Cr Phil Halse

**Seconded By** Cr Simon Reid

That the apology be sustained.

**Carried**

**4. Public Forum**

Nick Brothers (Chairman Saorsa Retirement Village) - Saorsa Retirement Village.

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

### 5.1 Minutes Whangarei District Council Meeting held 28 May 2020

**Moved By** Cr Greg Martin

**Seconded By** Cr Tricia Cutforth

That the minutes of the Whangarei District Council meeting held on Thursday 28 May 2020, 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 16 June 2020

**Moved By** Cr Phil Halse

**Seconded By** Cr Greg Martin

That the minutes of the Whangarei District Council meeting held on Tuesday 16 June 2020, 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 Standing Orders for the Whangarei District Council

*Item 6.1 was taken in parts. The adoption of Standing Orders and any amendments require the agreement of 75% (10) of the members present.*

**Moved By** Her Worship the Mayor

**Seconded By** Cr Nicholas Connop

That Council:

- a. Note the Whangarei District Council draft Standing Orders in **Attachment One.**

*On the motions being put Cr Martin called for divisions.*

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid	X		
<b>Results</b>	<b>13</b>	<b>0</b>	<b>0</b>
<b>Carried (13 to 0)</b>			
<b>Unanimous</b>			

- b. Agree to retain clause 19.3 in the draft Standing Orders, for providing for a Chair's Casting Vote.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid	X		
<b>Results</b>	<b>13</b>	<b>0</b>	<b>0</b>
<b>Carried (13 to 0)</b>			
<b>Unanimous</b>			

- c. Agree to retain Option A (clause 22.2 of the draft Standing Orders) as the default option for dealing with motions and amendments, with the option to agree at the start of the meeting to use either Option B or C, as set out in clauses 22.3 and 22.4 of the draft Standing Orders.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid	X		
<b>Results</b>	<b>13</b>	<b>0</b>	<b>0</b>
		<b>Carried (12 to 1)</b>	

- d. Agree to remove the requirement in clause 13.10 for the chairing duties to be undertaken by a member that is physically present, to allow a Chairperson the flexibility to attend by audio or audio visual link.

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 Simon Reid		X	
Results	8	5	0
Lost (8 to 5)			
75% Majority not achieved			

*Cr Martin gave notice of his intention to move a further motion should the motion be lost.*

Further motion**Moved By** Cr Greg Martin**Seconded By** Cr Simon Reid

Retain clause 13.10 which requires chairing duties to be undertaken by the deputy chair or a member who is physically present if the Chairperson is attending by audio or audio visual link.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid	X		
<b>Results</b>	<b>13</b>	<b>0</b>	<b>0</b>
<b>Carried (13 to 0)</b>			
<b>Unanimous</b>			

- e. Agree to retain clause 13.7 in the draft Standing Orders to allow members to attend meetings by audio visual link as set out in sections 13.7 to 13.16 of the draft Standing Orders.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid		X	
<b>Results</b>	<b>8</b>	<b>5</b>	<b>0</b>
<b>Carried (8 to 5)</b>			

*Secretarial Note: As the motion was to retain clause 13.7 it required a majority vote (a 75% vote is only required for an amendment to Standing Orders). Although at the meeting the vote on the motion was incorrectly called as Lost, the minutes reflect that the vote was carried by a majority. This also reflects the outcome spoken to on the day (that the status quo remains).*

*Cr Martin gave notice of his intention to move a further motion.*

#### Further motion

**Moved** Cr Greg Martin

**Seconded** Cr Simon Reid

That Council agree to remove clause 13.7 from the draft Standing Orders to allow members to attend meetings by audio visual link as set out in sections 13.7 to 13.16 of the draft Standing Orders.

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

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid	X		
<b>Results</b>	<b>5</b>	<b>8</b>	<b>0</b>
<b>Lost (8 to 5)</b>			
<b>75% Majority not achieved</b>			

- e. Adopt the Standing Orders as included in **Attachment One**, including the Appendices and the recommendations as resolved at today's meeting.

