

# Whangarei District Council Meeting

## Agenda

**Date:** 27 May, 2021

**Time:** 9:00 am

**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members:** 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

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

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## **9. Closure of Meeting**

Recommendations contained in the Council agenda may not be the final decision of Council.

Please refer to Council minutes for final resolution.



## 4.1 Public Forum

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** C Brindle (Senior Democracy Adviser)

### 1 Purpose

To afford members of the community an opportunity to speak to Council and to report on matters raised at public forums where appropriate.

### 2 Summary

Standing Orders allow for a period of up to 30 minutes to be set aside for a public forum at the commencement of each monthly council meeting.

The time allowed for each speaker is 5 minutes.

Members of the public who wish to participate should send a written application, setting out the subject matter and the names of the speakers, to the Chief Executive at least 2 clear working days before the day of the meeting.

#### Speakers

Speaker	Subject
Felicity Christian	Almond Court Flats
Athol Lindsay Christensen	Flooding in July storm
Justine Rowe	Hikurangi Swamp Scheme
Brian May	Various

#### Report on actions taken or comment on matters raised

Where practicable actions taken on matters raised by previous speakers are reported back to public forum. There were no speakers at the 22 April Council meeting.



**Item 5.1**
**Whangarei District Council Meeting Minutes**

**Date:** Thursday, 22 April, 2021  
**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 Simon Reid
<b>Not in Attendance</b>	Cr Anna Murphy Cr Carol Peters

<b>Scribe</b>	Danielle Garner (Trainee Democracy Adviser)
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**1. Karakia/Prayer**

Cr Golightly opened the meeting with a karakia.

**2. Declarations of Interest**

Item 6.1 - Update on management of Northland Event Centre

**3. Apologies**

Crs Carol Peters and Anna Murphy.

**Moved By** Cr Tricia Cutforth

**Seconded By** Cr Greg Innes

That the apologies be sustained.

**Carried**

#### 4. Public Forum

There were no public forum speakers at this meeting.

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

##### 5.1 Minutes Whangarei District Council Meeting held 25 March 2021

**Moved By** Cr Gavin Benney

**Seconded By** Cr Simon Reid

That the minutes of the Whangarei District Council meeting held on Thursday 25 March 2021, 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 Update on management of the Northland Events Centre

**Moved By** Her Worship the Mayor

**Seconded By** Cr Jayne Golightly

That Council:

1. Notes that the establishment of a new trust will be subject to consultation as part of the 2021 – 2031 Long Term Plan Consultation Document.
2. Approves the Trustee Recruitment Process for Expressions of Interest.
3. Appoints the Deputy Mayor to the selection panel.
4. Delegates General Manager Strategy and Democracy to make any changes required to the Trustee Recruitment Process prior to calling for Expressions of Interest.
5. Notes that if Council decides not to proceed Council with a new Trust following consultation Expressions of Interest could be used for upcoming appointments to the Northland Events Centre Trust, or the process abandoned.

**Carried**

*Cr's Cutforth and Cocurullo requested their vote against be recorded.*

*Declarations of Interest:*



*Cr's Halse and Benney declared their interests as Chairperson and Council appointed trustee of the Northland Event Centre Trust.*

## 7. Information Reports

### 7.1 Financial Report for the 9 months ending 31 March 2021

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Greg Martin

That the Council notes the operating results for the nine months ending 31 March 2021.

**Carried**

### 7.2 Capital Projects Report - March 2021

**Moved By** Cr Phil Halse

**Seconded By** Cr Greg Innes

That the Council notes the Capital Projects Report for the nine months ending 31 March 2021.

**Carried**

## 8. Public Excluded Business

**Moved By** Cr Greg Martin

**Seconded By** Cr Simon Reid

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	Bad Debts for write off	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied it or the subject of the information.	Section 7(2)(b)(ii)

**Carried**

## **9. Closure of Meeting**

The meeting concluded at 9:27am.

Confirmed this 27<sup>th</sup> day of May 2021.

Her Worship the Mayor Sheryl Mai (Chairperson)

**Item 5.2**
**Whangarei District Council Meeting Minutes**

**Date:** Tuesday, 13 April, 2021  
**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

**Scribe**

C Brindle (Senior Democracy Adviser)

**Administrative matters**

- Copies of all submissions provided to Councillors
- Supplementary report containing late/unaccounted for submissions circulated.  
Any further late submissions will be tabled
- Meeting being livestreamed
- Hearing procedure outlined.

**1. Karakia/Prayer**
**2. Declarations of Interest**

There were no declarations of interest made.

### 3. Apologies

Cr Ken Couper (apology for the duration of the meeting), Cr Simon Reid (early departure) and Cr Jayne Golightly (late arrival)

**Moved By** Cr Carol Peters

**Seconded By** Cr Greg Martin

That the apologies be sustained.

**Carried**

#### Procedural motion

**Moved By** Cr Greg Innes

**Seconded By** Cr Carol Peters

That in accordance with Standing Order 4.2, the meeting continue beyond six hours.

**Carried**

*Cr Cutforth joined the meeting at 9.03am.*

### 4. Decision Reports

#### 4.1 Long Term Plan 2021-24 Public Submissions, Hearings and Associated Statements of Proposals

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Tricia Cutforth

That Council;

1. Receive and hear the submissions relating to the Consultation Document for the 2021 -2031 Long Term Plan, consultations alongside the Long Term Plan and 2021-2022 Fees and Charges; and
2. That any submissions identified as being received after the close of the submission period (prior to the closure of this meeting), be accepted for consideration by Council.

**Carried**

*Cr Golightly joined the meeting at 9.06am.*

*Submitters who were heard are listed:*

Jim Kilpatrick (Judi Gilbert, Adrian Gilbert, Sophie Edwards) – Ngunguru Sandspit Protection Society Inc – Tabled speaking notes plus further information in two Library reference folders, NR33.91 715 Ngunguru (tabled document)

Roger de Bray – Northland Emergency Trust helicopter – noise levels

Geoff Sharples – Individual – Key issues & Education for business owners

Mary Williams – Individual – Key issues & dog park for small dogs

Stephen Smith – NorthChamber – Key issues & Security in CBD, Support Northport expansion, District Air Hub, Support 4 Lane Highway, Support sealing rural roads

Jon Carapiet – Auckland GE Free Coalition – Support the Plan addressing risks of GE/GMO trials, Retain precautionary approach to GE/GMO's, request risky gene edited organisms & gene silencing pesticides be mentioned in plan

Judi Plain – Tabled speaking notes – management of lost, abandoned cats – mandatory de-sexing of cats (tabled document)

Stephen Smith – Individual – Key issues

Terry and Bev Heappey – Individual – Key issues – Tarsealing rural roads, in particular Snooks Road

David Badham – Onerahi Football Club – Upgrade playing field

Maggie Buxton – Individual – Key issues and stormwater in coastal areas

Andrew Garratt – Prosper Northland Trust – Key issues and support Oruku development, Hihiaua facility and theatre at Forum North

Pamela Stevens – Individual – Key issues and support improvements to shared paths/cycleways, infrastructure for bike parking

Francis Pou Maroroa – Manuel Pou Family Whanau Trust – Key issues, Treaty issues

Oliver Krollmann – Individual – Key issues and Infrastructure One Tree point, Recycling organic waste, Suspend work on new regional airport, Cat bylaw, positive leadership

Ange Tepania – Tai Tokerau Emergency Housing Charitable Trust – Affordable housing strategy

Grant McLeod – Hockey Northland – 4<sup>th</sup> Hockey field, artificial turf maintenance costs – funding requested

Lesley Marshall & Brady Kerewaro (Holly Nichol, Rhonda Padgett) – Maungatapere Village Inc – Cycle/walkways/riding trails and public space (including public toilets & playground) Maungatapere

Rhonda Padgett – Key issues and Public space, walking/cycle ways Maungatapere (tabled document)

Kim Robinson – Individual – Key issues and retrofit venues to be accessible by disabled

Andrew Tyler – Individual – Key issues

Julie Tattley – Individual – Key issues and improved amenities Whangarei Heads (dog park, toilets), waste water/drainage issues

Bruce Mauchline – Individual – Key issues and strategic approach to future Sportshub

Norma de Langen – Whangaruru South Residents & Ratepayers – continued support for wetlands project

Deborah Harding – Te Huinga – Request Okara Pa (Old Boys Rugby site) is set aside for Nga hapu o Whangarei (tabled document)

Merv Williams – Individual – Key issues and Pensioner housing

Hinurewa Te Hau – Creative Northland – Key issues and support for NECT Trust model, inclusion Arts & Cultural strategy for the district in plan, increased funding arts and culture, Maori representation on Creative Community Scheme Committee, stock take art groups receiving funding from WDC

Maria Hodgson-Williams – Key issues and funding currently allocated for Sand Bay seawall reallocated to other infrastructure such as improved toilets, surf club, space for freedom camping and additional carparks

Lodewijk Henneveld – Individual – Key issues

Cherry Hermon – The Forum North Trust – Key issues and WDC owned theatre on Forum North site - support the refurbishment of Forum North and Capitaine Bougainville theatre complex

Lachie McLean – The Forum North Trust – Key issue – spaces for gathering – support WDC owned theatre on Forum North site (Lyric theatre standard)

Phil Conroy (for Andrea Ross) – Individual – Key issue – spaces for gathering – support WDC owned theatre on Forum North site (Lyric theatre) (tabled document)

Ian Pritchard (for Rishi Iyer) & Rick Kennaway – Key issues and spaces for gathering support WDC owned theatre on Forum North site

Ian Reeves – Individual – Key issues and spaces for gathering – support WDC owned theatre on Forum North site (850 seat Lyric) (tabled document)

Grant Stevens – Individual – Key issues (tabled document)

John Foreman – Foreman & Company Ltd – Key issues (tabled document)

Matt Keene – OneOneSix Trust – Key issues

Sophia Xiao-Colley – Individual – Key issues and Transportation - train service Whangarei to Auckland, ferry between Whangarei Heads & One Tree Point

Ben Tomason – Northland Development Corporation – Key issues – in particular Oruku Landing (tabled document)

Ron Esveld – Individual – Key issues and Traffic calming King Street and Mains Ave, Feral cat management, support mandatory de-sexing of cats (tabled document)

Huhana Lyndon – Individual – Key issues and Resource for consenting responses, support WDC funding Hihiaua Cultural Centre, Policy and processes, Te Tiriti o Waitangi Audit, Hapu specific pathways – policy and planning, HR & Recruitment, return of reserve lands, Hapu Hub, Place names, coastal cultural heritage trail and Hikurangi swamp

Jereon Jongejans – Individual – Key issues in particular rates (commercial / residential ratio), Climate change

Amy Macdonald and Jack Craw – Northland Regional Council – various as per submission

Ben Woodgates – Youth Advisory Group – Key issues and outdoor gym equipment and improved youth engagement

Kelly Maxwell – Weed Action Native Habitat Restoration Fund – Key issue Climate Change include funding \$7.4m, pest and weed control initiatives – request support, funding & resources

Melissa Arsenault – Whangarei Heads Community Resource Recovery Charitable Trust – ongoing support for proposed Whangarei Heads Community Resource Recovery Centre

Jan Boyes – Whangarei Heads Citizens Association – Key issues – various as per submission & concerns that population growth in Whangarei Heads area is not being catered for.

*A tea break was taken from 10.30am to 10.45am following the submission from Andrew Garratt.*

*Cr Halse did not rejoin the meeting immediately following the tea break.*

*Cr Halse rejoined the meeting at 10.56am during the submission from Francis Pou Maroroa.*

*A lunch break was taken from 1.13pm to 1.45pm following the submission from Hinurewa Te Hau.*

*Cr Reid did not re-join the meeting following the lunch break.*

#### Procedural motion

**Moved By** Cr Greg Innes

**Seconded By** Cr Nicholas Connop

That the meeting adjourn and reconvene at 9am on Wednesday 14 April in the Council Chambers.

**Carried**

**The meeting adjourned at 4.18pm and reconvened at 9am on Wednesday 14 April in the Council Chambers, Forum North, Rust Avenue, Whangarei**

## Reconvened Whangarei District Council Meeting Minutes

**Date:** Wednesday, 14 April, 2021  
**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

**Scribe**  
 C Brindle (Senior Democracy Adviser)

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### Administrative matters

- Copies of all submissions have been provided to Councillors
- Meeting being livestreamed
- Hearing procedure outlined

### 1. Karakia

### 2. Declarations of Interest

There were no interests declared.

### 3. Apologies

Cr Ken Couper (absent) Cr Jayne Golightly (late arrival)

**Moved By** Cr Vince Cocurullo

**Seconded By** Cr Carol Peters



That the apologies be sustained.

**Carried**

*Cr Cutforth joined the meeting at 9.01am.*

Submitters continued to address council with regard to their written submissions and answer questions from Councillors:

Richard Morris & Jules Flight – Ruakaka Residents and Ratepayers Association – Key issues & request funding for the Ruakaka Sports Complex and Multi-Purpose Facility be reinstated.

