

Whangarei District Council Meeting Minutes

Date: Thursday, 24 September, 2020
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)

1. Karakia/Prayer

Cr Golightly opened the meeting with a prayer.

2. Declarations of Interest

There were no declarations of interest made.

3. Apologies

There were no apologies.

4. Public Forum

Chris Twiss - I Have A Dream Organisation - update on expansion plans
Bev Woods - Dogs on Beaches

Cr Peters joined the meeting at 9.06am following public forum speaker Chris Twiss.

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

5.1 Minutes Whangarei District Council Meeting held 27 August 2020

Moved By Cr Shelley Deeming

Seconded By Cr Carol Peters

That the minutes of the Whangarei District Council meeting held on Thursday 27 August 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

6. Decision Reports

6.1 Establishment of a Standing Committee to support Māori participation in decision making

Moved By Her Worship the Mayor

Seconded By Cr Greg Innes

That Council:

1. Note the progress made through the Māori Participation in Decision Making Working Group and Te Kārearea Strategic Partnership Forum on the procedure and Terms of Reference for the establishment of a standing committee.
2. Agree to the establishment of Te Kārearea Strategic Partnership Standing Committee for the 2019-2022 triennium to support Maori participation in decision making.
3. Adopt Te Kārearea Strategic Partnership Committee Terms of Reference, including the members, located at Attachment 3.
4. Agree that the position of responsibility held by the Chair of Te Kārearea Strategic Partnership Forum transfers to the Chair of Te Kārearea Strategic Partnership Committee.
5. Note that the bi-monthly hui to be held on the Marae will be chaired by a mandated hapū member in accordance with tikanga.

Amendment

Moved By Cr Vince Cocurullo

Seconded By Cr Shelley Deeming

That Council,

1. Note the progress made through the Māori Participation in Decision Making Working Group and Te Kārearea Strategic Partnership Forum on the procedure and Terms of Reference for the establishment of a standing committee.
2. Note that the decision to establish a Te Kārearea Strategic Partnership Standing Committee is of high significance, and interest to the general public and that to establish the Committee without consultation and engagement with the public is a departure from usual practice.
3. Agree that the decision regarding the establishment of a Te Kārearea Strategic Partnership Standing Committee be deferred until the public have had the opportunity to be informed of the proposal and to participate in meaningful engagement the level of which is to be determined.
4. Note that the Te Kārearea Strategic Partnership Forum continue monthly meetings held alternately at Council and nominated Marae to maintain established consultation and engagement between WDC and Hapu.

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

	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	3	11	0

The amendment was Lost (3 to 11)

On the motion being put Her Worship the Mayor called for a division:

	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	10	4	0

The motion was Carried (10 to 4)

*Cr Reid gave notice of his intention to move a further amendment.
The further amendment was proposed but withdrawn with the consent
of the meeting.*

Election of Chairperson

Her Worship sought nominations for the position of Chairperson.
Councillor Phil Halse was proposed as Chairperson.

Moved By Her Worship the Mayor

Seconded By Cr Carol Peters

That Council elect Councillor Phil Halse as Chair of the bi-monthly Te
Kārearea Strategic Partnership Committee in accordance with sections
5.4 and 5.6 of Standing Orders.

Carried

Cr Cutforth abstained from voting on the election of the Chairperson.

Acknowledgement

The meeting observed a minutes silence to acknowledge the passing
of former Mayor Craig Brown.

A break was taken from 10.25am to 10.40am.

6.2 Joint Climate Change Adaptation Committee

Moved By Cr Carol Peters

Seconded By Cr Nicholas Connop

That the Council:

1. agrees to the establishment of a Joint Council Climate Change Adaptation Committee between the Whangarei District Council, Far North District Council, Kaipara District Council and the Northland Regional Council, as provided for in the Local Government Act 2002 (Clause 30 and 30A Schedule 7);
2. adopts the draft terms of reference (Attachment 1) for the joint committee and acknowledges that this fulfils the requirements of 30A(1).
3. nominates two elected members to the joint committee. Councillor Anna Murphy as primary member and Councillor Innes (Deputy Mayor) as alternate member in the event Councillor Anna Murphy is unable to attend.
4. Notes that Te Huinga hapū nominations to the committee will be considered at Te Kārearea Strategic Partnership Standing Committee prior to being confirmed by Council.

Carried

6.3 Appointment to Northland Regional Council Urban Whangarei River Liaison Working Group

Moved By Cr Shelley Deeming

Seconded By Cr Greg Martin

That the Council approves the appointment of Councillor Vince Cocurullo to the Northland Regional Council Urban Whangarei River Liaison Working Group.

Carried

6.4 Consultation on the Draft Whangarei District Growth Strategy

Moved By Cr Greg Innes

Seconded By Cr Anna Murphy

That Council;

1. Endorses the Draft Whangarei District Growth Strategy (Attachment 1) for public consultation.
2. Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Draft Whangarei District

Growth Strategy and to approve the final design and layout of the document prior to final printing and publication.