**Carried**

## **6.2 Elected member remuneration 2019-2022 term - amendment**

**Moved By** Her Worship the Mayor

**Seconded By** Cr Nicholas Connop

That Council:

1. Note the change to the governance structure for the 2019-2022 term, agreed by Council on 28 May 2020, created a new position of responsibility.
2. Note that changes to the number of positions of responsibility held by elected members, require reallocation of the remuneration pool.
3. Agree to increase positions of responsibility held by elected members for the purposes of allocation of the remuneration pool, from five to six as follows:
  - Deputy Mayor – **existing** position of responsibility
  - Chair Infrastructure Committee – **existing** position of responsibility
  - Chair Strategy, Planning and Development – **existing** position of responsibility
  - Chair Community Development – **existing** position of responsibility
  - Chair Civic Honours Selection Committee – **existing** position of responsibility
  - Chair Te Karearea Strategic Partnership Forum (and any subsequent standing committee) – **new** position of responsibility
4. Note the allocation of the pool that will be effective from 29 May 2020, if agreed by the Remuneration Authority through an amended Determination. Changes will be backdated to that date.
5. Agree to submit the proposal for reallocation of the pool to the Remuneration Authority for approval.

### Amendment

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Tricia Cutforth

That Council:

1. Note the change to the governance structure for the 2019-2022 term, agreed by Council on 28 May 2020, created a new position of responsibility.
2. Note that changes to the number of positions of responsibility held by elected members, require reallocation of the remuneration pool.
3. Agree to increase positions of responsibility held by elected members for the purposes of allocation of the remuneration pool, from five to six as follows:
  - Deputy Mayor – **existing** position of responsibility
  - Chair Infrastructure Committee – **existing** position of responsibility
  - Chair Strategy, Planning and Development – **existing** position of responsibility
  - Chair Community Development – **existing** position of responsibility
  - Chair Civic Honours Selection Committee – **existing** position of responsibility
  - Chair Te Karearea Strategic Partnership Forum – **new** position of responsibility
4. Note the allocation of the pool that will be effective from 29 May 2020, if agreed by the Remuneration Authority through an amended Determination. Changes will be backdated to that date.
5. Agree to submit the proposal for reallocation of the pool to the Remuneration Authority for approval.

*On the amendment being put Her Worship called for a division:*

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 Simon Reid	X		



**Results****8****4****1**

**The amendment was Carried (8 to 4)  
and subsequently Carried  
as the substantive Motion**

*Cr Cocurullo requested his vote against the substantive motion be recorded.*

*Declaration of Interest:*

*Cr Halse declared an interest and withdrew from the table taking no part in discussions or voting on Item 6.2.*

## **7. Information Reports**

### **7.1 Financial Report for the 11 months ending 31 May 2020**

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Nicholas Connop

That the Council notes the operating results for the eleven months ending 31 May 2020.

**Carried**

## **Extra ordinary business**

Subsequent to the agenda being circulated confidential Item 1.4 – IT Contract Variation was distributed separately but not within the timeframe specified in LGOIMA.

The report was not included in the agenda for the reason that negotiations were still ongoing at the time of the agenda closure.

Council are asked to consider this matter at today's meeting so that the contract can be finalised by the end of the financial year.

**Moved By** Cr Greg Innes

**Seconded By** Cr Greg Martin

That council consider Item 1.4 – IT Contract Variation at this meeting.

**Carried**

## **8. Public excluded business**

**Moved By** Cr Greg Innes

**Seconded By** Cr Shelley Deeming

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 28 May 2020	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Ground Lease Rent Relief Request		
1.3	Securing Additional Walkway Space Upper Port Road – Development Opportunity		
1.4	IT Contract Variation		

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 enable Council to carry on without prejudice or disadvantage commercial activities	Section 7(2)(h)
	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
1.3	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
1.4	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(i)

**Carried**

## **9. Closure of Meeting**

The meeting concluded at 11.15am

Confirmed this 23<sup>rd</sup> day of July 2020

Her Worship the Mayor Sheryl Mai (Chairperson)