Rod Gates – Key issues as per submission

Lisa Clunie – Key issues – Climate change and sustainability – Hikurangi swamp, supporting heritage and culture, better communication WDC

Grant Faber – Key issues as per submission,

Jude Thompson (Peter Gubb & Hamish Haika) – Whangaruru North Residents and Ratepayers Association Inc – Community Centre – retain funding in Plan be brought forward, Roding (Punaruku remedial work, safety initiatives Old Russell Road), weed control, Tsunami sirens upgrade, Stock on road, Speed limits

Jude Thompson – Whangaruru Community Sports Association Inc (Whangaruru Coastal Community Group) – request budget for the development of the Oakura field and hard court be brought forward, lighting Oakura fields

Marilyn Cox – Waipu Residents and Ratepayers Association – various as per submission & completion Waipu to Waipu cove cycleway,

Marilyn Cox – Waipu Cycle and Walkway Trust – prioritise completion cycle/walkway community project

Tricia Culina – Hihiaua Cultural Centre Trust – Key issues as per submission, in particular Hihiaua Cultural Centre

Victor Binkowski – Key issues as per submission

Alice Cove-Smith & Will Trusewich – Disability Advisory Group – Housing for disabled, public access, Civil Defence – understanding and impact on disabled community

David Lourie – Water management support status quo, GMO's - support retaining precautionary approach in LTP, Vehicles on Beaches bylaw – legislative requirements, environmental and biodiversity protection, climate change and natural hazards, Poroti Springs water supply upgrade

Karen Gilbert-Smith – Key issues – as per submission, Whangarei Boys High School & stormwater

Nora Shayeb – Various as per submission – Enhancing local democracy, Town & Urban planning, Environmental Engineering standards, Roadside spraying & toxic chemical pesticides, GE/GMO's, Pine forests, Public art

Juanita Hool – Takahiwai Rugby League Club – approve lights for the Takahiwai Sports Park

Gloria Bruni – Key Issues as per submission

Nora Shayeb – Northland Toxin Awareness Group – as per submission

Nick Chave, Dave Ermen & – Kauri Mountain Restoration Society – support for community led project

Janet Heteraka – Key Issues – as per submission in particular support for Hihiaua Cultural Centre

Bob Smith – Key issues as per submission, improvements/infrastructure Beach Road

Richard Gardner & Colin Hannah – Federated Farmers of New Zealand – various as per submissions, including Climate change – Local Government appropriate role, Rating Policy – support proposed Remission on Rates on Voluntarily Protected Land policy

Fred Tito – Key issue – support Option 2 Hihiaua Cultural Centre, support for more Art specifically Te Matua a Pohe Bridge, footpaths & city/urban walls

Brent Eastwood – Sport Northland – as per submission - Active Recreation and Sport Strategy implementation, funding and maintenance of facilities, future use public spaces, walkway/cycleway connectivity, purchase land for future sports hub site earlier than 2028

Annemarie Florian – Key issue – Spaces for gathering, support investment in Hihiaua Cultural Centre & redevelopment of Forum North

Arana Horncy & Hayley Clark – Key issues – as per submission, specifically support investment in Hihiaua Cultural Centre

Chris Leitch & Jan Kini – Grey Power Whangarei – Key issues, Rates options – rates increases should be reduced, Spaces for gathering – do not support conference centre

Lesley Adcock – Key issues – as per submission, specifically – climate change & sustainability, proposed Oruku development and housing

John Zohrab – Key issues – as per submission, climate change & sustainability, financial strategy

Nick Keene – Local Alcohol Policies, Rates, Oruku landing, Waste management & recycling, responsible camping, infrastructure funding, Tutukaka – car parking & refuse station opening hours

Chris Leitch – Social Credit – Key issues - as per submission, specifically rate increases, alternative funding mechanisms for infrastructure

Dr Christine Sumner – SPCA – funding for desexing & micro chipping of cats

Tony Davies-Colley – Port Nikau JV – Key issues – as per submission, specifically request that council do not alter the definition of Category 5 for commercial/industrial land

Paul McDonald and – Ruakaka Recreation Centre – Key issues – as per submission – support for new Multi Use Recreation Centre and Regional Volleyball Arena & public car park, support Northland Sports Coalition requests

Justin Evert & Neil Martin – Ruakaka Recreation Centre – as per submission above

Shane Knowler & Linda Donaldson - Te Araroa Northland Trust – support & continued collaboraton towards development and enhancement of Te Araroa trail

Robin Loeffering – Key issues – as per submission, support for more pensioner housing, exempt minor dwellings/sleep outs from HUE's (tabled document)

Robin Loeffering - Positive Ageing Advisory Group – additional \$2m towards public private partnership housing for older people, invest in provision of activities and spaces for older people

Connor Pullman & Tia Lord -Key issues – as per submission, oppose Sandy Bay seawall

Mark Rasmussem – Key issues – as per submission

Justine Rowe & Phillip Bayley – Hikurangi Swamp Scheme

Alan Agnew – various as per submission

Alan Agnew – Revenue & Financing Policy, Rates, Development Contributions Policy

Jan Boyes – Key issues – as per submission, protect amenity values Whangarei Heads area, fix roundabout Pohe bridge, T3/Bus Lane & trial ParknRide, fund & delivery waste minimisation programme, clarity on proposed wastewater upgrade Whangarei Heads

Claire Drake – Key issues – as per submission & roading infrastructure

Ryan Welsh – Key issue – Spaces for gathering – support Hihiaua

Auriole Ruka & Jeremy Tauri – Key issues as per submission – Spaces for gathering – support Hihiaua

Margaret Hicks – various as per submission, including rates, fiscal restraint, infrastructure improvement, revised planning regulations, building/engineering regulations, protection of the environment, targeted rate for restoration vegetation, improved implementation bylaws, community funding

Calvin Green – Key issues – as per submission

Don McDonaldspice – Tikipunga Football Club – funding for works brought forward in Plan

Tim Howard – Northland Urban Rural Mission – Key issues - as per submission & prioritise housing (tabled document)

Arvay Armstrong-Read – Key issues – as per submission & greater equity and representation for Maori.

*Cr Jane Golightly joined the meeting at 9.05am during Richard Morris' submission.*

*A tea break was taken from 10.39am to 10.50am following Karen Gilbert-Smith's submission.*

*A lunch break was taken from 1.06pm – 1.35pm following the submission by Dr Christine Sumner.*

*Crs Benney & Martin left the meeting at 3.27pm following Auriole Ruka's submission.*

Procedural motion

**Moved By** Cr Carol Peters

**Seconded By** Cr Vince Cocurullo

That the meeting adjourn and reconvene at 1pm on Thursday 15 April in the Council Chambers.

**Carried**

**The meeting adjourned at 4.04pm on Wednesday 14 April 2021 to be reconvened at 1pm on Thursday 15 April 2021.**

## Reconvened Whangarei District Council Meeting Minutes

**Date:** Thursday 15 April, 2021  
**Time:** 1.00p.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 Simon Reid

**Not in Attendance**  
 Cr Ken Couper  
 Cr Carol Peters

**Scribe** C Brindle (Senior Democracy Adviser)

### Administrative matters

- Copies of all submissions have been provided to Councillors
- Supplementary report containing further late/unaccounted for submissions from Michelle Eyre and Peter Cole were tabled
- Meeting being recorded
- Hearing procedure outlined

### 4. Karakia

### 5. Declarations of Interest

There were no interests declared.

### 6. Apology

Cr Ken Couper's apology for duration of meeting was noted.

Submitters continued to address council with regard to their written submissions and answer questions from Councillors:

Violet Nathan – Mahurangi Whangarei Delegate – Key issues – as per submission

Murray Read & Vaughan Cooper – Northland Inc – Key issues – as per submission & Economic/District development, destination & development

Michelle Eyre – Mill Road Vet Clinic – introduce bylaw for mandatory de-sexing, microchipping, registration of cats, funding for same

Jane Nichols – Mill Road Vet Clinic – introduce bylaw mandatory de-sexing & microchipping of cats

Kathleen Drumm – Hundertwasser – as per submission & request council sponsor local entry fees for first 3 years

Thomas Biss – Whangarei Art Museum - as per submission & request council fund replacement air conditioning, \$100k increase in annual grant

Kristi Henare – Puhipuhi Waiotu Maori Committee – as per submission – water, Puhipuhi Mercury mine, air waves & air pollution, community civil defence plan, flooding Puhipuhi Road

Isabel Karatina – NZMC Ngararatunua Kamo Maori Committee – Key issues – as per submission & representation

Alex Smits – Friendship House Community Organisation

Claire Bleakley – GE Free New Zealand in Food and Environment

David Brown – Key issues – as per submission

Colin Twyman – as per submission, Kamo Road, Grant Street, Clark Road, playground upgrade

Dai Morgan – Key issue – rates, as per submission, increase funding to protect biodiversity

Hayden Tee - Key issues – as per submission, prioritise new theatre at Forum North.

### **Conclusion of the meeting**

The meeting concluded at 2.57pm

Confirmed this 27<sup>th</sup> day of May 2021

Her Worship the Mayor Sheryl Mai (Chairperson)

**Item 5.3**
**Whangarei District Council Meeting Minutes**

**Date:** Wednesday, 12 May, 2021  
**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)

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1. **Karakia/Prayer**  
Chief Executive Rob Forlong opened the meeting with a karakia.
  2. **Declarations of Interest**  
Item 4.1 Long Term Plan 2021-2031 Deliberations
  3. **Apologies**  
There were no apologies.
  4. **Decision Reports**
    - 4.1 **Long Term Plan 2021 - 2031 Deliberations**

**Moved By** Cr Vince Cocurullo  
**Seconded By** Cr Nick Connop

That Council notes and considers the 2886 formal submissions received on the Long Term Plan 2021 – 2031 and Concurrent Consultations.

**Carried**

*Cr Cutforth joined the meeting at 9.06am following Item 4.1.*

### **Recommendations - Spaces for Gathering**

The recommendations were taken in parts.

**Moved By** Cr Greg Innes

**Seconded By** Cr Gavin Benney

3. In relation to Key Issue 1 of the consultation document, Spaces for Gathering, resolves to:

#### Oruku Landing Conference and Events Centre (Option 1a)

- a. Proceed with the Oruku Landing Conference and Events Centre subject to:
- a \$14m contribution from Northland Regional Council (as consulted on); and
  - The outcomes of feasibility and due diligence investigations.

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

*On the motion being put Her Worship the Mayor 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 Phil Halse	X		
Cr Jayne Golightly	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>13</b>	<b>1</b>	<b>0</b>

**The motion was Carried (13 to 1)**

Hihiaua Cultural Centre (Option 1b)

- b. Provide a \$5m Hihiaua Cultural Centre Grant subject to an approved funding agreement.
- c. Adjust the timing of the Hihiaua Cultural Centre Grant to meet the needs of the project, while maintaining a Balanced Budget.
- d. Authorise staff to investigate capital projects that could provide further support to the Hihiaua Cultural Centre and report back to Council outside of the Long Term Plan process.

**Carried**

Upgrade facilities at Forum North (Option 1c) and Theatre at Forum North (Option 3)

- e. Move \$2m of capex associated with the upgrade of existing facilities at Forum North into a new project line for a 800 – 1000 seat Council Theatre at Forum North (the 'Lyric Theatre'), starting in year 8 of the Long Term Plan.
- f. Include an additional \$3m of capex as seed funding for an 800 – 1000 seat Council Theatre at Forum North in year 10 of the Long Term Plan.
- g. Continue to work with the Forum North Trust on the timing of a Theatre at Forum North, and the implications for third party funding, with a view to maximising the funding from this project alongside funding upgrades to Council's existing Theatre facilities at Forum North (note, for the avoidance of doubt/confusion these will be kept as separate projects within the 2021 - 2031 Long Term Plan, with the timing to be reviewed through the next Long Term Plan).

**Carried**

Amendment

**Moved By** Cr Tricia Cutforth

**Seconded By** Cr Anna Murphy

- e. Move \$2m of capex associated with the upgrade of existing facilities at Forum North into a new project line for a 800 – 1000 seat Council Theatre at Forum North (the 'Lyric Theatre'), starting in year 2 of the Long Term Plan.

- f. Include an additional \$3m of capex as seed funding for an 800 – 1000 seat Council Theatre at Forum North in year 4 of the Long Term Plan.

**The amendment was LOST**

### **Recommendations – capital expenditure**

**Moved By** Cr Ken Couper

**Seconded By** Cr Phil Halse

4. Resolves to make the following changes to capital expenditure;
  - a. Include \$1m of funding for a programme of district wide bike security infrastructure within the Long Term Plan, (along with an ongoing operational cost of \$10k p.a.);
  - b. Include \$1m to construct a car park to serve the community led Ruakaka Recreation centre Wahitakaro & Northland Regional Volleyball Arena project and new sports fields;
  - c. Adjust the timing of sportsfields projects in accordance the attached report, with minor increases in total capex for some projects to reflect cost escalations/additions;
  - d. Shift \$1m from the Sportsfield Land Acquisition budget to a funding line for Neighbourhood Park Land Acquisitions;
  - e. Fund the cost of upgrading the Whangarei Art Museum air conditioning unit as a Council asset (estimated at \$365k).
  - f. Include an additional \$50k in capex in Year 3 for Raumanga playground development.

**Carried**

*Declaration of Interest:*

*Cr Couper declared an interest as Council's appointed Trustee to WAM.*

### **Recommendations – operational expenditure**

The recommendations were taken in parts.

Cr Cocurullo requested divisions be taken on all recommendations.

**Moved By** Her Worship the Mayor

**Seconded By** Cr Tricia Cutforth

5. Resolves to make the following changes to operational expenditure;
  - a. Increase the Te Karearea budget by \$70k per annum (inclusive of \$40k p.a. set aside for Hikurangi Repo, below) with the Committee having governance oversight of funding

for initiatives that fall within its Terms of Reference;

- b. Increase contestable funding for community waste minimisation projects and community clean ups to \$200k p.a. with a further review (and potential for a further increase) to be undertaken once operating expenses are known;
- c. Increase contestable grant funding by a further \$100k p.a.;
- d. Budget \$15k p.a. for the first three years of the LTP to subsidise cat de-sexing, microchipping and registering programmes;
- e. Allocate \$30k of new grant funding in year 2 of the LTP to a consent for the 'Gomez Park' proposal.
- f. Allocate \$30k of new grant funding in year 1 of the LTP to support the Oakura Wetland Project (in addition to the \$20,000 already provided).
- g. Allocate \$250k in year 1, \$150k in year 2 and \$50k in year 3 of the LTP to WAM for operational funding.
- h. Include new grant funding of \$50k p.a. for predator control for Parihaka Scenic Reserve.
- i. Allocate an additional \$200k p.a. to the waste minimisation budget.

#### Amendment

**Moved By** Cr Greg Martin

**Seconded By** Cr Shelley Deeming

- 5. Resolves to make the following changes to operational expenditure;
  - a. Increase the Te Karearea budget by \$70k per annum (inclusive of \$40k p.a. set aside for Hikurangi Repo, below) with the Committee having governance oversight of funding for initiatives that fall within its Terms of Reference;
  - b. Increase contestable funding for community waste minimisation projects and community clean ups to \$200k p.a. with a further review (and potential for a further increase) to be undertaken once operating expenses are known;
  - c. Increase contestable grant funding by a further \$100k p.a.;

- d. Budget \$15k p.a. for the first three years of the LTP to subsidise cat de-sexing, microchipping and registering programmes;
- e. Allocate \$30k of new grant funding in year 2 of the LTP to a consent for the 'Gomez Park' proposal.
- f. Allocate \$30k of new grant funding in year 1 of the LTP to support the Oakura Wetland Project (in addition to the \$20,000 already provided).

*On the amendment being put 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>4</b>	<b>10</b>	<b>0</b>

**The amendment was Lost (4 to 10)**

Further amendment

**Moved By** Cr Ken Couper

**Seconded By** Cr Anna Murphy

- g) Allocate \$200k in year 1, \$100k in year 2 and \$50k in year 3 of the LTP to WAM for operational funding.

**The amendment was Carried**

**The motion as amended was voted on in parts:**

- a. Increase the Te Karearea budget by \$70k per annum (inclusive of \$40k p.a. set aside for Hikurangi Repo, below) with the Committee having governance oversight of funding for initiatives that fall within its Terms of Reference;

	<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 Phil Halse	X		
Cr Jayne Golightly		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>5</b>	<b>1</b>

**The motion was Carried (8 to 5)**

- b. Increase contestable funding for community waste minimisation projects and community clean ups to \$200k p.a. with a further review (and potential for a further increase) to be undertaken once operating expenses are known;

	<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 Phil Halse	X	
Cr Jayne Golightly		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>9</b>	<b>5</b>

**The motion was Carried (9 to 5)**

c. Increase contestable grant funding by a further \$100k p.a.;

	<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 Phil Halse	X		
Cr Jayne Golightly	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>13</b>	<b>0</b>	<b>1</b>

**The motion was Carried (13 to 0)**

- d. Budget \$15k p.a. for the first three years of the LTP to subsidise cat de-sexing, microchipping and registering programmes;

**The motion was Carried (14)  
Unanimous**

- e. Allocate \$30k of new grant funding in year 2 of the LTP to a consent for the 'Gomez Park' proposal.