Carried

Cr Cocurullo requested his vote against be recorded.

6.5 Dangerous, Affected and Insanitary Buildings Policy Review - Deliberations and Adoption

Moved By Cr Shelley Deeming

Seconded By Cr Vince Cocurullo

That Council:

1. Receive the written submission to the Dangerous, Affected and Insanitary Buildings Policy included as **Attachment One**;
2. Note that the submitter did not wish to be heard at a formal hearing;
3. Deliberate on the matters raised in the submission.

Carried

Moved By Her Worship the Mayor

Seconded By Cr Greg Innes

That Council note the submission and that it is outside the scope of the Policy and request staff inform the submitter of the proposed industry workshop on Earthquake Prone Buildings.

Carried

Moved By Cr Tricia Cutforth

Seconded By Cr Shelley Deeming

That having deliberated Council;

1. Confirm the Dangerous, Affected and Insanitary Buildings Policy as proposed in the Statement of Proposal included as **Attachment Two**;
2. Adopt the Dangerous, Affected and Insanitary Buildings Policy included as **Attachment Three**.

Carried

Cr Benney left the meeting at 11.19am.

6.6 Maungakamea Lease of Local Purpose (Fire Station) Reserve to Fire and Emergency New Zealand

Moved By Cr Shelley Deeming

Seconded By Cr Vince Cocurullo

That the Whangarei District Council approves a lease of the Local Purpose (Fire Station) Reserve legally described as Section 1 SO Plan 65563 to Fire and Emergency New Zealand for a period of 20 years

and rental being \$500/annum being the community lease fee in Council's fees and charges.

Carried

6.7 Speed Limit Bylaw - Waipu South and Beaches

Moved By Cr Ken Couper

Seconded By Cr Vince Cocurullo

That Whangarei District Council

1. Adopt the attached "Statement of Proposal – Proposed Amendments to the Speed Limits Bylaw 2019 – Waipu South Langs Beach" for consultation.
2. Undertakes consultation on the proposed changes to speed limits in the attached Statement of Proposal in accordance with the Special Consultative Procedures set out in Section 83 of the Local Government Act 2002.
3. Confirms that the submission period of the speed limit review will open on 29th October and close on 18th December with Hearings scheduled for early 2021.
4. Delegates the Chief Executive to make any necessary minor drafting or presentation amendments to the to the attached Statement of Proposal and to approve the final design and layout of the documents prior to final printing and publication.

Carried

6.8 Speed Limit Bylaw - Speed Limit Consultation

Moved By Her Worship the Mayor

Seconded By Cr Anna Murphy

That Whangarei District Council

1. In its capacity as Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998, confirm new speed limits as set out in Attachment 1 - "Regional Speed Limit Review – Waipu, Ruakaka / One Tree Point (Marsden) and Vinegar Hill - Recommendations Report", except for Te Toiroa Road, which will be 20kph.
2. Defers making amendments to the Speed Limits Bylaw 2019 set out in Attachment 1 "Regional Speed Limit Review – Waipu, Ruakaka / One Tree Point (Marsden) and Vinegar Hill - Recommendations Report" until signage to make the new speed limits enforceable is installed.

Carried

6.9 Temporary Road Closure - Whangarei Christmas Parade 2020

Moved By Cr Vince Cocurullo

Seconded By Cr Nicholas Connop

That Whangarei District Council,

1. Approves the proposal to temporarily close the following roads to ordinary traffic for the Whangarei Christmas Parade on the following date in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

Saturday 28 November 2020

Railway Road, from Woods Road to the Rail Station, 6:00am to 11:30am for parade vehicular assembly.

James Street, from Cameron Street to Robert Street, 6:00am to 1:00pm for the finishing of the parade.

Cameron Street, from John Street including the James Street closure, 6:00am to 1:00pm for the finishing of the parade.

The roads indicated with green arrows on the attached map will be a rolling parade, traffic management approval for these will be managed through the Whangarei District Council Roading Department.

2. 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 Murphy left the meeting at 11.44am during discussion on Item 6.9.

Cr Benney left the meeting at 9:26 a.m.

6.10 Contract Award for CON18078 for Construction of the New Town Basin Park

Moved By Her Worship the Mayor

Seconded By Cr Shelley Deeming

That Whangarei District Council;

1. Approves additional unbudgeted capital expenditure of \$1,307,000 in financial year 2020/21 to the New Town Basin Park project.
2. Approves additional unbudgeted capital expenditure of \$1,078,000 in financial year 2020/21 for urgent works to the Town Basin boardwalk, wharf and seawall, to enable works to be delivered at the same time as the New Town Basin Park project.

