

## **Whangarei District Council Meeting Minutes**

**Date:** Thursday, 17 December, 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

**Also present**

Area Commander Martyn Ruth (NZ  
Police)

**Scribe**

C Brindle (Senior Democracy Adviser)

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**1. Karakia/Prayer**

Cr Murphy opened the meeting with a karakia/prayer.

**2. Declarations of Interest**

Item 7.6.

**3. Apologies**

There were no apologies.

**4. Public Forum**

Billy Leonard - Animal experimentation pre-emption

Animal abuse in entertainment  
 Better co-operation with NRC for bus service  
 Noise Control  
 5G technology.

## **5. Police Report**

### **5.1 Police Report**

**Moved By** Cr Vince Cocurullo

**Seconded By** Cr Nicholas Connop

That Council note the report.

**Carried**

*Item 7.1 resumed after Item 5.1.*

## **6. Confirmation of Minutes of Previous Meeting of the Whangarei District Council**

### **6.1 Minutes of the Whangarei District Council meeting held on 26 November 2020**

**Moved By** Cr Vince Cocurullo

**Seconded By** Cr Carol Peters

That the minutes of the Whangarei District Council meeting held on Thursday 26 November 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**

### **6.2 Minutes Whangarei District Council meeting held on 8 December 2020**

**Moved By** Cr Greg Martin

**Seconded By** Cr Greg Innes

That the minutes of the Whangarei District Council meeting held on Tuesday 8 December 2020, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

## **7. Decision Reports**

### **7.1 Long Term Plan 2021 - 2031 Audit NZ review**

Item 7.1 was adjourned prior to the motion being seconded. Item 7.1 reconvened following Item 5.1.

**Moved By** Her Worship the Mayor

**Seconded By** Cr Greg Innes

That the Council;

1. Approves the following draft documents for Audit NZ review:
  - Long Term Plan Consultation Document (Attachment 1)
  - Financial Strategy (Attachment 2)
  - Infrastructure Strategy (Attachment 3)
  - Activity Profiles (Attachment 4)
    - Activity FIS (attachment 4.1)
  - Significant Forecasting Assumptions (Attachment 5)
  - Financial Statements (Attachment 6)
    - Accounting Policies (Attachment 6.1)
    - Price Level Adjusters (Attachment 6.2)
    - Reserves (Attachment 6.3)
    - Disclosures (Attachment 6.4)
    - Depreciation Note (Attachment 6.5)
  - Whangarei District Growth Model (Attachment 7)
  - Revenue & Financing Policy (Attachment 8)
  - Funding Impact Statement (Attachment 9)
  - Project List (Attachment 10)
  - Development Contributions Policy (Attachment 11).
2. Authorises, through the Chief Executive, further non-material changes to Attachments 1 – 11 prior to the documents being received by Audit NZ, including further refinements, addressing items in progress and addressing any errors or typographical edits.
3. Notes the potential for increased carryforwards as a result of an ambitious programme, particularly in Transportation.
4. Endorses the wording in the Consultation Document being fleshed out to provide a clear signal to Government on Council's willingness and desire to collaborate, with any specific proposals being considered through future decision making processes.

#### Amendment

**Moved By** Cr Carol Peters

**Seconded By** Cr Ken Couper

That the Council;

1. Approves the following draft documents for Audit NZ review:
  - Long Term Plan Consultation Document (Attachment 1)
  - Financial Strategy (Attachment 2)
  - Infrastructure Strategy (Attachment 3)
  - Activity Profiles (Attachment 4)
    - Activity FIS (attachment 4.1)
  - Significant Forecasting Assumptions (Attachment 5)

- Financial Statements (Attachment 6)
  - Accounting Policies (Attachment 6.1)
  - Price Level Adjusters (Attachment 6.2)
  - Reserves (Attachment 6.3)
  - Disclosures (Attachment 6.4)
  - Depreciation Note (Attachment 6.5)
- Whangarei District Growth Model (Attachment 7)
- Revenue & Financing Policy (Attachment 8)
- Funding Impact Statement (Attachment 9)
- Project List (Attachment 10)
- Development Contributions Policy (Attachment 11);

subject to their being amended (where appropriate) to include \$500,000 per annum in the first 4 years of the LTP to build new pensioner housing; and