**The motion was Carried (14)  
Unanimous**

- f. Allocate \$30k of new grant funding in year 1 of the LTP to support the Oakura Wetland Project (in addition to the \$20,000 already provided).

**The motion was Carried (14)  
Unanimous**

- g. Allocate \$200k in year 1, \$100k in year 2 and \$50k in year 3 of the LTP to WAM for operational funding.

	<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 Phil Halse	X		
Cr Jayne Golightly		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>	

**The motion was Carried (8 to 6)**

- h. Include new grant funding of \$50k p.a. for predator control for Parihaka Reserve.

	<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 Phil Halse	X		
Cr Jayne Golightly		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>11</b>	<b>3</b>	

**The motion was Carried (11 to 3)**

- i. Allocate an additional \$200k p.a. to the waste minimisation budget.

	<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 Phil Halse	X		
Cr Jayne Golightly		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>5</b>	<b>1</b>

**The motion was Carried (8 to 5)**

*Declarations of Interest*

*Cr Martin declared an interest in regards to Item 5.a. – Hikurangi Repo.*

*Cr Couper declared an interest in regards to WAM, as council appointed Trustee.*

*The meeting adjourned for a break from 11.14am following the vote on the further amendment.*

**Recommendations – Hikurangi Swamp (Repo)**

**Moved By** Cr Phil Halse

**Seconded By** Cr Shelley Deeming

6. Resolves the following in relation to Hikurangi Swamp (Repo):
  - a. To establish a working group of Council, hapu and scheme holders;
  - b. To suspend any planned renewals of pumps and pump stations in the first 24 months of the LTP until a workable solution can be found, with any projects being shifted to later years;
  - c. To recognise the role of hapu as kaitiaki and provide an initial ~~\$20k p.a.~~ \$40k pa. increase (note, this amount will not cover the estimated costs of hapu) in funding as part of a ~~\$50k p.a.~~ \$70k p.a. increase to Te Karearea's budget (above).

**Carried**

*Secretarial Note: Following the meeting resolution 6.c. was amended to: '\$40k p.a. increase to Te Karearea's budget'; this was a consequential change to reflect resolution 5.a. adopted earlier in the meeting.*

*Declarations of Interest:*

*Cr Martin declared an interest in regards to the Hikurangi Swamp.*

*Cr Martin withdrew from the table, taking no part in discussions or voting on this item.*

## Recommendations – Housing

**Moved By** Cr Vince Cocurullo

**Seconded By** Cr Shelley Deeming

Resolves in relation to Housing:

To continue our existing housing related workstream, working alongside Government agencies such as Kāinga Ora to develop strategies and deliver new public housing in the District.

### Amendment

**Moved By** Cr Tricia Cutforth

**Seconded By** Cr Nicholas Connop

7. Resolves the following in relation to Housing:
- a. To allocate \$50k opex to a housing strategy in the first year of the LTP;
  - b. To allocate an additional \$2m of capex to new Council delivered senior/pensioner housing in the LTP (resulting in \$4m total capex).

*On the motion being put Cr Cutforth 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 Phil Halse		X	
Cr Jayne Golightly	X		
Cr Greg Innes		X	
Cr Greg Martin		X	
Cr Anna Murphy	X		
Cr Carol Peters		X	

Cr Simon Reid

X

**Results****4****10****The amendment was Lost (10 to 4)**Further Amendment**Moved By** Cr Carol Peters**Seconded By** Cr Ken Couper

Resolves the following in relation to Housing:

- a. To allocate \$150k opex to a housing strategy in the first year of the LTP;
- b. To allocate an additional \$2m of capex to new Council delivered senior/pensioner housing in the LTP (resulting in \$4m total capex).

*On the amendment being put Cr Martin 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 Phil Halse	X		
Cr Jayne Golightly	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>9</b>	<b>5</b>	

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

*Crs Cocurullo, Deeming, Reid and Martin requested their votes against be recorded.*

*Cr Cutforth left the meeting at 12.30pm following the vote on housing.*

### **Recommendations – Other**

The recommendations were taken in parts.

Cr Couper called for a division on all recommendations.

**Moved By** Cr Ken Couper

**Seconded By** Cr Jayne Golightly

8. Resolves to make the following changes as a result of new information available:
  - a. To include an additional \$5.9m for replacement of the Semenoff Stadium roof;
 

**Carried  
Unanimous**
  - b. To authorise staff to manage carryforwards (including bringing forward funding for the Waipu Skatepark) in order to maintain programmes while maximizing our ability to deliver;
 

**Carried  
Unanimous**
  - c. To include \$2.15m for strengthening/improvements to the Old Municipal Building alongside any insurance payout.
 

**Carried  
Unanimous**
9. Resolves to establish a new Trust/Council Controlled Organisation for the Northland Events Centre.
 

**Carried  
Unanimous**
10. Notes the potential for increased carryforwards as a result of an ambitious programme, particularly in Transportation.
 

**Carried  
Unanimous**
11. Notes that it is increasingly likely that decreases to Central Government Transport subsidy will require a review of revenue/rates and/or service delivery through a future Annual Plan or Long Term Plan Amendment process.
 

**Carried  
Unanimous**

12. Delegates the Chief Executive to make minor changes to meet the budget parameters as agreed in the Financial Strategy in order to accommodate the recommendations set out within this report.

**Carried  
Unanimous**

13. That a limit of \$4m be put on the building price of the animal shelter.

	<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 Shelley Deeming		X	
Cr Phil Halse	X		
Cr Jayne Golightly	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>11</b>	<b>2</b>	

**The motion was Carried (11 to 2)**

*Cr Cutforth was absent.*

*Declarations of Interest:*

*Cr Halse in regards to recommendation 9. Cr Halse is a Trustee on the NECT. Cr Halse withdrew from discussions and voting for recommendation 9.*

14. \$13m for the Inner City Revitalisation project be used to increase car parking in the CBD.

	<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 Shelley Deeming		X
Cr Phil Halse	X	
Cr Jayne Golightly	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>5</b>	<b>8</b>

**The motion was Lost (8. To 5)**

15. That Council review the Ruakaka library submission.

**Carried  
Unanimous**

Further motion

**Moved By** Her Worship the Mayor

**Seconded By** Cr Anna Murphy

1. Confirms the non financial responses as recommended in the attached report, including changes in the timing of some projects and any further changes made as a result of deliberations.
2. That the Council delegates the Chief Executive to make minor changes to relevant financial prudence benchmark parameters and financial objectives as set out in the draft Financial Strategy in order to accommodate the recommendations set out within this report, any further changes made as a result of deliberations and any subsequent resolutions prior to adoption.
3. Notes that any changes that cannot be made within allowable financial parameters and/or require further consultation will be brought back to Council via an extra ordinary meeting prior to adoption.

**Carried**

## **4.2 Long Term Plan 2021 - 2031 Concurrent Consultation Deliberations**

**Moved By** Her Worship the Mayor

**Seconded By** Cr Anna Murphy

That Council

1. Notes the total of 2886 formal submissions were received on the Long Term Plan 2021 – 2031; 10 of the total submissions directly related to the Concurrent Consultation and 7 of the total submissions directly related to the stand-alone Fees and Charges Consultation.
2. Confirms the responses as recommended in the attached report, including changes in the timing of some projects.

### **Recommendation – Revenue and Financing Policy**

3. Note the submissions received and confirms the Revenue and Financing Policy be amended to reflect the outcomes of LTP deliberations if necessary.

### **Recommendation – Rates, Remissions and Postponement Policy and the Early Payment of Rates Policy**

4. Notes that there is no requirement, following the public consultation, to amend, revise or change any part of either policy.

### **Recommendations – Development Contributions Policy**

5. Notes that the assessment criteria (Household unit Equivalent) HUE calculations and timing of payments will continue without any amendment to this.
6. Approves the amendment of the wording under Clause 4.2, as outlined in Section 12 of this report.

### **Recommendations – Fees and Charges**

7. Note the information and submission comments
8. Approve that no changes be made to proposed fees as a result of submissions
9. Approves the preparation of the final 2021-2022 Fees and Charges schedule and present to the June meeting of Council, for adoption; and

10. Note that individual submitters will be informed of the outcome of their submissions.

**Carried**

**5. Closure of Meeting**

The meeting concluded at 1.13pm

Confirmed this 27<sup>th</sup> day of May 2021

Her Worship the Mayor Sheryl Mai (Chairperson)



## 6.1 Notice of motion – Councillor Ken Couper

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** Rob Forlong (Chief Executive)

### 1 Purpose

To consider a Notice of Motion received from Councillor Ken Couper.

### 2 Recommendations

That Council

1. Confirm it is the desire of Council to have the independent Chair operate the Risk and Audit Committee using all powers necessary as delegated in the Risk and Audit Committee Terms of Reference adopted by Council on the 27 November 2019, in particular to review and monitor Council critical risks.
2. Recognise that Councillors have the right to discuss confidential matters with the Chair of the Risk and Audit Committee as outlined in the opinion by Michael Heron QC.

### 3 Background

The Chief Executive has received a Notice of Motion, within the timeframe specified in Standing Orders, from Councillor Couper for inclusion on the agenda for the 27 May 2021 Council meeting.

Councillor Couper proposes to move the following motion:

*“That Council*

1. *Confirm it is the desire of Council to have the independent Chair operate the Risk and Audit Committee using all powers necessary as delegated in the Risk and Audit Committee Terms of Reference adopted by Council on the 27 November 2019, in particular to review and monitor Council critical risks.*
2. *Recognise that Councillors have the right to discuss confidential matters with the Chair of the Risk and Audit Committee as outlined in the opinion by Michael Heron QC.”*

Cr Couper's signed Notice of Motion, along with supporting documents, is appended as Attachment 1.

## **4 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

## **5 Attachments**

1. Notice of Motion
2. Terms of Reference Risk and Audit Committee
3. Legal opinion Michael Heron QC
4. Correspondence Auditor General

## Notice of Motion

I give notice that at the Whangarei District Council meeting on 27 May 2021, I intend to move the following motion:


*That Council:*

1. *Confirm it is the desire of Council to have the independent Chair operate the Risk and Audit Committee using all powers necessary as delegated in the Risk and Audit Committee Terms of Reference adopted by Council on 27 November 2019, in particular to review and monitor Council critical risks.*
2. *Recognise that Councillors have the right to discuss confidential matters with the Chair of the Risk and Audit Committee as outlined in the opinion by Michael Heron QC.*

### Attached supporting information:

1. Terms of Reference Risk and Audit Committee
2. Legal opinion Michael Heron QC
3. Correspondence Auditor General

Signed:

  
 Cr Ken Couper

Date

18 May 2021



## ***Risk and Audit Committee – Terms of Reference***

### **Membership**

**Chairperson** Independent Chair - John Isles

**Members** Her Worship the Mayor Sheryl Mai

Councillors Gavin Benney, Vince Cocurullo, Nicholas Connop, Ken Couper, Tricia Cutforth, Shelley Deeming, Jayne Golightly, Phil Halse, Greg Innes, Greg Martin, Anna Murphy, Carol Peters, Simon Reid

**Meetings** Quarterly

**Quorum** 7

### **Purpose**

To provide assurance to Council that robust, independent and operationally effective controls around operational and financial management practices are in place.

To provide oversight of the risk management of internal controls including but not limited to:

- Risk management framework
- Operational risk management
- Financial risk management
- Health and safety risk management
- Compliance with legislation

### **Key responsibilities**

- Risk
  - Approve and review Councils risk management framework
  - Review and monitor Council critical risks
  - Receive and review Health and Safety reports
  - Oversight of the processes used to manage project risks
- Internal audit
  - Approve and review the internal audit programme
  - Receive and review the internal audit reports as they become available.
- External audit
  - Receive and consider audit management reports, monitor that appropriate action is being taken
  - Hold a confidential meeting with the external auditors at least once every year.
- Financial planning and control
  - Treasury – debt and interest risk management

- Procurement – major risks associated with procurement
- Overseeing and making decisions relating to an ongoing programme of service delivery reviews as required under section 17A of the Local Government Act 2002.
- Other assurance activities:
  - Receive and monitor Councils policy review program.
  - Receive and monitor Councils legislative compliance attestations
  - Receive renewal information to provide assurance that Council's assets are insured appropriately.

## Delegations

(i) All powers necessary to perform the committee's responsibilities, including:

- (a) establishment of working parties or steering groups.

4 May 2021

Mr Ken Couper

By email only: [becken@xtra.co.nz](mailto:becken@xtra.co.nz)

Dear Ken,

## **Rights to council information – independent chair of the Risk and Audit Committee**

1. The Whangarei District Council's (the **Council**) Risk and Audit Committee (the **RAC**) has an independent chair (the **Chair**). Because the Chair is not a Councillor (or otherwise a member of staff or an officer of the Council), the question has arisen as to whether the Chair can or should be able to access Council information, including that which is confidential to the Council. You have asked us to address this question, and the related question of whether the disclosure by a Councillor (or staff member) of confidential Council information to the Chair would be a breach of confidence.
2. In my view, the answer to that question is that the RAC Chair needs to be able to access, without impediment or delay, any information that is or may be relevant to his office or the RAC. The need for the RAC to consider (in particular) risks and potential risks proactively and on a frank and open basis must, in my view, be essential to the proper performance of the RAC's function. I have no doubt that an inability of a Chair to access or receive relevant information could impede the function of the RAC and could compromise the integrity of the both the Committee and the Council.
3. In my view, it is not enough for the RAC to respond to risk and audit issues only when those issues have made their way onto a formal agenda for a meeting; risks need to be able to be raised and escalated, as and when they arise, to the Committee and therefore the Chair. Given that all other members of the RAC are Councillors with broad access rights to Council information, it is incongruous for the Chair not to have access to that same information (unless there are very good reasons for excluding him, for instance, in the case of a conflict of interest). The Chair was, presumably, selected for his expertise in the audit and risk area. It is my view, therefore, that he should be able to receive all information that he identifies as potentially relevant to his role, and all information that Councillors might wish to get his views on or have considered by the Committee as a whole.
4. In summary, under the Terms of Reference currently in force:
  - a) the Chair of the RAC ought to be able to receive any material that he identifies may be relevant to the RAC, and any material that the Mayor or a Councillor wishes to put to him or to the Committee as a whole for consideration from an audit/risk perspective without delay and without the need for the Councillor/staff to seek prior approval to disclose that material to the Chair;

- b) the Chair is, presumably, an independent expert bound by confidentiality obligations and required to operate with integrity, skill and care. Against that background, I see no reason to restrict the Chair's ability to receive information that might reasonably be relevant to his position or which is before the Councillors of the Committee (unless there is a very compelling reason, or the Terms of Reference expressly prohibit his accessing that information);
  - c) it is unlikely that the disclosure of Council information by a Councillor to the Chair of the RAC would be an unauthorised use of information capable of constituting a breach of confidence. It must be within the scope of a Councillor's role to disclose perceived risk and associated materials to the RAC Chair; and
  - d) the exception to that is that a breach of confidence may arise if a Councillor disclosed information to the Chair after the Councillor was expressly forbidden to do so. However, in my view, placing such a prohibition on a Councillor (or staff member) could stand to frustrate both the Councillor's ability to perform their statutory role, and the ability of the RAC Chair to oversee risk management and audit appropriately, such that it would be inconsistent with the imperatives of local government.
5. I set out further analysis in Appendix 1.
6. I would be happy to discuss this opinion with you further if that would assist.

