

Whangarei District Council Meeting Minutes

Date: Thursday, 31 May, 2018
Time: 10:30 a.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance

Her Worship the Mayor Sheryl Mai
(Chairperson)
Cr Stu Bell
Cr Gavin Benney
Cr Crichton Christie
Cr Vince Cocurullo
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Sue Glen
Cr Phil Halse
Cr Cherry Hermon
Cr Greg Innes
Cr Greg Martin
Cr Sharon Morgan
Cr Anna Murphy

Scribe C Brindle (Senior Democracy Adviser)

1. Karakia/Prayer

Cr Cocurullo opened the meeting with a karakia/prayer.

2. Declarations of Interest

Open Session:

Item 6.4 – Ted Elliott Memorial Pool Complex Agreement 2001 Legal Opinion and Whangarei Aquatic Centre Lease

Item 6.5 – Draft Walking and Cycling Strategy – Public Consultation

Item 6.8 – Request for Private Development Contributions Agreement by Fred Morgan

Closed Session:

Item 1.3 – Whangarei Aquatic Centre Management

Item 1.4 – Trustee Appointment – Whangarei Art Museum

3. **Apologies**

There were no apologies.

4. **Public Forum Report**

Brian May – various subjects

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

5.1 **Minutes of the Whangarei District Council Meeting held 26 April 2018**

Moved By Cr Cherry Hermon

Seconded By Cr Sharon Morgan

That the minutes of the Whangarei District Council meeting held on Thursday 26 April, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

5.2 **Minutes of the Whangarei District Council Meeting held 20 April 2018**

Moved By Cr Phil Halse

Seconded By Cr Anna Murphy

That the minutes of the Whangarei District Council meeting held on Friday 20 April 2018, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

5.3 **Minutes of the Whangarei District Council Meeting held 16 May 2018**

Moved By Cr Sue Glen

Seconded By Cr Sharon Morgan

That the minutes of the Whangarei District Council meeting held on Wednesday 16 May 2018, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings.

Carried

6. Decision Reports

6.1 Notice of motion - Councillor Martin

Moved By Cr Greg Martin

Seconded By Cr Vince Cocurullo

Item 6.1 was taken in parts.

That Council;

- (i) Confirm the land the Civic Centre is to be located on, be in council ownership; and any future buildings, be in council ownership.

Procedural motion

Moved By Cr Stu Bell

Seconded By Cr Phil Halse

That the motion now be put.

Lost

On the motion being put Cr Glen called for a division:

Recorded	For	Against	Abstain
Her Worship the Mayor		X	
Cr Stu Bell		X	
Cr Gavin Benney		X	
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse		X	
Cr Cherry Hermon		X	
Cr Greg Innes		X	
Cr Greg Martin	X		
Cr Sharon Morgan		X	
Cr Anna Murphy	X		

Results	7	7	0
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Casting Vote (7 to 7)
The motion was Lost
on the casting vote of Her Worship the Mayor

(ii) That Council,

Review the specification documents for the proposed Civic Centre, prior to seeking expressions of interest from the private sector.

Carried

(iii) That Council,

Confirm that the selection criteria and level of evaluation for all proposals for the Civic Centre, will be consistent.

On the motion being put Cr Glen called for a division:

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Sharon Morgan	X		
Cr Anna Murphy	X		
Results	14		

Carried (Unanimous)

iv) That Council,

Confirm the development of a future theatre is included as an additional option in the specification and budget, when seeking expressions of interest, for the RSA/Forum North combined site.

On the motion being put Cr Martin called for a division:

Recorded	For	Against	Abstain
Her Worship the Mayor		X	
Cr Stu Bell		X	
Cr Gavin Benney		X	
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth			X
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse		X	
Cr Cherry Hermon		X	
Cr Greg Innes		X	
Cr Greg Martin	X		
Cr Sharon Morgan		X	
Cr Anna Murphy			X
Results	5	7	2
			Lost

6.2 Infrastructure Designations Review and Amendment to Infrastructure – Resource Management Act 1991, Delegations

Moved By Cr Sharon Morgan

Seconded By Cr Stu Bell

That the Council:

1. Approves implementation of the recommended actions contained within the Infrastructure Designations Review Report, dated April 2018.