3. Approves the carry forward of \$2,385,000 from financial year 2020/21 into financial year 2021/22 from the Pohe Island Development budget to offset the additional budget and work at the Town Basin.
4. Approves award of contract CON18078 Construction of the New Town Basin Park to Robinson Asphalts Ltd for \$6,637,678.15 (exclusive of GST).
5. Delegates authority to the Chief Executive to authorise contract variations to a maximum contract value of \$6,987,678.15, allowing for a standard 10% construction contingency.

Amendment

Moved By Cr Phil Halse

Seconded By Cr Vince Cocurullo

That Whangarei District Council;

1. Approves additional unbudgeted capital expenditure of \$1,307,000 in financial year 2020/21 to the New Town Basin Park project.
2. Approves additional unbudgeted capital expenditure of \$1,078,000 in financial year 2020/21 for urgent works to the Town Basin boardwalk, wharf and seawall, to enable works to be delivered at the same time as the New Town Basin Park project.
3. Approves the carry forward of \$2,385,000 from financial year 2020/21 into financial year 2021/22 from the Pohe Island Development budget to offset the additional budget and work at the Town Basin.
4. Approves award of contract CON18078 Construction of the New Town Basin Park to Robinson Asphalts Ltd for \$6,637,678.15 (exclusive of GST).

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

	For	Against	Abstain
Her Worship the Mayor		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	5	8	0
The amendment was Lost (5 to 8)			
The motion was Carried			

Cr Reid requested his vote against the motion be recorded.

Cr Peters was absent from the meeting from 11.46am to 12.00pm.

Cr Murphy re-joined the meeting at 11.48am.

Cr Couper was absent from the meeting during 11.55am to 11.57am.

6.11 Carruth Street Carpark - Parking Charges

Moved By Cr Vince Cocurullo

Seconded By Her Worship the Mayor

That Council;

1. Rescinds the following resolution adopted at the Infrastructure Committee meeting on the 13 July 2017:

‘That Council;

- a) approves the installation of Parking Charges in the Carruth St Carpark,*
- b) that the carpark shall be a metered zone as set out in Plan No 4021 attached to the report,*
- c) that the fee payable shall be at the rate of \$2.00 per hour or part thereof,*
- d) that the metered zone hours be Monday to Friday, 8am to 6pm,*
- e) that there be no charges on Saturdays and Sundays,*
- f) agrees that the resolutions be released to the open record once negotiations have concluded.’*

2. And resolves;

That Council approves;

- a) the installation of Parking Charges in the Carruth Street Car Park,

- b) that the Carruth Street Carpark shall be a metered zone as set out in Plan No 4021 attached to the report,
- c) that the fee payable shall be at the rate of \$2.00 per day or part thereof,
- d) that the metered zone hours be Monday to Friday, 8am to 6pm,
- e) that there be no charges on Saturdays and Sundays, and
- f) notes that the new parking charges will come into force once the signage is changed.

Amendment

Moved By Cr Anna Murphy

Seconded By Cr Phil Halse

- c) that the fee payable shall be at the rate of \$1.00 per hour or part thereof.

The amendment was Lost

The motion was Carried

Cr Reid left the meeting at 12.20pm during discussion on Item 6.11.

A break was taken from 12.32pm to 1.02pm following Item 6.11.

Crs Halse and Cutforth did not join the meeting immediately following the tea break.

Item 7.1 was taken after the break.

6.12 Cobham Oval Carpark Upgrade - Approval for Additional Budget

Subsequent to the agenda being circulated Item 6.12 Cobham Oval Carpark Upgrade - Approval for additional budget was distributed separately within the timeframes specified in LGOIMA.

Moved By Cr Shelley Deeming

Seconded By Cr Greg Martin

That the Council approves unbudgeted capital expenditure of \$510,543 for the up-grade of the Cobham Oval car park.

Carried

Cr Cutforth rejoined the meeting at 1.13pm during after Item 6.12.

7. Information Reports

7.1 Financial Report for the two months ending 31 August 2020

Moved By Cr Greg Innes

Seconded By Cr Greg Martin

That the Council notes the operating results for the two months ending 31 August 2020.

Carried

Item 6.12 was taken after Item 7.1.

8. Public Excluded Business

Moved By Cr Greg Innes

Seconded By Cr Vince Cocurullo

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 Meeting 27 August 2020	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Confidential Minutes Extraordinary Whangarei District Council Meeting 4 August 2020		
1.3	Formalising Access Over Council Reserves		
1.4	Marina Berth Replacement		

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	For the reasons as stated in the minutes	
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	Section 7(2)(i)

	disadvantage negotiations (including commercial and industrial negotiations)	
--	--	--

Carried

9. Closure of Meeting

The meeting concluded at 1.29pm

Confirmed this 22nd day of October 2020

Her Worship the Mayor Sheryl Mai (Chairperson)