Yours faithfully,



Michael Heron QC



**Appendix 1**

7. Under the Local Government Act 2002 (the **Act**), the purpose of local government is:<sup>1</sup>

- a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

8. In this context, “good quality” local infrastructure, local public services, and performance of regulatory functions means infrastructure, services, and performance that are “efficient, effective, and appropriate to present and anticipated future circumstances.”<sup>2</sup>

9. The Purpose of that Act is to “provide for democratic and effective local government that recognises the diversity of New Zealand communities”.<sup>3</sup> Against that background, the Act:<sup>4</sup>

- a) states the purpose of local government;
- b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them;
- c) promotes the accountability of local authorities to their communities; and
- d) provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.

10. Section 39 of the Act provides “governance principles” for local authorities, which includes the Council.<sup>5</sup> Section 39 says that:

(1) A local authority must act in accordance with the following principles in relation to its governance:

- a) a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community;
- b) a local authority should ensure that the governance structures and processes are effective, open, and transparent;

<sup>1</sup> Section 10(1).

<sup>2</sup> Section 10(2).

<sup>3</sup> Section 3.

<sup>4</sup> Section 3.

<sup>5</sup> Per 3, s 21, and Schedule 2, Part 2 of the Act.

- c) a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities;
  - d) a local authority should be a good employer; and
  - e) a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.
11. The operation of the Council is therefore governed by the Act, as well as by the Council's own internal procedures and policies which include, I understand, its Standing Orders (SOs) and the Terms of Reference (ToR) for each of its Committees.<sup>6</sup>
  12. Both the Mayor and the Council have the ability to establish committees. The Mayor has exercised her power to establish Council Committees and appoint the Chair as the chair of the RAC.<sup>7</sup>
  13. Schedule 7 to the Act sets out rules that apply to local authorities, local boards, community boards, and their members.<sup>8</sup> Under cl 31(3) of that Schedule, "a local authority or committee may appoint to a committee... a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee." Clause 32(1) gives the local authority broad power to delegate duties, responsibilities and powers to committees (subject to specified exceptions).
  14. The ToR for the RAC state that it has "all powers necessary to perform the committee's responsibilities". Therefore, the RAC derives its power under a delegation from the Mayor or the Council and the scope of the RAC's power is defined by them.
  15. The RAC's stated purpose, per its ToR, is "to provide assurance to Council that robust, independent and operationally effective controls around operational and financial management practices are in place" and to provide oversight in relation to the risk management framework, risk management of certain areas, and legislative compliance.
  16. Against that background, the underlying question is whether it is necessary for the performance of the RAC's function that the independent Chair can receive any information on any subject concerned with the business of the council that might be relevant to his role or which Councillors or others might seek to put to him as Chair of the RAC.
  17. In my view, the Chair can only perform his function of chairing the RAC if he is also empowered to receive any and all Council information that is or might be relevant to the performance of that Committee's functions. In particular, the RAC is obligated by its ToR to "review and monitor Council critical risks" and to receive certain reports and to adopt oversight of the processes used to manage project risks. "Risk" must, logically and on account of the requirement to provide "good

<sup>6</sup> Clause 27(1) of the Act provides that "A local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees." Those SOs cannot contravene any Act.

<sup>7</sup> The Mayor's powers can be sourced from s 41A(3)(b) – (c) of the Act, SO 7.14 and Appendix 9 to the SOs. The Local Authority itself is empowered to establish committees per Schedule 7, cl 30.

<sup>8</sup> Note for completeness that the Schedule requires the Council to have a Code of Conduct that deals, amongst other things, with the rules around disclosure of Council information.

quality” services for present and anticipated future circumstances, include risks that could arise in future. In my view, neither the Chair nor the Committee can effectively carry out their functions if the Chair is not or cannot be privy to all information that might be relevant to potential risks. Assessing risk requires pre-emptive and anticipatory analysis; for that reason, performance of the RAC’s function requires greater access to information than might be required in other areas (such as project management, for example).

18. For completeness, a committee Chair has (under SO 14.4) authority to answer questions put to them not otherwise covered by the SOs.<sup>9</sup> The question therefore arises as to whether the Chair could have the power to determine his own rights to access information. Given the Chair’s power is derived from power belonging to the Mayor and that the Mayor has delegated to the RAC “*all powers*” necessary for the performance of the RAC’s responsibilities, it is arguable that – in the absence of a clear indication otherwise – the power given to the Chair included the power to determine for himself the power he has to receive information. However, in my view, it would be unusual for a recipient of confidential information (even someone in a position of trust of confidence, like the Chair) to be able to waive the rights of others (such as the Mayor or the Council) to keep their own information confidential. Further, it seems to me that given the issues that have arisen as to the Chair’s access to information, the Mayor may have by now expressly revoked any power that the Chair might have had to determine his own rights to information.
19. In any event, the Chair must be able to access any Council information that could be relevant to the Council’s risk assessment or audit function. The Chair should have that access generally and ought not have to ask permission to receive or access information that Councillors or staff seek to put before the Chair or the RAC for consideration. It is in the nature of a risk and audit committee that it must be able to quickly and proactively consider any risks as they arise; for that reason alone, the Chair (who in some sense, embodies the Committee) must be free to receive information and respond accordingly. My view is that this is what good and efficient government (and therefore, the Act) requires.
20. Accordingly, I do not consider it tenable to suggest that Councillors who disclose confidential information to the Chair have committed a breach of confidence. The idea that a Councillor who discloses confidential information to the Chair that might (viewed reasonably) present a risk or be relevant to an audit function makes an unauthorised disclosure (which is required for an action in breach of confidence) is contrary to the purpose of an audit and risk committee and the mandate of a Councillor. A Councillor must, in the performance of their function, be able to share information (even confidential information) with the Committee and Chair responsible for spotting and addressing risks. Restraining Councillors from disclosing that information and voicing legitimate concerns is antithetical to the role of the Councillor and the RAC.

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<sup>9</sup> See also Appendix 8.



**From:** enquiry enquiry@oag.parliament.nz  
**Subject:** RE: Clarifications/concerns with the Risk and Audit committee.  
**Date:** 7/12/2020 at 8:38:59 AM  
**To:** Ken Couper becken@xtra.co.nz

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Tēnā koe Councillor Couper

Thank you for your e-mail dated 29 October 2020 and for our telephone conversation on 25 November 2020. We have carefully considered your questions and, on an anonymous basis, liaised with Local Government New Zealand (LGNZ) to assist us in compiling our responses to you. One of LGNZ's roles is to provide support for, and services to, local authorities to improve local governance.

There are no specific laws or regulations which govern how an audit and risk committee (ARC) should operate, or which set out what the powers of the ARC and/or the chair should be. We provide good practice guidance for audit committees on our website: <https://oag.parliament.nz/good-practice/audit-committees>, which we will be updating in the near future. Our Office's own ARC charter is also published on the website, should you wish to refer to this: <https://oag.parliament.nz/about-us/audit-risk-committee/charter>

In the absence of any laws and regulations, it is the council's own ARC terms of reference which should determine how the ARC operates. The terms of reference should be aligned with the council's code of conduct to cover matters such as confidentiality and the conduct of ARC meetings.

In response to your specific questions we would note that, in principle, it makes sense that both independent and elected members of the ARC have access to the same information, confidential or otherwise. The terms of reference should enable this. You mention that the independent chair has signed a confidentiality agreement, and so it is not clear why they would be restricted from accessing confidential information. However, as we discussed, it is important to note that the information should be appropriate for them to see, in line with their mandate and the ARC terms of reference.

It is unrealistic and undesirable to expect an ARC to be responsible for assessing/identifying all risks facing a council. Councils are large and complex, and officers and committees are all making decisions which involve some level of risk. The ARC's role is to ensure a council has the processes, capabilities and culture to assess its key strategic risks (the risks that would prevent the council from achieving its strategic objectives), rather than to be the source of all risk assessing expertise. The council should have clear systems and processes in place for identifying and assessing which items of business go to the ARC. This should include the process for sharing information with ARC members.

We hope our responses assist you in discussing these matters further with councillors and/or council management as appropriate.



## 6.2 Temporary Road Closure for Events Policy Review

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** Carina de Graaf, Venues and Events Manager

### 1 Purpose

To approve the revised Temporary Road Closure for Events Policy (Policy 0124, formerly the Road Closure Policy for Motor Vehicle Events).

### 2 Recommendation

That Council approves and adopts the Temporary Road Closure for Events Policy.

### 3 Background

Council's Road Closure Policy for Motor Vehicle Events (Policy 0124) is required to be reviewed every three years and was due for review in 2019. Council staff have now reviewed the policy and have prepared a revised policy which is presented for consideration.

The current policy was intended to be a public document which can be used by Council staff and the community to provide clear direction on when a temporary road closure is required, how to apply and what are the requirements and obligations for temporary road closures for motor vehicles events. The revised policy for consideration is intended to be a public document which can be used by Council staff and the community to provide clear direction on when a temporary road closure for an event is required, how to apply and what are the requirements and obligations for all events.

It is not a statutory policy that does not require public consultation.

### 4 Discussion

#### 4.1 Consultation

Feedback was sought and incorporated from the following internal departments:

- Venues and Events
- Roading
- Democracy and Assurance
- Legal Counsel

## **4.2 Proposed Changes**

As summarised in Attachment 1 Table of proposed changes, the revised policy includes clear direction for all requests for temporary road closures for events. The previous policy only covered temporary road closures for motor vehicle events.

The revised policy is more robust and includes additional considerations such as the purpose, general, definitions, scope, relevant legislation and eligibility.

## **4.3 Risks**

Should Council choose not to adopt the revised policy there will be no clear direction for members of the community on when a temporary road closure for an event is required, how to apply and what are the requirements and obligations for events.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website and through engagement with community event organisers we already work with.

## **6 Attachments**

1. Table of proposed changes
2. Revised Temporary Road Closure for Events Policy (POLICY 0124)
3. Current Road Closure for Motor Vehicle Events Policy (POLICY 0124)



Proposed changes to Temporary Road Closure for Events (POLICY 0124)		
Section	Proposed change	Why
Policy name	The revised policy is renamed <i>Temporary Road Closure for Events</i> , the current policy was named <i>Road Closure for Motor Vehicle Events</i> Policy.	The revised policy includes clear direction on when a temporary road closure is required, how to apply and what are the requirements and obligations for temporary road closures for all events.  The previous policy only covered temporary road closures for motor vehicle events.
Purpose	The revised policy includes a purpose statement, the current policy does not.	To provide clear purpose for applicants and Council staff.
Definitions	The revised policy includes definitions for temporary road closure related activities, the current policy does not.	To provide clear definitions for temporary road closure related activities.
Scope	The revised policy includes scope, the current policy does not.	To clarify what is in scope within the revised policy and what is out of scope within the revised policy.
Relevant Legislation	The revised policy includes relevant legislation, the current policy does not.	To reference the relevant legislation used when temporarily closing a road for events, that have been reviewed and by Council's legal counsel.
Eligibility	The revised policy includes eligibility, the current policy does not.	The revised policy includes eligibility criteria, that have been reviewed by Council's legal counsel.
Terms and Conditions	The revised policy includes updated term conditions that align to the new application form.	The current policy does not have clear terms and conditions.  The revised policy includes terms and conditions that have been reviewed and updated by Council's legal counsel.

Application, assessment and approval process	The revised policy includes the updated application process.	The current policy did not include a clear process.  The revised policy includes an updated application process that aligns to the new application form.
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<i>Policy title</i>			
Audience (Primary)	Internal	Business Owner (Dept)	Venues & Events Whangarei
Policy Author	Community Events Coordinator	Review Date	2024

## ***Whangarei District Council***

### ***Temporary Road Closure for Events Policy***

***Policy #0124***

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## 1. Purpose

The purpose of this policy is to provide the community with clear direction on:

- When a temporary road closure is required for an event
- How to gain approval for a temporary road closure
- The requirements and obligations when implementing a temporary road closure

This policy supersedes Council's former *Road Closure Policy for Motor Vehicle Events*.

## 2. General

### 2.1 When is a temporary road closure required for an event ?

Temporary road closures and appropriate traffic management measures must be considered where an event will have more than a minor effect on the normal use of a road for road users e.g. a concert that has a large expected number of attendees, or a motor vehicle event where roads are closed as part of the event.

### 2.2 How to gain approval for a temporary road closure ?

To gain approval to temporarily close a road for an event, an application must be made to Council at least three months prior to the event date.

Temporary road closures are made in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965 and/or Schedule 10 of the Local Government Act 1974 where applicable.

Applications must be lodged using Council's *Application for a Temporary Road Closure form* and include supporting documentation as detailed in the application form. This form is located on the Whangarei District Council website <https://www.wdc.govt.nz> or on request from Customer Services via phone (09) 430 4200 or email: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)

Should an event require the use of Council owned land e.g. a park, the event organiser is also responsible for completing an *Events on Council Owned Land Application form*. This form is located on the Whangarei District Council website <https://www.wdc.govt.nz> or on request from Customer Services via phone (09) 430 4200 or email: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)

### 2.3 What are the requirements and obligations when implementing a temporary road closure?

Refer to Section 7 Terms and Conditions of this Policy.

## 3. Definitions

Events	An event or activity for a set duration i.e. 1 to 2 days or recurring. The event can be open to the public, private or commercial.
Minor effect on the normal use of a road and road users	Where there is minimal to no disruption to a road or road users caused by an event.
Effect on the normal use of a road and road users	Where there is disruption to a road or road users caused by an event.
Temporary Road Closure	To close a public road/s to ordinary traffic and/or pedestrians for a period of time.

Traffic Management Plan	A document describing the design, implementation, maintenance and removal of temporary traffic management (TTM) while an associated activity is being carried out within the road corridor.
Corridor Access request	An application to occupy and undertake an activity in the road corridor.

#### 4. Scope

Temporary road closures for events only is the only activity within the scope of this policy.

The following activities are outside the scope of this policy:

- Traffic management applications
- Corridor access requests
- Temporary road closures for activities other than events e.g. maintenance work

#### 5. Relevant Legislation

Temporary road closures are made in accordance with:

- Transport (Vehicular Traffic Road Closure) Regulations 1965; and/or
- Local Government Act 1974, Schedule 10 where applicable.

##### *Delegations*

The Chair of the Infrastructure Committee and General Manager Infrastructure have the power to:

- issue public notices for proposed temporary closures
- consider any objections; and to
- approve, cancel or amend any or all of the temporary road closures if applicable.

#### 6. Eligibility

Any group, individual or organisation is eligible to apply for a temporary road closure for an event.

The following activities will generally not be eligible to be events with temporary road closures:

- Where the primary purpose is to promote religious or political objectives
- Events that involve denigrating, excluding or offending parts of the community including any events involving unlawful discrimination under the Human Rights Act 1993 or any other relevant laws
- Events that pose a significant risk to the safety of the public
- Events that involve the display of gang insignia.