2. Approves the addition of the following delegations to the Delegations Manual 2014:

11. Infrastructure and Services
11.2. Statutory Delegations

Resource Management Act 1991

Ref	Section(s)	Delegations	Delegated to	Conditions/Notes
RMA-IS02	various	Authority to request the rollover of designations, minor corrections, alterations, uplifts and new notices of requirement as a 'requiring authority' under the Act.	GM Infrastructure, all Infrastructure Dpt Mgrs	

Amendment

Moved By Cr Greg Innes

Seconded By Cr Anna Murphy

That the General Manager Strategy and Democracy be added to the list of delegations.

**The amendment was Lost
The motion was Carried**

6.3 Community Garden Policy

Moved By Cr Sue Glen

Seconded By Cr Cherry Hermon

That the Council adopts the Community Garden Policy as attached.

Carried

Cr Deeming left the meeting from 11.42am to 11.44am during discussions on Item 6.3.

**6.4 Ted Elliott Memorial Pool Complex Agreement 2001
Legal Opinion and Whangarei Aquatic Centre Lease**

Moved By Cr Phil Halse

Seconded By Cr Greg Martin

That Council approves the lease of the Recreation Reserve (Section 1 SO 482411), on which the Whangarei Aquatic Centre is located, to Sport Northland, for \$1.00 for a period of 33 years, with two 33 year rights of renewal.

Carried

Declaration of interest:

Her Worship the Mayor as Council's appointed representative on the Sport Northland Trust Board.

6.5 Draft Walking and Cycling Strategy 2018 - Public Consultation

Moved By Cr Cherry Hermon

Seconded By Cr Anna Murphy

That Whangarei District Council:

- a) Adopts the Draft Walking and Cycling Strategy and Statement of Proposal in Attachment 1 for public consultation in accordance with the Special Consultative Procedures set out in Section 83 of the Local Government Act 2002.
- b) Authorises the Chief Executive to make any minor amendments, including typographical/formatting/editing changes to the Draft Walking and Cycling Strategy if required.

The motion was Carried

Procedural motion

Moved By Cr Greg Martin

Seconded By Cr Phil Halse

That the motion now be put.

Carried

Declaration of interest:

Cr Bell as Bike Northland's Cycling Coordinator.

The meeting adjourned from 12.15pm to 12.30pm following Item 6.5.

6.6 Recommendation from the Community Funding Committee

Moved By Cr Crichton Christie

Seconded By Cr Anna Murphy

That having considered the recommendation of the Community Funding Committee on 9 May 2018; Council

1. Approves an interest-free community loan of \$30,000 to the Ngunguru Sports and Recreation Society for carpark sealing.

Carried

6.7 Community Funding Proposal May 2018

Moved By Cr Cherry Hermon

Seconded By Cr Tricia Cutforth

That Council:

- a) adopts the new Funding Principles of Accessibility, Consistency, Diversity, Effectiveness, Efficiency, Equity, Flexibility, Inclusion and Transparency.

and;

- b) That Council adopts Option 3: Alternative Model, for Community Funding for development from 1 July 2018 in line with the Community Development Framework.

Amendment

Moved By Cr Shelley Deeming

Seconded By Cr Sharon Morgan

That Council:

- a) adopts the new Funding Principles of Accessibility, Consistency, Diversity, Effectiveness, Efficiency, Equity, Flexibility, Inclusion and Transparency.

and;

- b) That Council adopts Option 2: Enhanced Status Quo, for Community Funding for development from 1 July 2018 in line with the Community Development Framework.

