

Whangarei District Council Meeting Minutes

Date: Thursday, 14 December, 2017
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

1. Karakia/Prayer

2. Declarations of Interest

3. Apologies

There were no apologies.

4. Statutory Declaration by Member

Councillor Gavin Benney made and signed the Statutory Declaration witnessed by Mayor Sheryl Mai.

Cr Benney then gave a short maiden speech.

Her Worship and the Council acknowledged Cr Benney in the usual manner.

Her Worship advised that Cr Benney indicated he would abstain from voting on all of the items on the agenda for the reason that he has not been involved in the process leading up to the decision making at today's meeting.

Her Worship also acknowledged the key to the door, presented to Council by the RSA on the day ownership of the RSA property formally transferred to Council.

5. Public Forum

There were no requests to speak at today's public forum received.

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

6.1 Minutes Whangarei District Council Meeting held 30 November 2017

Moved By Cr Greg Innes

Seconded By Cr Anna Murphy

That the minutes of the Whangarei District Council meeting held on Thursday 30 November 2017, 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

7. Decision Reports

7.1 Long Term Plan 2018 - 2028 - Audit NZ Review

Subsequent to the agenda being circulated the Rates Section of the draft Financial Strategy (Addendum 7.1.1) was distributed separately but within the timeframe specified in LGOIMA.

Moved By Her Worship the Mayor

Seconded By Cr Sharon Morgan

That Council:

1. adopts the Growth Model as contained in Attachment 1 noting it has been used in the development of the draft Long Term Plan 2018-28.

2. approves the source documents for the Consultation Document for Audit NZ review including:
 - draft Strategic Direction,
 - draft Financial Strategy,
 - draft Infrastructure Strategy,
 - draft Activity Profiles,
 - draft Significant Forecasting Assumptions, and
 - draft Financial Statements.
3. notes that further documents will be required to be completed and adopted in February 2018 for separate and concurrent special consultation including:
 - Fees and Charges
 - Revenue and Financing Policy
 - Development Contributions Policy
 - Rates Remission and Postponement Policy.
4. notes that further sections for the final Long Term Plan, that do not require consultation and are not source documents for the Consultation Document, will also be required to be completed and adopted in May 2018 before the adoption of the final Long Term Plan including:
 - Treasury and Risk Management Policy
 - Council Controlled Organisation Policies and Summaries
 - Reserve Funds
 - Accounting Policies.

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

Recorded	For	Against	Abstain
Her Worship the Mayor Sheryl Mai (Chairperson)	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	11	2	1
			Carried

7.2 Long-Term Plan 2018-2028 Key Dates and Consultation Activities

Moved By Cr Greg Martin

Seconded By Cr Phil Halse

That Council approves the key dates and consultation activities for the Long-term Plan 2018 -28 as set out in this report.

Carried

Secretarial note: Clarified the consultation date for Mangakahia Sports Ground Society is 8 March and Ruatangata 15 March.

7.3 Parking and Traffic Bylaw 2017

Subsequent to the agenda being circulated replacement attachment 2 was distributed separately but within the timeframe specified in LGOIMA.

Moved By Her Worship the Mayor

Seconded By Cr Greg Innes

That Council

1. determines that -
 - i. in accordance with section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problems
 - ii. the proposed bylaw is the most appropriate form of bylaw
 - iii. there are no New Zealand Bill of Rights implications
2. amends clause 32.1 of the Bylaw to read:

‘Any resolution, approval, permit or other act of authority made under any Parking and Traffic Bylaw of the Whangarei District Council, which is current at the time this Bylaw comes into force, remains in force on its terms until amended, replaced or revoked by Council.’

3. deletes clause 16.3 from the Bylaw.
4. makes the Parking and Traffic Bylaw 2017 contained in Attachment 1, and incorporating any changes to reflect decisions made at this meeting, in accordance with section 146 of the Local Government Act 2002, with effect from 15 December 2017.
5. confirms the delegations proposed in Section 3 of the ‘Additional Information to Parking and Traffic Bylaw’ (Attachment 1), which provide for officers to exercise powers under the Bylaw.
6. authorises the Chief Executive, in consultation with Her Worship the Mayor, to make any minor edits or amendments to the Bylaw to correct any identified errors or typographical edits, and/or to reflect decisions made by Council at this meeting.
7. amends all previous resolutions of Council on the establishment of, and charges and time limits for, mobility parking spaces to remove any charges applied for such parking spaces where applicable.
8. declares, in accordance with clause 16.1 of the Parking and Traffic Bylaw 2017, that the mobility spaces, as provided in Attachment 5, are free of charge at all times, but remain subject to the time limits established for these parking spaces in accordance with any relevant previous resolutions and as indicated by on-site signage.
9. declares, in accordance with clause 9 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 1, as shared paths and the associated listed categories and priority use, and rescinds all previous resolutions relating to cycle paths made under clause 30 of the Parking and Traffic Bylaw 2005.
10. declares, in accordance with clause 10 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 2, as cycle lanes (special vehicle lanes), for the use of cycles only, and rescinds all previous resolutions relating to cycle lanes made under clause 30 of the Parking and Traffic Bylaw 2005.

11. declares, in accordance with clause 17 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 3, as parking places to be reserved for motorcycles only and rescinds all previous resolutions relating to motorcycle parking made under clause 3 of the Parking and Traffic Bylaw 2005.
12. declares, in accordance with clause 11 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 4 as shared zones.

