

Whangarei District Council Meeting Minutes

Date: Thursday, 22 October, 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 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

Not in Attendance

Cr Ken Couper

Also present

Martyn Ruth (Area Commander NZ
Police)

Scribe

C Brindle (Senior Democracy Adviser)

Administrative matters

- Withdrawn - Item 7.4 Annual report
- Extra ordinary business – Confidential Item 1.4 – Property Matter

1. Karakia/Prayer

Cr Golightly opened the meeting with a karakia/prayer.

3. Apology

Cr Ken Couper

Moved By Cr Vince Cocurullo

Seconded By Cr Greg Innes

That the apology be sustained.

Carried

4. Public Forum

Robin Lieffering - on behalf of the Positive Aging Advisory Group.

5. Police Report

Area Commander Martyn Ruth spoke to the report and answered questions from Elected Members.

Moved By Cr Greg Martin

Seconded By Cr Nicholas Connop

That Council note the report.

Carried

Cr Peters was absent from the meeting from 9.28am to 9.32am during Item 5.

6. Confirmation of Minutes of a Previous Meeting of the Whangarei District Council

6.1 Minutes Whangarei District Council Meeting held Thursday 24 September 2020

Moved By Cr Carol Peters

Seconded By Cr Tricia Cutforth

That the minutes of the Whangarei District Council meeting held on Thursday 24 September 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, subject to the following correction:

Refer Item 6.10 - Contract Award for CON18078 for Construction of the New Town Basin Park (agenda page 16) – that Cr Halse's vote on the amendment being recorded as in favour of the amendment.

Carried

7. Decision Reports

7.1 Risk Management Policy and Supporting Framework

Moved By Cr Vince Cocurullo

Seconded By Cr Carol Peters

That the Council

- a. Adopt the risk management policy
- b. Note the associated risk management framework.

Carried

7.2 Adoption of Statement of Proposal for amendment of the Camping in Public Places Bylaw and associated amendments to the Public Places Bylaw

Moved By Cr Nicholas Connop

Seconded By Cr Greg Innes

That Council

1. Reviews the Camping in Public Places Bylaw as per s.13 of the Freedom Camping Act 2011 (FCA) and makes determinations in accordance with section 11(2) of the FCA, that the Bylaw is necessary for the purposes outlined in this report, is the most appropriate and proportionate way of addressing the perceived problem and does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
2. Resolves that the Bylaw should be amended.
3. Adopts the Statement of Proposal (Attachment 1), the Proposed Amended Bylaw (Attachment 2) and Summary of Information (Attachment 3) for public consultation using the special consultative procedure in section 83 of the Local Government Act 2002.
4. Approves the proposed amendment to the Public Places Bylaw to be included in the Statement of Proposal (Attachment 1) for public consultation in accordance with the requirements of section 82 of the Local Government Act 2002.
5. Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Statement of Proposal and Summary of Information and to approve the final design and layout of the documents prior to final printing and publication.

Carried

7.3 Local Government Funding Agency - 2020 Annual Meeting Matters

Moved By Cr Tricia Cutforth

Seconded By Cr Gavin Benney

That the Council:

1. Notes the Local Government Funding Agency has advised that its Annual Meeting will be held on 19 November 2020 in Wellington.
2. Appoints General Manager Corporate/CFO Alan Adcock to attend the Annual Meeting as the shareholder representative for Whangarei District Council.

3. Should Alan Adcock be unable to attend the meeting, appoints Craig Stobo, Local Government Funding Agency Chair, as Council's proxy in his place.
4. Agrees that the proxy or alternate votes in favour of the following proposals which require ordinary shareholder resolutions:
 - a. Philip Cory-Wright is re-appointed to the Local Government Funding Agency's board as an independent director;
 - b. Mike Timmer is re-appointed to the Local Government Funding Agency's board as a non-independent director;
 - c. Wellington City Council is re-elected to the Shareholders' Council;
 - d. Tasman District Council is re-elected to the Shareholders' Council;
 - e. Changes to the Local Government Funding Agency Foundation Policies.

Carried

7.4 Adoption of the 2019-2020 Annual Report

Item 7.4 was withdrawn from the agenda.

8. Information Reports

8.1 Financial report for the 3 months ending 30 September 2020

Moved By Cr Carol Peters

Seconded By Cr Nicholas Connop

That the Council notes the operating results for the three months ending 30 September 2020.

Carried

8.2 Capital Projects Report - September 2020

Moved By Cr Carol Peters

Seconded By Cr Phil Halse

That the Council notes the Capital Projects Report for the three months ending 30 September 2020.

Carried

8.3 Te Tai Tokerau Worker Redeployment Funding Package update

Moved By Cr Anna Murphy

Seconded By Cr Tricia Cutforth

That the Council notes the contents of the attached MBIE progress report detailing project progress to end of September 2020.

Carried

Extra ordinary business

Subsequent to the agenda being circulated confidential Item 1.4 – Property matter was distributed separately but not within the timeframe specified in LGOIMA. Council's Standing Orders (9.12) require a council resolution to deal with items of business that cannot be delayed.

The item was not included in the agenda for the reason that it has only recently come to our notice that property identified as suitable for strategic purposes has become available.

Council are asked to consider this item at today's meeting so that staff can enter negotiations forthwith.

Moved By Cr Vince Cocurullo

Seconded By Cr Gavin Benney

That council consider Item 1.4 – Property matter at this meeting.

Carried

9. Public Excluded Business

Moved By Cr Greg Martin

Seconded By Cr Carol Peters

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 24 September 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 Extra ordinary Whangarei District Council Meeting 22 September 2020		
1.3	Confidential Minutes Extra ordinary Whangarei District Council Meeting 6 October		

	2020		
1.4	Property Matter		

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 open minutes	
1.3	For the reasons as stated in the open minutes	
1.4	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(i)

Carried

Resolution to allow member of the public to remain

Moved By Cr Greg Martin

Seconded By Cr Greg Innes

That Peter Ogle (Agent) be permitted to remain at this meeting after the public has been excluded, because of his knowledge of Item 1.4.

Mr Ogle's specialised knowledge will be of assistance in relation to the matter to be discussed.

Carried

10. Closure of Meeting

The meeting concluded at 12.22pm.

Confirmed this 26th day of November 2020

Her Worship the Mayor Sheryl Mai (Chairperson)