2. Note that staff will work through any consequential opex association with recommendation 1.
3. Authorises, through the Chief Executive, further non-material changes to Attachments 1 – 11 prior to the documents being received by Audit NZ, including further refinements, addressing items in progress and addressing any errors or typographical edits.
4. Notes the potential for increased carryforwards as a result of an ambitious programme, particularly in Transportation.
5. Endorses the wording in the Consultation Document being fleshed out to provide a clear signal to Government on Council's willingness and desire to collaborate, with any specific proposals being considered through future decision making processes.

*On the amendment being put Cr Cutforth called for a division:*

	<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 Carol Peters	X		
Cr Simon Reid		X	
<b>Results</b>	<b>8</b>	<b>6</b>	<b>0</b>

**The amendment was Carried (8 to 6)  
and subsequently Carried  
as the substantive motion.**

*A break was taken from 11am to 11.15am following Item 7.1.  
Cr Peters left the meeting at 11.16am.*

## **7.2 Delegated Financial Authority**

**Moved By** Cr Vince Cocurullo

**Seconded By** Cr Shelley Deeming

That the Council delegates the authority to make spend decisions up to \$10,000 to the Team Leader – ICT Projects.

**Carried**

## **7.3 Approval of parking places – Parks managed properties**

**Moved By** Cr Anna Murphy

**Seconded By** Cr Shelley Deeming

That the Whangarei District Council resolves:

1. Pursuant to Clause 15.1 of the Parking and Traffic Bylaw 2017 reserves the following sites as a parking place as shown on Attachment 1 to this report:
  - a. Bascule Park car park (previously known as Te Matau A Pohe car park)
  - b. William Fraser Memorial Park on Pohe Island – central car park
  - c. Aquatic Centre car park north and south
  - d. Okara Park – Semenoff Stadium car park
2. Pursuant to Clause 16 sets aside mobility parking spaces as shown on the Attachment 2 to this report.
3. Pursuant to 15.1.c prescribes a 4-hour parking restriction for the Aquatic Centre car park -south as shown on Attachment 3 to this report.

**Carried**

#### **7.4 Te Hape Road - Property Sale**

**Moved By** Cr Phil Halse

**Seconded By** Cr Greg Innes

That the Council;

1. Declares the balance property at 44 Te Hape Road to be surplus,
2. Authorises staff to offer the property for sale to the open market,
3. Authorises the Chief Executive to enter into the necessary agreements on behalf of Council to complete the property sale.

**Carried**

*Cr Peters re-joined the meeting at 11.26 am.*

#### **7.5 Oruku Development Alternative Delivery Mechanism and Council Contribution to the Project Cost**

**Moved By** Her Worship the Mayor

**Seconded By** Cr Carol Peters

That Council;

1. Rescind the Council resolution made 4 August 2020 providing conditional support to the Oruku Landing development:

*“That the Council:*

1. *Conditionally supports the overall Oruku Landing project and specifically the development of a Conference and Events Centre (the development) through the provision of supporting infrastructure on the following basis:*
  - a. *The financial / infrastructure contribution of Council is limited to :*
    - i. *The construction of the Oruku Boardwalk to a maximum cost of \$ 8.3 million;*
    - ii. *Roading upgrades, if considered to be required by Council to support the proposed development to a maximum cost of \$500,000;*
    - iii. *Upgrading wastewater connections, if considered to be required by Council to support the proposed development to a maximum cost of \$650,000;*
    - iv. *Subject to a satisfactory business case that satisfies Council (in its absolute discretion) as to the viability of a pedestrian bridge that allows the passage of boats moored at the Town Basin and a terminal for an electric ferry as envisaged in the project proposal to a maximum cost of \$13.4 million*
  - b. *Council is satisfied(in its absolute discretion) that the Trustees of Prosper Northland Trust (or other such*