#### 7. Terms and Conditions

All temporary road closure applications for events are processed by the Venues and Events Department and are subject to the terms and conditions set out below. Further conditions may be included at the discretion of Council when processing the application.

### *Council Process*

- Applications for proposed temporary road closures must be approved at a full meeting of the Whangarei District Council under the Transport (Vehicular Traffic Road Closure) Regulations 1965.
- Applications must be received at least 3 months in advance of an event to allow time for the required 42-day public notice period under the legislation.
- Council will place a public notice for a proposed road closure in an appropriate publication in accordance with the requirements of the legislation.
- Objections to an application for temporary road closure may be submitted to Council up to 28 days prior to the date of the proposed event.
- Any objections to temporary road closure will be considered by Council after the close of the objection period.
- Following a Council decision to approve a temporary road closure, a further public notice will be placed in an appropriate publication in accordance with the requirements of the legislation.
- At the discretion of Council, under special circumstances, some temporary road closure applications may be considered under Schedule 10 of the Local Government Act 1974.
- Council reserves the right to amend the conditions, withdraw permission for the temporary road closure to proceed or close any activity at any time where it becomes apparent:
  - o that there is or could be a threat to public safety or property Council assets
  - o that the activity would unreasonably impact road users.

### *Applicant's Responsibilities*

- Applying for a temporary road closure using Council's *Application for a Temporary Road Closure* form.
- Notify in writing all owners or occupiers of property adjacent to the road, of the proposed temporary road closure and rights of objection during the public notification period.
- Ensuring the area used is left clean and tidy, all waste is removed from the area, and that no damage is caused to Council property. Any damage to the location due to the event will be repaired at the organisers expense.
- Ensuring advertising, signage or markings associated with the temporary road closure are not attached or marked upon any road signage or road furniture.
- Adhering to all directives of the Traffic Safety branch of the NZ Police.
- Ensuring that all emergency services have unrestricted right of way (Fire, Ambulance, Police, Water and sewerage maintenance).
- Nominating a key contact person who will be readily available on the day of the event to attend to any problems that may arise.
- Obtaining a Corridor Access Request and accompanying Traffic Management Plan approval from Councils Road Corridor Coordinator, within a minimum of 15 days prior to the day of the event. Early notification is recommended to ensure the space is available.
- Where the event requires the use of Council owned land, the applicant is also responsible for completing an *Events on Council Owned Land Application* form. This form is located on the Whangarei District Council website <https://www.wdc.govt.nz> or on request from Customer Services via phone (09) 430 4200 or email: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)
- If the event is a motorsport event, the applicant must have a Motorsport NZ permit or another relevant permit and confirm all participants are licensed with Motorsport NZ or another relevant association.

### *Costs*

- A processing fee of \$300 plus GST will be invoiced for each temporary road closure application. This fee includes the costs of the 2 public notices that must be placed by Council associated and administration.
- All motorsport events must also either pay a bond of \$2000 (min) or provide a Motorsport NZ bond certificate of \$2000 (min).

### *Insurance*

- The applicant must provide evidence of Public Liability Insurance up to a minimum value \$1,000,000.

## **8. Application, Assessment and Approval process**

Applications forms can be sourced by:

- Email: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)
- Whangarei District Council website <https://www.wdc.govt.nz>
- Calling Customer Services (09) 430 4200

Applications must be delivered or emailed to:

Attention: Community Events Coordinator

Whangarei District Council

Private Bag 9023

Whangarei

Email: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)

### *Assessment*

Applicants will be contacted with an update and or a request for further information within 4 weeks from receipt of a completed application form and required documentation.

### *Approval*

Applicants will be advised in writing of Council's decision. If a temporary road closure has been approved the applicant will also be advised of the next steps and public notification dates.

## **9. Adopted**

### ***Policy Review***

This Policy was reviewed in 2021 and this revised Policy was updated as follows:

**Date of meeting:** DD-MM-YYYY

**By:** Whangarei District Council Meeting



# Whangarei District Council Policy

## *Road Closure Policy for Motor Vehicle Events*

*Policy 0124*

Road Closure Policy for Motor Vehicle Events			
<b>Audience (Primary)</b>	Internal	<b>Business Owner (Dept)</b>	Venues & Events
<b>Policy Author</b>		<b>Review date</b>	July 2016

## Policy

### 1. General

Temporary Road Closures and the appropriate traffic management measures need to be considered where an event will have a more than minor effect on the normal use of a road for road users. .

To gain approval to temporarily close a road for a motor vehicle event, applications to Council must be made in accordance with the Local Government Act 1974, sections 11(a) 11(d) & 11(e) and the Local Government Act 2002, and/or the Transport Regulations 1965, where applicable.

For events on or near state highways, an additional application must be made through New Zealand Transport Authority (NZTA).

- 1.1. All applications are to be made, in writing, to Council, a minimum of 3 months prior to the event and must include:
  - a. all details of the event relative to the roads to be closed
  - b. safety provisions provided
  - c. provision for road clearance in an emergency
  - d. map of the proposed route/s and proof of public liability insurance.
  - e. A cash bond of \$2000 or a Motorsport New Zealand Bond Agreement no less than \$2000
- 1.2. A copy of the application is to be forwarded to the NZ Police (Traffic Safety Service) when lodging the application and this action shall be confirmed to Council.
- 1.3. No road closure will be approved, that may impede the general operations of the emergency services of Fire, Ambulance and Police.
- 1.4. The organisers must provide access to the area at all times for the above mentioned emergency services.

### 2. Supporting Information

Information to support the application must be supplied to Council no less than 2 months prior to the event.

- 2.1. To ensure the applicant meets legislative requirements and has the appropriate safety measures to provide a safe event, the following is Required:
  - a. Proof of public liability insurance, to a minimum value of \$1,000,000 for each event to be held. Any insurance should have no 'excess' applicable
  - b. A Motorsport New Zealand Permit, if applicable.
  - c. A Traffic Management Plan.
    - i. A Traffic Management Plan ( TMP ),It shall be prepared by a qualified Site Traffic Management Supervisor (STMS) in accordance with the Code of Practice for Temporary Traffic Management (CoPTTM), and be submitted to the Roading Department.
    - ii. A Corridor Access Request Shall be submitted with the TMP to the Roading Department
  - d. Proof of occupier consent, showing the applicant has informed all residents or business occupiers directly affected by the closure, and that the occupier(s) has given his/her consent. Should occupiers not consent, alternative roads must be considered.
    - iii. The occupier's consent including conditions if any, or objections stating reasons, must be signed by an adult having legal rights to occupy the property (e.g. through ownership, lease or tenancy). Their full name and address of occupancy must also be clearly printed.
  - e. A Safety Plan.

Road Closure Policy for Motor Vehicle Events			
<b>Audience (Primary)</b>	Internal	<b>Business Owner (Dept)</b>	Venues & Events
<b>Policy Author</b>		<b>Review date</b>	July 2016

- i. Safety plans are to be aligned with the current requirements under the national governing body for motorsports i.e. Motorsport New Zealand or current legislation appropriate to the event i.e. FIA International Sporting Code and/or FIA Regional Rally Sporting Regulations

- 2.2. The organisers shall be responsible for the cost of Council inspection before and after the event and for repairing any damage to roads and clearing up all rubbish after the event.
- 2.3. A fee of \$300.00 plus GST shall be charged for administration of requests for temporary road closure. The costs of public notifications and any advertising requirements as laid out by Council to meet legislative requirements shall be met by event organisers.
- 2.4. The applicant must nominate an individual as event controller, who will be readily available on the day to attend to any problems which may arise.

### 3. Council approvals

- 3.1 Formal approval for the Road Closure by way of a Council resolution addressing the legislative requirements must be gained by the applicant
- 3.2 An approved Corridor Access Request and accompanying TMP approval must be gained from Council's Road Corridor Co-coordinator prior to physically occupying the road corridor for the event.

### 4. Right of Withdrawal

- 4.1. Notwithstanding any approvals given, Council reserves the right at any time to amend the conditions, withdraw permission for the road closure to proceed, or close down any activity where it becomes apparent that there is, or could be, a threat to public safety or property, or where the Council's property may be damaged.



## 6.3 Northland Events Centre

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** Dominic Kula – General Manager Strategy and Democracy

### 1 Purpose

To seek endorsement of the timeline for establishment to a new Trust.

### 2 Recommendation

That Council endorses a 31 October 2021 (or sooner if possible) timeline for establishment of a new Trust.

### 3 Background

At its meeting of 23 July 2020 Council considered options for the governance and management of the Northland Events Centre going forward. At the meeting Council endorsed, a *“New Trust Full – a CCO which employs all managerial, operational staff and support staff”* (Option 1) as the preferred option.

The Agenda set out an indicative implementation pathway for a change management process to be undertaken ‘over at least 12 months’, noting that a more detailed implementation plan would be developed. It also noted that success would *“require Council and Northland Events Centre Trust (NECT) to work collaboratively to ensure collective skills and expertise are harnessed, particularly through the transition period”*.

While it was recommended the process be supported by an additional/unbudgeted change management resource, key Council staff have worked alongside NECT trustees (the Transition Team) to develop a plan for the transition to a new trust, subject to the outcomes of consultation.

Regular update and decision making Agenda have been reported to Council, with the following tasks now complete:

- Trust Deed Reviewed
- Consultation Process in place (via the LTP)
- Event allocation undertaken
- Trust model/scale clarified
- Asset management/maintenance/ownership principles agreed
- Model for Event allocation, asset management/maintenance and collaboration agreed
- Funding confirmed (\$670k p.a. made up of \$305k ‘BAU’ plus \$365k additional funding provided for in LTP)

Underpinning this work are the ‘expectations for the facility and guiding outcomes/principles for the transition’ that Council adopted in February 2021 (Attachment 1).

Following direction provided at the April 2021 Council meeting staff have:

- Commenced a trustee recruitment process.
- Workshopped processes, policies and systems required by the new Trust to identify what must be in place for 'go live', and what can be implemented following establishment.

The above work, along with legal advice sought by both Council and NECT, has resulted in the parties proposing a go live date of 31 October 2021, or sooner if possible. This Agenda seeks formal endorsement of the proposed timeline.

## 4 Discussion

As previously reported to Council the timeframes for establishing a new trust are very tight, particularly given the requirement to consult through the Long Term Plan (LTP) process.

To ensure meaningful consultation staff advised NECT that from Council's perspective it is preferable for any resolution for wind up of NECT to be considered after deliberations on the LTP. To do so beforehand could be predetermining the decision.

Staff also outlined a number of key tasks that must occur before the wind up of NECT, including the establishment of a new charitable Trust for assets and liabilities to transfer to (registering for charitable purposes is likely to be a key timing constraint).

Alongside this NECT sought independent legal advice. At its 10 May 2021 meeting NECT proposed the following milestones:

1. *WDC extend the current timeline to 31 October 2021 and provide revised milestones*
2. *Consult with NRC regarding decision to wind up existing trust and form new Trust*
3. *WDC to confirm LTP decision in support of winding up NECT and forming new Trust (due 24 June 2021)*
4. *WDC to provide NECT Trustees Indemnity prior to winding up existing Trust*
5. *WDC to extend current NECT Trusteeships for Cr Gavin Benney and Sandra Boardman to 31 October 2021*
6. *WDC to extend Management and Service Agreements to 31 October 2021*
7. *WDC to ensure new Trust objectives align to NECT objectives, NECT Trustees to approve new Trust objectives*
8. *WDC to form new Trust prior to winding up NECT*
9. *WDC to transfer asset realisation once new Trust has been formed.*

On 12 May 2021, Council deliberated on LTP submissions received and resolved to establish a new Trust (milestone 3).

This Agenda seeks Council endorsement for establishment of a new Trust and wind up of NECT by '31 October 2021 or sooner if possible' (milestone 1).

### 4.1 Next steps

Council's solicitor and the independent solicitor for NECT are currently working through proposed milestones and actions to ensure alignment. Subject to the outcomes of this staff propose to bring the following back to the June 2021 meeting of Council:

- The outcomes of any consultation undertaken with NRC, if required (milestone 2)
- An overview of any liabilities of, and indemnity for, NECT trustees (milestone 4)
- An extension of current Trustee appointments through to 31 October 2021 (milestone 5)
- An extension of the management and Service Agreements to 31 October 2021, if required (milestone 6)
- A Deed for the new Trust, inclusive of the Trust's objectives (milestone 7)

These steps must be completed prior to the formation of a new Trust and the transfer of assets/liabilities (milestones 8 and 9).

#### **4.2 Risks**

As noted in February 2021 the timeline for a 01 July 2021 go live is tight and will be challenging to meet, particularly given the requirement for meaningful consideration of feedback received through consultation. This Agenda seeks to mitigate this risk.

While budget for a standalone Trust has been allocated through the LTP this was based on an estimate. Actual costs will not be known until the trust is established and operating, with the new trust having to secure external funding for service delivery beyond the current budget.

### **5 Significance**

This matter relates to the mechanism for management of an existing facility. Having assessed Council's significance criteria the matter is not considered significant. However, consultation on the establishment of a new Council Controlled Organisation is required under the Local Government Act 2002. This was undertaken through the 2021 – 2031 Long Term Plan process

### **6 Attachment**

Expectations for the facility and guiding outcomes/principles for the transition





## **Expectations for the facility and guiding outcomes/principles for the transition**

### Performance Expectations for the Facility

- i. Operating as a multipurpose, community facility for the benefit of Northland
- ii. Delivering large events which raise the profile and contribute to the vibrancy of the District/Region
- iii. Being managed on a commercial basis according to industry best practice
- iv. Being financially successful based on contribution to the economic impact on local businesses, rather than by profit generated.
- v. Delivering the outcomes of the Whangarei District Council Events Strategy – building local confidence, local capability and local connection
- vi. Acting as a hub to support sporting codes in a post-COVID-19 environment
- vii. Attracting external funding to support facility development and event delivery.

### Outcomes

- Achieve the best outcome for Community/Facility
- Have a standalone/successful Trust (i.e. with clear/transparent governance and funding arrangements)
- Look after our people

### Principles

- Establishing a new trust based on BAU, with ability to build capacity going forward
- The Trust and its staff will be responsible for events in accordance with Council's expectations and the event allocation, asset management/ownership and collaboration model
- WDC is responsible for events in accordance with the event allocation, asset management/ownership and collaboration model
- The new trust will be funded through a Council grant (\$305k BAU + \$365k additional funding in the LTP) and external commercial revenue streams
- Collaboration will be required on in areas where the responsibilities of each entity intersect



## 7.1 Financial Report for the 10 months ending 30 April 2021

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** Alan Adcock (General Manager – Corporate/CFO)

### 1 Purpose

To provide the operating result for the ten months ending 30 April 2021.

### 2 Recommendation

That the Council notes the operating results for the ten months ending 30 April 2021.

### 3 Background

#### 3.1 Operating Result

##### Year to date

The year to date position is a surplus of \$26.0 million, compared to a budgeted surplus of \$3.3 million, resulting in a favourable variance of \$22.7 million.