Amendment

Moved By Cr Vince Cocurullo

Seconded By Cr Anna Murphy

That Council

1. determines that -
 - iv. in accordance with section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problems
 - v. the proposed bylaw is the most appropriate form of bylaw
 - vi. there are no New Zealand Bill of Rights implications.
2. amends clause 32.1 of the Bylaw to read:

‘Any resolution, approval, permit or other act of authority made under any Parking and Traffic Bylaw of the Whangarei District Council, which is current at the time this Bylaw comes into force, remains in force on its terms until amended, replaced or revoked by Council.’
3. deletes clause 16.3 and 16.5 from the Bylaw.
4. deletes clause 16.4 and replaces it with the following:

“A vehicle lawfully displaying a mobility parking permit in any paid parking space will not be required to make payment for that parking space.”
5. makes the Parking and Traffic Bylaw 2017 contained in Attachment 1, and incorporating any changes to reflect decisions made at this meeting, in accordance with section 146 of the Local Government Act 2002, with effect from 15 December 2017.

6. confirms the delegations proposed in Section 3 of the 'Additional Information to Parking and Traffic Bylaw' (Attachment 1), which provide for officers to exercise powers under the Bylaw.
7. authorises the Chief Executive, in consultation with Her Worship the Mayor, to make any minor edits or amendments to the Bylaw to correct any identified errors or typographical edits, and/or to reflect decisions made by Council at this meeting.
8. amends all previous resolutions of Council on the establishment of, and charges and time limits for, mobility parking spaces to remove any charges applied for such parking spaces where applicable.
9. declares, in accordance with clause 16.1 of the Parking and Traffic Bylaw 2017, that the mobility spaces, as provided in Attachment 5, are free of charge at all times, but remain subject to the time limits established for these parking spaces in accordance with any relevant previous resolutions and as indicated by on-site signage.
10. declares, in accordance with clause 9 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 1, as shared paths and the associated listed categories and priority use, and rescinds all previous resolutions relating to cycle paths made under clause 30 of the Parking and Traffic Bylaw 2005.
11. declares, in accordance with clause 10 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 2, as cycle lanes (special vehicle lanes), for the use of cycles only, and rescinds all previous resolutions relating to cycle lanes made under clause 30 of the Parking and Traffic Bylaw 2005.
12. declares, in accordance with clause 17 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 3, as parking places to be reserved for motorcycles only and rescinds all previous resolutions relating to motorcycle parking made under clause 3 of the Parking and Traffic Bylaw 2005.
13. declares, in accordance with clause 11 of the Parking and Traffic Bylaw 2017, the locations defined in Attachment 4, heading 4 as shared zones.

Procedural motion**Moved By** Cr Sue Glen**Seconded By** Cr Deeming

That the item be adjourned until after Item 7.5.

Carried

Discussion on Item 7.3 was adjourned to enable the proposed amendment to be reviewed for compliance.

Items 7.4 and 7.5 were taken next on the agenda. A short break followed Item 7.5.

The meeting resumed on Item 7.3 after the break.

Subsequently, with the consent of the meeting, Item 7.3 was re-worded. The final amendment is stated above.

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

Recorded	For	Against	Abstain
Her Worship the Mayor Sheryl Mai (Chairperson)		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	8	1

The amendment was Lost
The motion was Carried

7.4 Animals Bylaw

Moved By Cr Greg Innes

Seconded By Cr Cherry Hermon

That Council

1. determines that -
 - i. in accordance with section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problems
 - ii. the proposed bylaw is the most appropriate form of bylaw
 - iii. there are no New Zealand Bill of Rights implications.
2. makes the Animals Bylaw 2017 contained in Attachment 1 in accordance with section 146 of the Local Government Act 2002, with effect from 15 December 2017
3. confirms the delegations proposed in Section 3 of the 'Additional Information to Animals Bylaw' (Attachment 1), which provide for officers to exercise powers under the Bylaw
4. authorises the Chief Executive, in consultation with Her Worship the Mayor Sheryl Mai, to make any minor edits or amendments to the Bylaw to correct any identified errors or typographical edits, or to reflect decisions made by Council at this meeting.

Carried

7.5 Whangarei Art Museum Trust - Review of Exemption

Moved By Cr Stu Bell

Seconded By Cr Greg Martin

That Council:

- (a) Revokes the exemption from reporting requirements provided to the Whangarei Art Museum Trust under Section 7 of the Local Government Act (2002).
- (b) Revokes the exemption provided to the Whangarei Art Museum Trust with effect from 1 January 2018.

- (c) Approves the following criteria be included in a Letter of Expectation to the Whangarei Art Museum Trust to inform the Draft Statement of Intent for the 2018/19 financial year.

Governance	<ul style="list-style-type: none"> ▪ Performance review of trustees ▪ Health and safety commitments ▪ Being a good employer e.g. staff engagement, training ▪ Managing risk ▪ Ensuring legislative compliance e.g. Official information ▪ Long term planning and vision ▪ Funding requirements and financial management
Operation of Whangarei Art Museum	<ul style="list-style-type: none"> ▪ Annual performance measures <ul style="list-style-type: none"> - Community engagement and education - Marketing and communications - Exhibition planning - Collection management - Operational management and facilities
Hundertwasser Wairau Māori Arts Centre	<ul style="list-style-type: none"> ▪ Project management against milestones ▪ Risk management (Project specific) ▪ Communication, publication, relationship with the community ▪ Health and Safety (Project specific)

- (d) Delegates to the Mayor and Chief Executive the authority to approve the Letter of Expectation based on the adopted criteria, to be sent to the Whangarei Art Museum Trust in December 2017.

Carried

A lunch break was taken from 12.01pm to 12.32pm following Item 7.5.
Item 7.3 was addressed after the lunch break.

8. Public Excluded Business

There was no business conducted in public excluded.

9. Closure of Meeting

The meeting concluded at 12.56pm

Confirmed this 23rd day of February 2018

Her Worship the Mayor Sheryl Mai