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

Recorded	For	Against	Abstain
Her Worship the Mayor		X	
Cr Stu Bell		X	
Cr Gavin Benney		X	
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth		X	
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon		X	
Cr Greg Innes		X	
Cr Greg Martin	X		
Cr Sharon Morgan	X		
Cr Anna Murphy		X	
Results	7	7	

**The amendment was Lost
on the casting vote
of Her Worship the Mayor**

On the motion being put Cr Glen called for a division:

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie		X	
Cr Vince Cocurullo		X	
Cr Tricia Cutforth	X		
Cr Shelley Deeming		X	

Cr Sue Glen		X
Cr Phil Halse		X
Cr Cherry Hermon	X	
Cr Greg Innes	X	
Cr Greg Martin		X
Cr Sharon Morgan		X
Cr Anna Murphy	X	
Results	7	7
The motion was Lost		

6.8 Request for Private Development Contributions Agreement by Fred Morgan

Moved By Cr Greg Martin

Seconded By Her Worship the Mayor

1. That the Council declines the offer to enter into a Private Development Agreement with Mr Morgan to offset \$1,200,000 of development contributions against the vesting of a 20m esplanade reserve on the western side of the Hatea River for the following reasons:
 - a. Only a small component of the development contributions payable is for parks or parks development;
 - b. The District Plan esplanade reserve designation has lapsed and is not being reinstated;
 - c. Development of a walkway/cycleway is a long-term project and not funded in the draft 2018-2028 Long Term Plan.
 - d. Should a further subdivision of the balance lot be approved Council will acquire the esplanade at no cost.
2. That Mr Morgan be advised of the reasons stated in Recommendation 1(a)-(d) above in accordance with the requirements of the Local Government Act 2002.

Carried

Declaration of interest:

Cr Morgan declared a conflict of interest and withdrew from the table taking no part in discussions or voting on Item 6.8.

6.9 Strategic Brand Recommendation Approval

Moved By Cr Vince Cocurullo

Seconded By Cr Stu Bell

1. That Council notes the report.
2. That no changes are made to the Whangarei District Council logo or naming convention at this time.
3. That the draft Communications Strategy is returned to Council for consideration within two months.

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

Recorded	For	Against	Abstain
Her Worship the Mayor	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Sharon Morgan	X		
Cr Anna Murphy	X		
Results	14		

Carried (Unanimous)

7. Information Reports

7.1 Correction to Council Decision – Annual Operating Fund

Moved By Cr Stu Bell

Seconded By Cr Vince Cocurullo

That Council note the decision made on 26 April 2018, to increase funding to the Jack Morgan Museum Inc and Whangarei District Brass Band Inc; is not valid.

Amendment

Moved By Cr Shelley Deeming

Seconded By Cr Sharon Morgan

1. That Council note the decision made on 26 April 2018, to increase funding to the Jack Morgan Museum Inc and Whangarei District Brass Band Inc; is not valid.
2. That Council request the Community Funding Committee reconsider the applications from the Jack Morgan Museum Inc and Whangarei District Band Inc.

Procedural Motion

Moved By Cr Tricia Cutforth

Seconded By Cr Sue Glen

That this item lies on the table and not be discussed further at this meeting.

Carried

8. Public Excluded Business

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	Closed Minutes Whangarei District Council 26 April 2018	Good reason to withhold information exists under Section 7 Local Government Official	Section 48(1)(a)
1.2	Parking Charges – Whangarei District Airport		

1.3	Whangarei Aquatic Centre Management	Information and Meetings Act 1987	
1.4	Trustee Appointment – Whangarei Art Museum		
1.5	Investigation		
1.6	Complaint		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

Item	Grounds	Section
1.1	For the reasons as stated in the open minutes.	
1.2	To enable the Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
1.3	To enable the Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
1.4	To protect the privacy of natural persons including that of a deceased person.	Section 7(2)(a)
1.5	To protect the privacy of natural persons including that of a deceased person.	Section 7(2)(a)
1.6	To protect the privacy of natural persons including that of a deceased person	Section 7(2)(a)

Carried

9. Closure of Meeting

The meeting concluded at 2.54pm

Confirmed this 28th day of June 2018

Her Worship the Mayor Sheryl Mai (Chairperson)