The year to date favourable variance is mainly attributable to higher than budgeted revenue, including Development Contributions, Fees and Charges, Subsidies and Grants, and other revenue. The year-to-date variance is also impacted by differences between the phasing of the budget and when costs are incurred.

##### Full year forecast

The forecast net surplus for the financial year ending 30 June 2021 is \$26.7 million compared to the budgeted surplus of \$3.1 million resulting in a favourable variance of \$23.6 million. These results are based on forecast figures provided by budget managers in March 2021 updated by a further \$2.5 million of vested assets income and \$0.4 million of roading expenditure. The forecast figures will be updated for May 2021 reporting to Council.

Flood damage has resulted in forecasted unbudgeted roading repairs expenditure of \$6.6 million. This has been partially offset by \$4.5 million of unbudgeted subsidies received to partially cover the repair cost.

The unbudgeted MBIE Te Tai Tokerau Worker Redeployment Package has provided grants revenue of \$12.8 million, with \$8.0 million being distributed to other parties to the contract (year to date). The full year revenue received under this agreement is forecast to be \$13.3 million, of which \$8.5 million will be distributed to the other parties. These transactions have been identified separately within the Income Statement.

The unbudgeted MBIE Te Tai Tokerau Worker Redeployment balance of \$4.8 million expenditure has been allocated to Roothing \$4.0 million and Parks \$0.8 million.

Roothing is also forecasting to receive \$2.5 million unbudgeted Crown Infrastructure Partners funding to be used for shovel ready projects re roading improvements, urban pathways and cycleways.

Other unbudgeted subsidies and grants revenue is forecasted from the following providers:

- \$6.0 million from the Department of Internal Affairs funding for 3 Waters projects.
- \$3.4 million MBIE funding for Bike Northland, storm damage repairs and COVID relief.
- \$0.9 million from Tourism Infrastructure Funding for the Abbey Caves Carpark and Restoring the Mauri of Matapouri.

The subsidies and grants forecasted revenue will be updated for May 2021 reporting to Council to align with changes in the timing of the Capital Works Programme.

**Key full year forecast variances include:**

<b>Revenue</b>			
Development contributions	Higher than budget	\$5.2m	Favourable
Subsidies and grants	Higher than budget (includes unbudgeted subsidies for flood damage)	\$18.7m	Favourable
Revenue	Other revenue, fees and charges	\$3.6	Favourable
MBIE agreement	WDC Share	\$4.8	Favourable
<b>Expenses</b>			
RMA	Sustainable solvents	(\$1.5m)	Unfavourable
Support Services	Net Interest expense	\$2.9m	Favourable
Transportation	Offset by subsidies and MBIE grants revenue	(\$12.1)	Unfavourable
Personnel costs	Lower than budget	\$1.3m	Favourable

### 3.2 External Net Debt and Treasury

Total net external debt at the end of April 2021 was \$135.4 million compared to year to date budgeted net debt of \$149.6 million, resulting in net debt being \$14.2 million under budget.

This favourable variance is due to assumptions made regarding the opening net debt balance of the 2020-21 Annual Plan (opening balance was \$5m less than budgeted), higher than budgeted rates instalments received, central government funding received and the year to date favourable operating surplus.

As at 30 April 2021 cash and term deposits held of \$39.6 million was comprised of:

- \$23.0 million of term deposits relating to prefunding undertaken.
- \$5.0 million of term deposits relating to short term borrowings not yet required.
- \$11.6 million of cash on hand.

## **Economic Outlook**

The commentary in italics below was taken from the Interest Rate Report provided by PWC Treasury Advisory, dated May 2021.

*November 2022 remains our expected target for the Reserve Bank of New Zealand (RBNZ) to begin tightening the cash rate reigns, though we note that the risks of a slightly later tightening point are slowing (very slowly) beginning to build.*

*The RBNZ have repeatedly expressed (most recently in the April Monetary Policy Review) that current monetary settings will be maintained until they are confident that the Consumer Price Index (CPI) can be sustained at the 2% inflation target mid-point.*

*The RBNZ are looking to maintain a low and stable interest rate environment. They want businesses to have sufficient confidence in their future interest expense profile that they are comfortable borrowing to invest, which will lead to enhanced employment and (hopefully) long run inflation at or near 2%.*

*Borrower Recommendations: Maintain term interest rate risk positions at policy minimums in the 0 – 3 year brackets. Gradually lift hedging from 4+ years to between minimums and midpoints of policy when pricing is appropriate, particularly where debt forecasts are increasing.*

## **4 Accounts Receivable and Arrears**

Total arrears as at 30 April 2021 was \$4.2 million, compared to \$4.8 million in the previous year. This is mainly due to sundry arrears being \$0.4 million lower than last year.

## **5 Significance and engagement**

The decisions or matters of this agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

## **6 Attachments**

1. Monthly key indicators
2. Monthly activity summary
3. Monthly income statement
4. Treasury report



MONTHLY KEY INDICATORS  
APRIL 2021



	YTD to April 2021					Full Year Forecast			
	Actual	Revised Budget	Variance	YTD	YTD Trend	Full Year Forecast	Revised Budget	Variance	YTD
	YTD \$ m	YTD \$ m	YTD \$ m	Indicator	Current / previous month	2020-21 \$ m	2020-21 \$ m	2020-21 \$ m	Indicator
<b>OPERATING</b>									
Total Rates	84.9	86.1	(1.2)	●		103.2	103.8	(0.6)	●
Development Contributions	7.6	3.0	4.6	●		8.2	3.0	5.2	●
Subsidies and Grants	24.6	17.0	7.6	●		40.5	21.7	18.8	●
User Fees	13.4	11.0	2.4	●		15.0	13.0	2.0	●
Total Operating Income	138.9	123.3	15.6	●	↓	177.0	149.8	27.2	●
Personnel Costs	23.5	25.0	1.5	●		28.2	29.4	1.2	●
Other Operating Expenditure	55.3	51.8	(3.5)	●		79.2	64.5	(14.7)	●
Total Operating Expenditure	120.1	121.9	1.8	●	↑	157.5	148.2	(9.3)	●
Surplus/(Deficit) from Operations	23.4	1.4	22.0	●	↓	24.2	1.6	22.6	●
Total Surplus/(Deficit)	26.0	3.3	22.7	●	↑	26.7	3.1	23.6	●
<b>EXTERNAL DEBT FUNDING</b>									
External Net Debt	135.4	149.6	14.2	●					
Net Interest on debt	3.6	6.1	2.5	●		4.4	7.3	2.9	●

KEY	
●	Favourable to budget
●	Unfavourable, but within 5% of budget
●	Unfavourable, over 5% of budget
↑	Favourable to previous month
↓	Unfavourable to previous month

**Note:** The above information includes excerpts taken from the Monthly Income Statement. The shaded lines above represent key totals from the Monthly Income Statement but are not totals of the lines above.





# MONTHLY ACTIVITY SUMMARY APRIL 2021



	YTD to April 2021					Full Year Forecast			
	Actual Surplus/ (Deficit) \$m	Revised Budget Surplus/ (Deficit) \$m	Variance Surplus/ (Deficit) \$m	YTD Indicator	YTD Trend Current / previous month	Full Year Forecast Surplus/ (Deficit) \$m	Revised Budget Surplus/ (Deficit) \$m	Variance Surplus/ (Deficit) \$m	Full Year Indicator
<b>Surplus/(deficit) from operations</b>	23.4	1.4	22.0	●	↓	24.2	1.6	22.6	●
<b>Transportation</b>	(7.7)	(11.9)	4.2	●	↓	(14.5)	(18.3)	3.8	●
<b>Water</b>	4.3	3.3	1.0	●	↑	3.2	1.4	1.8	●
<b>Solid Waste</b>	2.7	2.6	0.1	●	↑	2.3	2.1	0.2	●
<b>Waste Water</b>	10.3	7.9	2.4	●	↑	10.3	8.1	2.2	●
<b>Storm Water</b>	(3.1)	(3.3)	0.2	●	↑	(4.7)	(4.9)	0.2	●
<b>Flood Protection</b>	0.5	0.3	0.2	●	↑	0.2	0.3	(0.1)	●
<b>Community Facilities</b>	(16.2)	(22.3)	6.1	●	↑	(31.8)	(37.4)	5.6	●
<b>Governance &amp; Strategy</b>	1.6	(2.3)	3.9	●	↑	3.3	(3.6)	6.9	●
<b>Planning &amp; Regulatory</b>	(0.9)	(2.3)	1.4	●	↓	(10.0)	(9.1)	(0.9)	●
<b>Support Services</b>	31.9	29.5	2.4	●	↓	65.9	62.9	3.0	●

## KEY:



Favourable to budget



Unfavourable, but within 5% of budget



Unfavourable, over 5% of budget



Favourable to previous month



Unfavourable to previous month



No change to previous month

**Note:** The above information is at Council Operations level and excludes non-cash adjustments



## MONTHLY INCOME STATEMENT

### 30 APRIL 2021

Council Summary	Actual	Revised Budget	Forecast	Revised Budget	Variance*
	YTD	YTD	2020-21	2020-21	2020-21
	\$000	\$000	\$000	\$000	\$000
<b>Operating income</b>					
Rates	84,880	86,061	103,154	103,784	(631)
Development and other contributions	7,550	2,990	8,218	2,990	5,228
Subsidies and grants	24,579	17,040	40,468	21,732	18,736
Fees and charges	13,372	10,983	15,018	12,953	2,066
Interest revenue	475	302	601	381	220
Other revenue	8,043	5,973	9,522	7,960	1,562
<b>Total operating income</b>	<b>138,898</b>	<b>123,348</b>	<b>176,981</b>	<b>149,800</b>	<b>27,180</b>
<b>Operating expenditure</b>					
Other expenditure	55,315	51,753	79,192	64,531	(14,661)
Depreciation and amortisation	37,188	38,803	45,129	46,564	1,435
Finance costs	4,124	6,399	5,014	7,687	2,674
Personnel costs	23,516	24,976	28,180	29,437	1,257
<b>Total operating expenditure</b>	<b>120,143</b>	<b>121,932</b>	<b>157,514</b>	<b>148,218</b>	<b>(9,296)</b>
<b>Plus MBIE Te Tai Tokerau agreement</b>					
Grants received	12,771	-	13,320	-	13,320
Grants paid	(8,090)	-	(8,539)	-	(8,539)
<b>Total MBIE Te Tai Tokerau agreement</b>	<b>4,681</b>	<b>-</b>	<b>4,781</b>	<b>-</b>	<b>4,781</b>
<b>Surplus/(deficit) from operations</b>	<b>23,436</b>	<b>1,417</b>	<b>24,248</b>	<b>1,582</b>	<b>22,665</b>
<b>Plus non-cash income adjustments</b>					
Vested assets income	6,219	3,066	6,243	3,066	3,177
Gain on disposal of assets	-	-	-	-	-
<b>Total non-cash income adjustments</b>	<b>6,219</b>	<b>3,066</b>	<b>6,243</b>	<b>3,066</b>	<b>3,177</b>
<b>Less non-cash expenditure adjustments</b>					
OPEX on capital projects**	3,091	1,185	3,141	1,510	(1,631)
Loss on disposal of assets	544	-	595	-	(595)
<b>Total non-cash expenditure adjustments</b>	<b>3,635</b>	<b>1,185</b>	<b>3,736</b>	<b>1,510</b>	<b>(2,226)</b>
<b>Total non-cash adjustment</b>	<b>2,584</b>	<b>1,881</b>	<b>2,507</b>	<b>1,556</b>	<b>951</b>
<b>Total surplus/(deficit)</b>	<b>26,020</b>	<b>3,297</b>	<b>26,755</b>	<b>3,138</b>	<b>23,616</b>

\* Favourable variances are recorded as positive amounts (unfavourable variances as negative amounts)

\*\* This expenditure is included within the Capital Projects Report



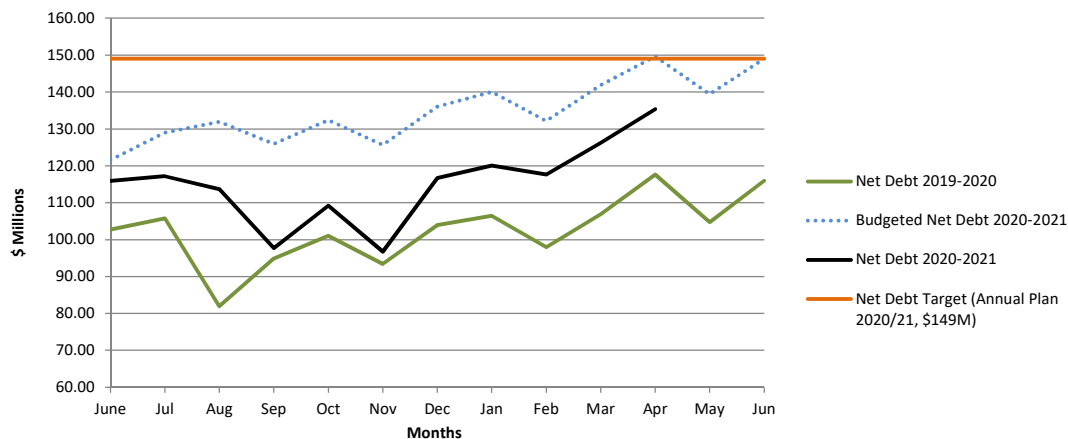
**TREASURY REPORT**  
**30 APRIL 2021**

**STANDARD AND POORS CREDIT RATING:****AA +**

Outlook: Stable

**DEBT SUMMARY:****As at 30 April 2021**

<b>External Debt</b>		
Opening public debt as at 1 April 2021		175,000,000
Plus loans raised during month	5,000,000	
Less loan repayments made during month (Note: Facility movement has been netted)	(5,000,000)	
Net movement in external debt		-
<b>Total External Debt</b>		<b>175,000,000</b>
Less: Cash balances (excluding funds held on behalf)	11,632,646	
Term deposits (Funds held on deposit until required for project funding)	28,000,000	
Total cash and term deposits		39,632,646
<b>Total Net External Debt</b>		<b>135,367,354</b>
<i>Note: Council also holds \$2.8m of LGFA borrower notes. These are not included in net external debt as per Council's Treasury Risk Management Policy.</i>		
<b>External debt is represented by:</b>		
Less than 1 Year		53,000,000
1-3 Years		10,000,000
3-5 Years		33,000,000
Greater than 5 Years		79,000,000
<b>Total</b>		<b>175,000,000</b>

**NET EXTERNAL DEBT COMPARED TO BUDGET:**

<b>Internal Funding*</b>		
Community Development Funds		10,702,178
Property Reinvestment Reserve - Committed	9,783,000	
Property Reinvestment Reserve - Available for Investment	16,839,516	
		26,622,516
Water Reserve		21,593,354
<b>Total</b>		<b>58,918,049</b>

Note: Reserves Funding is disclosed to ensure transparency of Council's use of cashflow management to fund capital works.

Where funds are raised through property sales or targeted rates for Water, but they are not required for immediate investment in that asset category, Council's Revenue and Financing policy allows them to be used for other purposes, rather than being held on deposit.