*relevant entity that is formed to execute the development) have the experience, expertise, range of skills and resources required to complete the development of the Conference and Events Centre successfully.*

- c. *A guarantee from Prosper Northland Trust (or other such relevant entity that is formed to execute the development) that they will not approach Council for any further funding for the construction or operation of the Conference and Events Centre*
  - d. *Council will not offer any form of underwriting to the development or other funders to cover funding shortfalls or escalations of construction costs;*
  - e. *Council will not provide any ongoing operational funding for the development;*
  - f. *Council is satisfied that given that the viability of the Hotel and Conference and Events Centre are, respectively, co-dependent on each other's existence, that they will be constructed concurrently, together with other supporting infrastructure.*
2. *Note that final approval is subject to a determination by Council to proceed with the above infrastructure contributions to the development if that is the outcome after consultation with the community.*
  3. *Authorises the Chief Executive to notify other stakeholders of Council's agreed position as soon as practical and to continue negotiations thereon."*
2. Resolve, that subject to public consultation through the Long Term Plan process, Council take over the development Conference and Events Centre (CEC) to be built as a Council asset and to be operated by a community trust.
  3. Require that purchase of land for the CEC is at market value determined through an independent registered valuer and taking into account all relevant factors.
  4. Note Crown Infrastructure Partners co-funding the CEC to the maximum sum of \$60 million.
  5. Note Northland Regional Council co-funding the CEC fit out to a maximum sum of \$14 million.
  6. Note Crown Infrastructure Partners requirement for Whangarei District Council to commit at least \$17.66 million to the project.
  7. Note all cost overruns to be borne by Whangarei District Council.
  8. Note that any underspend is to be returned proportionately to the funders.
  9. Establish a Project Control Group.

Amendment**Moved By** Cr Gavin Benney**Seconded By** Cr Vince Cocurullo

That recommendation 9 be amended to 'Establish a Project Control Group by the end of February 2021'.

**The amendment was Carried**

*On the amendment being put as the substantive motion Cr Deeming called for a division:*

	<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 Carol Peters	X		
Cr Simon Reid		X	
<b>Results</b>	<b>10</b>	<b>4</b>	<b>0</b>

**The motion was Carried (10 to 4)****7.6 Temporary Road Closure - Chilltech Beach 2 Basin****Moved By** Cr Greg Martin**Seconded By** Cr Nicholas Connop

That Whangarei District Council,

1. Approves the proposal to temporarily close the following road to ordinary traffic for the Chilltech Beach 2 Basin on the following date in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

**Sunday 7 March 2021**

**Beach Road**, 25 meters before the boat ramp to the Raurimu Roundabout (approximately 200m).



**Period of Closure:** 8:30am – 9:00am.

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:*

*Her Worship declared an interest as Council appointed Trustee on Sport Northland Board.*

## **7.7 Temporary Road Closure - Rev Up Whangarei 2021**

**Moved By** Cr Ken Couper

**Seconded By** Cr Vince Cocurullo

That Whangarei District Council,

1. Approves the proposal to temporarily close the following roads to ordinary traffic for the Rev Up Whangarei event on Saturday 17 April 2021 in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

**Saturday 17 April 2021**

**Cameron Street**, from Bank Street to Walton Street.

**Rathbone Street**, from Cameron Street to Robert Street, including a closure of the Rathbone end of Butter Factory Lane.

**James Street**, from Cameron Street to Robert Street.

**John Street** from Cameron Street to 10 metres South of the entry ramp to the John St. public carparking building.

**Period of Closure:** 6:00am – 3:00pm.

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**

## 8. Public Excluded Business

**Moved By** Cr Carol Peters

**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 26 November 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 9 December 2020		
1.3	Development Opportunity		
1.4	Strategic Commercial Property		

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	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)
1.4	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)
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**Carried**

**9. Closure of Meeting**

The meeting concluded at 1.08pm

Confirmed this 25<sup>th</sup> day of February 2020

Her Worship the Mayor Sheryl Mai (Chairperson)