To ensure total transparency of this we create Reserve Accounts so that the appropriate funding can be made available and transferred back when it is required. The timing of projects requiring these funds is set out in our Long Term Plan (LTP) and/or Annual Plan (AP).

These Reserves are not a liability to an external party, and are not part of Council's debt obligations.

The Property Reinvestment Reserve is split to record funds that have been committed to the future purchase of land for the proposed airport site; and the remaining uncommitted balance that is available for other future investment purchases.

The only situation where our Net Debt would increase as a result of these Reserves is if major expenditure on Water Assets or property purchases is brought forward from the dates set out in the LTP/AP.



## 7.2 Capital Projects Report - April 2021

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** Alan Adcock (General Manager – Corporate / CFO)

### 1 Purpose

To provide the Capital Projects Report for the ten months ending 30 April 2021.

### 2 Recommendation

That the Council notes the Capital Projects Report for the ten months ending 30 April 2021.

### 3 Background

This report provides an update on the Capital Projects expenditure to date compared with budget, as well as the forecast spend for the year and carry forwards against budget.

### 4 Discussion

The Capital Projects expenditure as at 30 April 2021 is \$73.6m exclusive of strategic land purchases. This compares favourably to YTD expenditure of \$48.4m and total expenditure of \$67.6m last financial year.

Based on April forecasting Council has revised downwards the overall capital projects expenditure to \$94.3m for 2021 (March forecast \$101.4m). The business has realigned the timing of the 3 Waters Stimulus package to recognize \$2.2m of work that was to be undertaken this financial year now being scheduled for the 21/22 financial year. Significant carryforwards to 21/22 are:

Civic Centre	\$2.9m
Parihaka Transmission Mast Upgrade	\$0.9m
Pohe Island Development	\$0.7m
Town Basin Carpark to Park	\$0.7m
Seal Extensions – Unsubsidised	\$0.6m
Asset Management Software Upgrade	\$0.6m

Year One of the Long Term Plan will be updated to reflect the forecast carry forwards of \$15.0m. Any changes between this forecast and the final year end position will be reflected in a revised budget for 2021/22.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via Agenda publication on the website.

## **6 Attachments**

1. Capital Project Report April 2021
2. Capital Project Graphs April 2021



## CAPITAL PROJECTS REPORT

AS AT 30 April 2021

(Project figures include both Operating and Capital Expenditure)

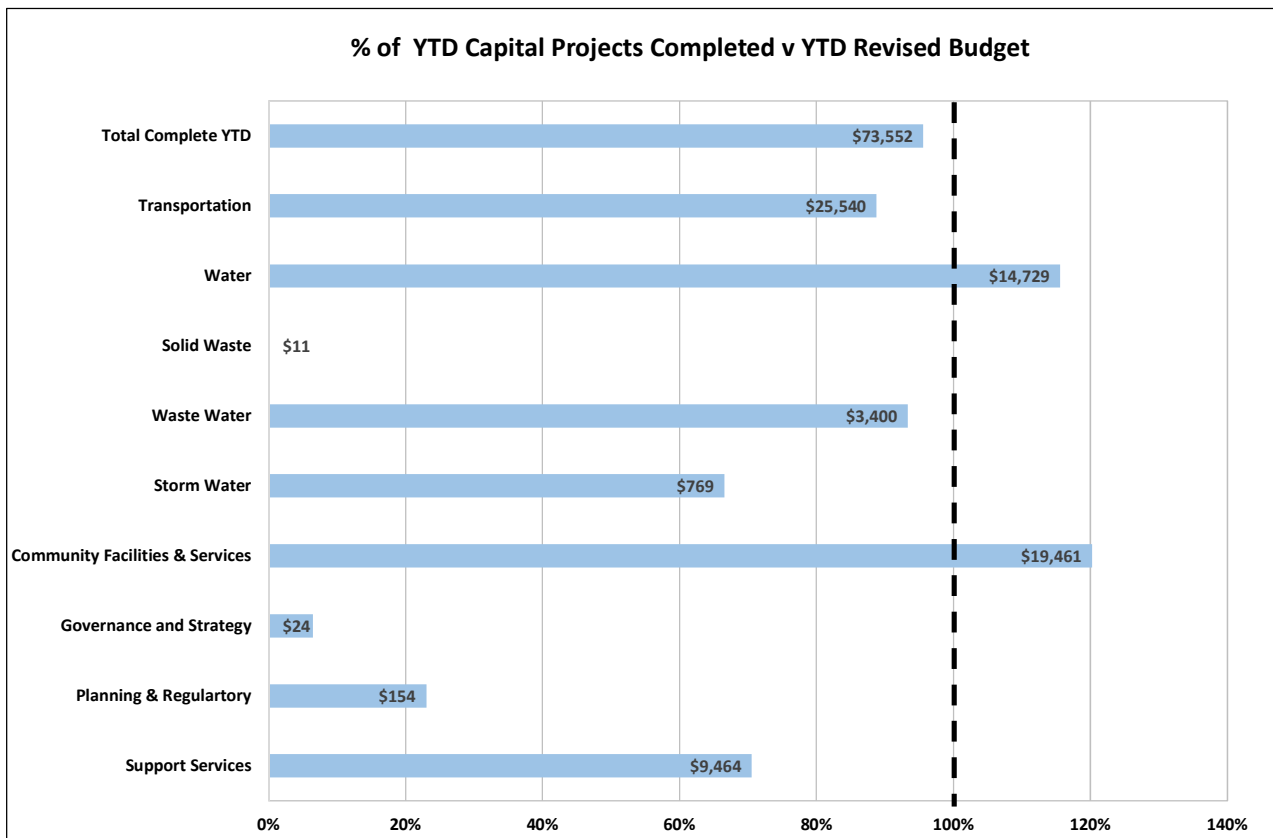
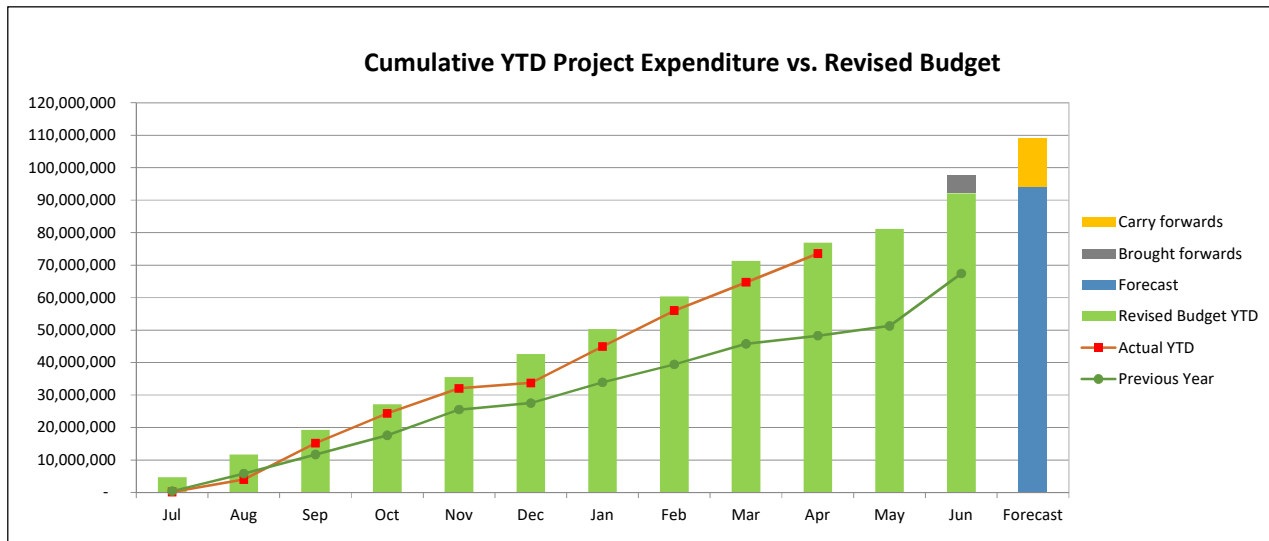
	Actual YTD \$000	Revised Budget YTD \$000	Variance YTD \$000	Full Year Forecast Expenditure \$000	Full Year Revised Budget \$000	Full Year Forecast (adjusted for unbudgeted external income) \$000	Net Carried Forwards \$000	Total Underspent/ (Overspent) \$000
<b>Transportation</b>								
Amenity Lighting	0	73	73	24	97	24	0	73
Bus Shelters	123	140	17	167	166	167	0	(1)
Bus Terminal Development/Relocation	93	0	(93)	93	0	93	0	(93)
Coastal Protection Structures - Roothing	1	65	64	22	86	22	0	64
Community Led Development	16	447	432	25	596	25	547	24
Cycleways - Additional government fundin	1	0	(1)	1	0	1	0	(1)
Cycleways - Subsidised	429	368	(62)	552	390	552	0	(162)
Cycleways - Unsubsidised Programmed Work	0	31	31	8	31	8	0	23
Drainage Renewals	849	1,135	286	979	1,406	979	0	427
Footpaths Renewals	197	322	126	294	390	294	0	96
Land for Roads	732	0	(732)	732	0	732	0	(732)
LCLR - Minor Improvement Projects	5,359	7,312	1,953	6,834	7,780	6,834	0	946
LCLR New Footpaths	110	395	284	143	526	143	0	383
LED Streetlight Upgrades	495	535	40	593	535	593	0	(58)
MBIE Projects	736	0	(736)	1,711	0	(0)	0	(1,711)
Mill Rd/Nixon St/Kamo Rd - Roothing	(14)	0	14	(14)	0	(14)	0	14
Parking Renewals	115	237	121	208	237	208	0	29
Seal Extensions - House Frontage Sealing	39	0	(39)	33	0	28	0	(33)
Seal Extensions - Unsubsidised	2,589	3,528	939	2,728	3,898	2,728	600	570
Seal Extensions - Wright/McCardle	317	0	(317)	406	0	406	0	(406)
Sealed Road Pavement Rehabilitation	4,481	5,566	1,085	5,889	6,660	5,889	0	771
Sealed Road Resurfacing	5,819	4,999	(821)	7,193	5,016	7,193	0	(2,177)
Structures Component Replacement	1,191	1,194	3	1,379	1,276	1,379	0	(103)
Subdivision Works Contribution	26	40	14	38	53	38	0	15
Traffic Sign & Signal Renewals	284	946	661	408	1,195	408	0	787
Transport Planning Studies & Strategies	0	160	160	3	213	3	0	210
Unsealed Road Metalling	1,085	663	(422)	1,315	864	1,315	0	(451)
Urban Intersection Upgrades	467	619	152	815	619	815	0	(196)
<b>Transportion Total</b>	<b>25,540</b>	<b>28,774</b>	<b>3,233</b>	<b>32,578</b>	<b>32,034</b>	<b>30,863</b>	<b>1,147</b>	<b>(1,691)</b>
<b>Water</b>								
Accelerated Renewals (3 Waters)	1,448	0	(1,448)	2,007	0	0	0	(2,007)
Asset Condition Assessments (3 Waters)	0	0	0	20	0	0	0	(20)
Capital Projects (3 Waters)	334	0	(334)	1,323	0	0	0	(1,323)
Data and Technology Systems (3 Waters)	179	0	(179)	99	0	0	0	(99)
Fairway Drive Pump Station Upgrade	10	143	133	71	533	71	461	1
Kamo Reservoir Additional Capacity	0	100	100	25	113	25	88	0
Leak Management (3 Waters)	94	0	(94)	44	0	0	0	(44)
Minor Projects - Emergency Works	172	270	98	381	320	381	0	(62)
Preparation for Reform (3 Waters)	34	0	(34)	43	0	0	0	(43)
Programme Delivery (3 Waters)	84	0	(84)	176	0	0	0	(176)
Reservoir Rehabilitation - Programmed Work	90	84	(6)	134	107	134	0	(28)
Reticulation - Programmed Work	1,350	1,172	(179)	1,776	1,233	1,776	0	(544)
SCADA Upgrade	467	410	(57)	570	679	570	153	(45)
Three Mile Bush Reservoir Additional Capacity	2	52	50	25	69	25	44	0
Treatment Plant Renewals	115	0	(115)	115	0	115	0	(115)
Treatment Plant Upgrades	59	221	162	189	291	189	0	102
Water Meter Renewals	51	373	322	254	373	254	100	19
Water Treatment Plant & Equipment Replacement	716	403	(313)	803	533	803	0	(271)
Whau Valley New Water Treatment Plant	9,524	9,520	(5)	9,524	10,916	9,524	0	1,392
<b>Water Total</b>	<b>14,729</b>	<b>12,747</b>	<b>(1,982)</b>	<b>17,580</b>	<b>15,166</b>	<b>13,869</b>	<b>846</b>	<b>(3,260)</b>
<b>Solid Waste</b>								
Transfer Station Upgrades	11	0	(11)	11	0	11	0	(11)
<b>Solid Waste Total</b>	<b>11</b>	<b>0</b>	<b>(11)</b>	<b>11</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>(11)</b>
<b>Wastewater</b>								
Laboratory Equipment Renewals & Upgrades	29	36	7	29	36	29	0	7
Sewer Network Renewal	1,702	1,276	(425)	2,613	1,854	2,534	(1,237)	478
Sewer Network Upgrades	362	851	489	372	976	372	438	166
Wastewater Assessment	46	34	(13)	163	45	163	0	(118)
Wastewater Projects	0	0	0	0	0	0	0	0
Wastewater Pump Station Renewals	264	268	4	351	357	351	0	6
Wastewater Reticulation Upgrade	313	59	(254)	373	125	373	(300)	52
Wastewater Treatment Plant Biogas Generator	3	0	(3)	9	0	9	0	(9)
Wastewater Treatment Plant Renewals	445	560	115	570	721	570	0	152
Wastewater Treatment Plant Upgrades	236	560	324	556	770	556	0	214
<b>Wastewater Total</b>	<b>3,400</b>	<b>3,643</b>	<b>244</b>	<b>5,035</b>	<b>4,884</b>	<b>4,957</b>	<b>(1,099)</b>	<b>947</b>

	Actual YTD \$000	Revised Budget YTD \$000	Variance YTD \$000	Full Year Forecast Expenditure \$000	Full Year Revised Budget \$000	Full Year Forecast (adjusted for unbudgeted external income) \$000	Net Carried Forwards \$000	Total Underspent/ (Overspent) \$000
<b>Stormwater</b>								
Blue/Green Network	92	85	(7)	92	160	92	81	(13)
Stormwater Catchment Management Plans & Assessments	307	0	(307)	368	0	368	0	(368)
Stormwater Renewals	367	1,019	652	727	1,117	628	0	390
Stormwater Upgrades	3	51	48	23	61	23	0	37
<b>Stormwater Total</b>	<b>769</b>	<b>1,155</b>	<b>386</b>	<b>1,210</b>	<b>1,338</b>	<b>1,111</b>	<b>81</b>	<b>47</b>
<b>Community Facilities &amp; Services</b>								
<i>Business Support</i>								
Forum North Venue Renewals	1	250	249	5	250	5	0	245
<b>Business Support Total</b>	<b>1</b>	<b>250</b>	<b>249</b>	<b>5</b>	<b>250</b>	<b>5</b>	<b>0</b>	<b>245</b>
<i>Civil Defence</i>								
Civil Defence Emergency Management Equipment Renewals	0	0	0	41	41	41	0	0
Civil Defence Emergency Management New Equipment	0	0	0	5	5	5	0	0
Tsunami Signage	0	0	0	52	52	52	0	0
Tsunami Sirens New	0	0	0	59	59	59	0	0
Tsunami Sirens Renewals	0	0	0	18	18	18	0	0
<b>Civil Defence Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>175</b>	<b>175</b>	<b>175</b>	<b>0</b>	<b>0</b>
<i>Community Development</i>								
CCTV Upgrades & Improvements	114	138	25	184	184	184	0	(0)
Community Buildings Renewals & Improvements	30	222	192	310	296	310	0	(14)
Pensioner Housing Renewals & Improvements	398	558	160	730	744	730	0	14
<b>Community Development Total</b>	<b>542</b>	<b>918</b>	<b>376</b>	<b>1,225</b>	<b>1,224</b>	<b>1,225</b>	<b>0</b>	<b>(1)</b>
<i>District Development</i>								
Walkway & Track Renewals	8	0	(8)	8	0	8	0	(8)
<b>District Development Total</b>	<b>8</b>	<b>0</b>	<b>(8)</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>(8)</b>
<i>Infrastructure Planning &amp; Capital Works</i>								
Whangarei City Centre Plan Implementation	39	0	(39)	88	0	88	0	(88)
<b>Infrastructure Planning &amp; Capital Works Total</b>	<b>39</b>	<b>0</b>	<b>(39)</b>	<b>88</b>	<b>0</b>	<b>88</b>	<b>0</b>	<b>(88)</b>
<i>Libraries</i>								
Book Purchases	457	555	98	561	676	561	98	17
Library Improvements	0	0	0	22	0	22	0	(22)
Library IT Equipment	34	237	202	237	237	237	0	(1)
Library Renewals	5	5	1	5	5	5	0	1
Mobile Bus Replacement	0	3	3	3	4	3	0	1
<b>Libraries Total</b>	<b>496</b>	<b>800</b>	<b>304</b>	<b>828</b>	<b>922</b>	<b>828</b>	<b>98</b>	<b>(4)</b>
<i>Parks &amp; Recreation</i>								
Cemeteries Level of Service	0	0	0	0	0	0	0	0
Cemeteries Renewals	102	428	325	195	484	195	287	2
Cemetery Land Purchases	6	0	(6)	7	0	7	(6)	(1)
Coastal Structures Level of Service	37	58	21	36	63	36	0	27
Coastal Structures Renewal	281	583	303	935	596	935	(981)	642
COVID 19 (MBIE)	921	0	(921)	1,021	0	366	0	(1,021)
Emerald Necklace - Sense of Place	89	0	(89)	89	0	89	(89)	0
Neighbourhood & Public Gardens Level of Service	539	0	(539)	801	0	601	0	(801)
Neighbourhood & Public Gardens Renewals	435	1,295	860	935	1,472	935	510	28
Playgrounds & Skateparks Level of Service	21	0	(21)	21	0	21	30	(51)
Playgrounds & Skateparks Renewals	1,379	443	(936)	1,409	443	1,409	0	(966)
Pohe Island Development	4,194	3,742	(452)	5,633	4,316	3,633	722	(2,038)
Public Art	20	72	51	60	77	60	0	16
Seawalls Renewal	27	0	(27)	17	0	17	0	(17)
Sport & Recreation Growth	619	368	(251)	619	368	619	0	(251)
Sport & Recreation Level of Service	996	788	(208)	1,141	788	1,141	0	(353)
Sport & Recreation Renewals	458	57	(401)	446	57	446	(57)	(332)
Sportsfields Land Purchases	286	0	(286)	286	0	286	(2)	(284)
Tikipunga Soccer Hub	8	0	(8)	8	0	8	(8)	0
Town Basin - Conversion of Carpark to Park	1,915	1,523	(392)	2,469	2,243	2,469	721	(947)
Visitor Destination Upgrades	107	0	(107)	153	0	153	0	(153)
Walkway & Track Level of Service	26	0	(26)	0	0	0	0	(0)
Walkway & Track Renewals	938	243	(696)	1,165	428	(317)	180	(917)
Waterfront Programme	88	83	(5)	134	99	134	80	(115)
<b>Parks &amp; Recreation Total</b>	<b>13,495</b>	<b>9,683</b>	<b>(3,812)</b>	<b>17,582</b>	<b>11,436</b>	<b>13,245</b>	<b>1,388</b>	<b>(7,534)</b>
<i>Roading</i>								
COVID 19 (MBIE)	615	0	(615)	877	0	877	0	(877)
<b>Roading Total</b>	<b>615</b>	<b>0</b>	<b>(615)</b>	<b>877</b>	<b>0</b>	<b>877</b>	<b>0</b>	<b>(877)</b>
<i>Venue and Events Whangarei</i>								
Forum North Venue Renewals	180	114	(66)	276	214	276	0	(61)

	Actual YTD \$000	Revised Budget YTD \$000	Variance YTD \$000	Full Year Forecast Expenditure \$000	Full Year Revised Budget \$000	Full Year Forecast (adjusted for unbudgeted external income) \$000	Net Carried Forwards \$000	Total Underspent/ (Overspent) \$000
Forum North Venue Upgrades	10	105	95	43	105	43	0	61
NEC - Exterior General Renewals	262	100	(162)	540	580	540	0	40
NEC Building Renewals	265	381	116	381	381	381	0	0
NEC Field Renewals	13	66	52	300	326	300	0	26
NEC Light Tower Renewals	3,292	3,261	(31)	3,292	3,261	3,292	0	(31)
Sport & Recreation Renewals	230	165	(65)	230	165	230	0	(65)
<b>Venue and Events Whangarei Total</b>	<b>4,252</b>	<b>4,192</b>	<b>(59)</b>	<b>5,063</b>	<b>5,033</b>	<b>5,063</b>	<b>0</b>	<b>(30)</b>
<b>Wastes and Drainage</b>								
Public Toilets	13	345	332	303	345	303	50	(8)
<b>Wastes and Drainage Total</b>	<b>13</b>	<b>345</b>	<b>332</b>	<b>303</b>	<b>345</b>	<b>303</b>	<b>50</b>	<b>(8)</b>
<b>Community Facilities &amp; Services Total</b>	<b>19,461</b>	<b>16,188</b>	<b>(3,273)</b>	<b>26,154</b>	<b>19,384</b>	<b>21,817</b>	<b>1,536</b>	<b>(8,306)</b>
<b>Governance and Strategy</b>								
Central City Carpark Upgrades & Improvements	7	134	127	7	201	7	194	(0)
New Airport Evaluation	13	185	172	18	370	18	352	0
Parihaka Transmission Mast Upgrade	0	50	50	0	913	0	913	0
Property Purchases	4	0	(4)	4	0	4	0	(4)
<b>Governance and Strategy Total</b>	<b>24</b>	<b>369</b>	<b>345</b>	<b>29</b>	<b>1,485</b>	<b>29</b>	<b>1,460</b>	<b>(4)</b>
<b>Planning &amp; Regulatory</b>								
Dog Pound Renewals	154	668	513	154	668	154	34	479
<b>Planning &amp; Regulatory Total</b>	<b>154</b>	<b>668</b>	<b>513</b>	<b>154</b>	<b>668</b>	<b>154</b>	<b>34</b>	<b>479</b>
<b>Support Services</b>								
<b>Business Support</b>								
Civic Centre	8,034	10,171	2,137	9,289	12,206	9,288	2,920	(4)
Council Vehicle Replacements	51	246	194	203	295	203	76	16
Furniture Renewals	56	27	(29)	56	32	56	0	(24)
Information Centre Upgrade	0	126	126	0	126	0	0	126
Water Services Building Renewals	0	0	0	0	0	0	0	0
<b>Business Support Total</b>	<b>8,141</b>	<b>10,569</b>	<b>2,428</b>	<b>9,549</b>	<b>12,658</b>	<b>9,548</b>	<b>2,996</b>	<b>113</b>
<b>District Development</b>								
Commercial Property Renewals & Improvements	4	0	(4)	4	0	4	0	(4)
<b>District Development Total</b>	<b>4</b>	<b>0</b>	<b>(4)</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>(4)</b>
<b>ICT</b>								
Asset Management Mobility	0	0	0	0	0	0	0	0
Asset Management Software Upgrade	319	635	316	446	996	446	550	0
Business Improvement Projects	0	102	102	90	102	90	0	12
CiA Upgrade	175	501	327	237	955	237	476	243
Computer Tech for Building, Animal Control & Parking	0	0	(0)	98	0	98	145	(243)
Corporate Performance Management	0	180	180	0	322	0	322	0
Customer Access - Online Services	0	50	50	50	50	50	0	0
Digital District Plan and Policies Online	0	0	0	0	51	0	51	0
Digital Platform	155	327	172	189	384	189	195	0
Digitisation of Records	307	234	(73)	330	288	330	0	(42)
IT Equipment New	24	53	30	36	53	36	0	17
IT Equipment Replacement	242	300	57	317	339	317	0	22
IT Network Upgrades	0	0	0	0	0	0	0	0
Minor ICT Projects	17	83	66	31	83	31	52	(0)
Mobility Technology - Building	3	3	0	3	117	3	113	0
Platform as a Service	70	88	18	107	428	107	322	(0)
Software Application Integration	0	0	0	0	0	0	0	0
Upgrade Kete SharePoint	0	261	261	0	261	0	261	0
<b>ICT Total</b>	<b>1,312</b>	<b>2,817</b>	<b>1,505</b>	<b>1,934</b>	<b>4,430</b>	<b>1,934</b>	<b>2,486</b>	<b>9</b>
<b>People &amp; Capability</b>								
Office Furniture	7	30	24	34	40	34	0	6
<b>People &amp; Capability Total</b>	<b>7</b>	<b>30</b>	<b>24</b>	<b>34</b>	<b>40</b>	<b>34</b>	<b>0</b>	<b>6</b>
<b>Support Services Total</b>	<b>9,464</b>	<b>13,417</b>	<b>3,953</b>	<b>11,521</b>	<b>17,128</b>	<b>11,520</b>	<b>5,483</b>	<b>124</b>
<b>Total</b>	<b>73,552</b>	<b>76,960</b>	<b>3,408</b>	<b>94,272</b>	<b>92,085</b>	<b>84,330</b>	<b>9,488</b>	<b>(11,675)</b>



### CAPITAL PROJECT EXPENDITURE AS AT 30 APRIL 2021





## 7.3 Building Consent – Additional Fee

**Meeting:** Whangarei District Council  
**Date of meeting:** 27 May 2021  
**Reporting officer:** Alan Adcock (General Manager - Corporate/CFO)

### 1 Purpose

To inform Council of the additional fee that will be on-charged to customers as a result of the implementation of the new Building Consent system.

### 2 Recommendation

That the Council notes the addition of a new fee to the 2021-22 Fees and Charges Schedule following the introduction of the Building Consent management system.

### 3 Background

The current system used by Whangarei District Council for managing Building Consents and other related applications within our enterprise solution (TechnologyOne) has not kept pace with customer and industry expectations.

To address many of the issues that this system imposes we will implement an industry-standard solution providing an intuitive building application system with a self-service customer-facing portal. This will enable all customers and their agents to apply for and manage their building consents and related applications online.

The portal is easy to use for customers and will provide improved transparency throughout the application process including the ability for customers to easily provide further information and to track progress daily. It also provides further improvements such as the ability for customers to withdraw applications and to save partially completed applications.

The system being implemented is already in use by 16 councils (e.g. Tauranga City Council, Kaipara District Council) in New Zealand. Using a system that is consistent with other councils means that customers (and more particularly their agents, such as group housing companies) will be more familiar with the system and have a greater understanding of how it works. It has a proven positive track record with existing customers. Given it is well standardised across councils, any product improvements or legislative changes are changed in the centralised system and made available to all councils.

The system aligns with our principles of:

- *Cloud First* - utilising Cloud-based applications to reduce local infrastructure overhead / risk and ensure centralised management and development of systems to provide consistency and economy of scale.
- *Adopt, not Adapt* – taking ‘out of the box’ standardised software to ensure consistency with other councils and minimise WDC-specific maintenance requirements.

- *Digital at Source* – ensuring that our systems use electronic documents from the start to the end of the process thereby minimising the use of paper and the need to scan documents, reducing risks associated with retention of paper documents and double data entry.
- *User Pays* – the ongoing cost of the system will be paid by those customers using the system.

## 4 Costs

The new fee is based on the pricing model the vendor uses; where Council is charged a fee for each application, rather than a single license fee to use the software. This fee will be passed on directly to each customer using the system.

### Customer Charging process

From the time of introduction, estimated as 30 August 2021, the direct operational cost of the system, as charged by the Vendor, will be on-charged to the customer. This is consistent with the Revenue & Financing Policy 60-80% User-Pays requirement for Building Consent activity.

On consent lodgment a WDC invoice will be issued to the customer along with the other Consent fees applicable), with standard payment terms applying. Charges are calculated on the value of building project, as estimated by the applicant on submission of their consent, based on the standard pricing model applicable as follows:

*A fixed fee of \$75.00 + GST will be charged for projects that have an estimated value of work between \$1 - \$125,000 (including GST). For projects where the estimated value of work exceeds \$125,000 the charge is a fee of 0.065% of the estimated value of work. The estimated value of work is capped at \$2.5M.*

Example project values and fees:

Property Value	Cost (exl gst)
5,000	75.00
10,000	75.00
50,000	75.00
100,000	75.00
125,000	75.00
250,000	162.50
500,000	325.00
900,000	585.00
1,000,000	650.00
2,500,000+	1,625.00

### Vendor Charging process

Charging by the vendor to WDC is calculated based on the Building Consent being granted. Again, standard payment terms – being 20<sup>th</sup> of month following – will apply. Any applications withdrawn prior to granting are not charged for, so would be refunded in the same process that is currently utilised.



While the annual cost (using as a basis project values of applications received in the last 12 month period) is anticipated to be in the region of \$320k p.a., the direct on-charge process will result in a net effect (no increase of cost) to WDC.

With the introduction of this system we expect to see efficiencies in the end to end building consent process (particularly at the application stage). This will see reductions in the costs required to process applications, which would result in other fees reducing. While we will not see the impact of this immediately, the overall cost to our customers could potentially reduce.

The local building community has had visibility of the new software implementation via regular meetings with Council staff and are supportive of the initiative.

## **5 Significance and engagement**

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via publication on the website, and advice to the Building Industry.



**RESOLUTION TO EXCLUDE THE PUBLIC****Move/Second**

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:

<b>General subject of each matter to be considered</b>		<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for passing this resolution</b>
1.1	Confidential Minutes Whangarei District Council 22 April 2021	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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:

<b>Item</b>	<b>Grounds</b>	<b>Section</b>
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  To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(h)  Section 7(2)(i)

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

"That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item \_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_.

*Note: Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*