

## **Whangarei District Council Meeting Minutes**

Date: Thursday, 30 March, 2023

Time: 9:00 a.m.

Location: Council Chamber

Forum North, Rust Avenue

Whangarei

In Attendance His Worship the Mayor Vince Cocurullo

Cr Gavin Benney Cr Nicholas Connop

Cr Ken Couper Cr Jayne Golightly

**Cr Phil Halse** 

Cr Deborah Harding Cr Patrick Holmes Cr Marie Olsen Cr Carol Peters Cr Simon Reid Cr Phoenix Ruka Cr Paul Yovich

Not in Attendance Cr Scott McKenzie

Scribe N. Pestana (Team Leader Democracy)

## 1. Karakia/Prayer

Cr Olsen opened the meeting with a prayer.

# 2. Declarations of Interest / Take Whaipānga

No declarations of interest were made.

### 3. Apologies / Kore Tae Mai

Cr Scott McKenzie

**Moved By** His Worship the Mayor **Seconded By** Cr Deborah Harding

That the apology be sustained.

Carried

### 4. Decision Reports / Whakatau Rīpoata

## 4.1 2023-24 Proposed fees and Charges

Moved By Cr Marie Olsen Seconded By Cr Nicholas Connop

That Whangarei District Council:

- a) Adopt the Statement of Proposal for 2023-24 fees and charges listed in Table A below which are subject to the Special Consultative Procedure process under the Local Government Act 2002
- b) Resolve to seek public submissions on these fees and charges in accordance with the Special Consultative Procedure:

Table A: 2023-24 Fees and charges subject to the Special Consultative Procedure

|  | Refer<br>Statement of<br>Proposal |
|--|-----------------------------------|
| Bylaw Enforcement  | Page 7                            |
| Drainage (Waste Water and Trade Waste)   | Page 4-6                          |
| Food Premises  | Page 8-10                         |
| Gambling and Racing Act  | Page 10                           |
| Health Act Registered Premises   | Page 10-11                        |
| Public Places Bylaw  | Page 12                           |
| Resource Management Act Council Professional Fees Monitoring and Land Use District Plan/Private Plan Changes | Page 13-21                        |
| Rubbish Disposal   | Page 22-23                        |
| Water Supply   | Page 24-25                        |

c) Adopt the 2023-24 fees and charges which are not subject to the Special Consultative Procedure listed in Table B below:

Table B: 2023-24 Fees and charges <u>not</u> subject to the Special Consultative Procedure

|                                   | Refer Attachment<br>Proposed Fees<br>and Charges |
|-----------------------------------|--|
| Animals: Dogs, Stock Control      | Page 3-4   |
| Building Control                  | Page 5-12  |
| Cameron Street Mall Permits       | Page 13  |
| Cemetery                          | Page 14-15                                       |
| Forum North Venue Hire            | Page 26  |
| Laboratory                        | Page 29-30                                       |
| Land Information Memorandum       | Page 35  |
| Library                           | Page 31-33                                       |
| Official Information              | Page 37  |
| Parks and Reserves                | Page 38-40                                       |
| Photocopying                      | Page 41  |
| Searches                          | Page 50  |
| Swimming Pool Fencing Inspections | Page 51  |
| Transport                         | Page 52  |

 d) Authorise the Chief Executive to make minor amendments, drafting, typographical or presentation corrections necessary to the Proposed Fees and Charges and the Statement of Proposal prior to consultation

**Carried** 

### 4.2 Annual Plan 2023-24 Consultation Document

Moved By Cr Simon Reid Seconded By Cr Patrick Holmes

That Council:

- 1. Agrees on the consultation issues for the Draft Annual Plan 2023-24, which include:
  - o OPTION 1: Increase general rates by 10.9%.
  - OPTION 2: Increase general rates by 7.9% in line with what was set in the Long Term Plan 2021-31.

- 2. Adopts the Consultation Document and Supporting Documents for the Draft Annual Plan 2023-24.
- 3. Authorises, through the Chief Executive any necessary drafting, administrative, typographical or presentation corrections prior to printing and distribution, including any updates required prior to finalising the Consultation Document.

## <u>Amendment</u>

Moved By Cr Paul Yovich Seconded By Cr Carol Peters

#### That Council:

- 1. Agrees on the consultation issues for the Draft Annual Plan 2023-24, which include:
  - Option1: Increase general rates by 10.9%, distributing the first 7.9% of the general rates increase generally in line with budget allocations in the 2022-23 Annual Plan and allocating the remaining 3% of the general rates increase specifically to Roading.
  - Option 2: Increase general rates by 7.9%, distributing the first 5.4% of the general rates increase generally in line with budget allocations in the 2022-23 Annual Plan and allocating the remaining 2.5% of the general rates increase specifically to Roading.
  - 2. Adopts the Consultation Document and Supporting Documents for the Draft Annual Plan 2023-24.
  - 3. Authorises, through the Chief Executive any necessary drafting, administrative, typographical or presentation corrections prior to printing and distribution, including any updates required prior to finalising the Consultation Document.

The Amendment was Carried and subsequently Carried as the substantive motion

### 4.3 Proposed name change for Te Kamo

Moved By Cr Phoenix Ruka Seconded By Cr Deborah Harding

That Council:

- Note the Te Kārearea Strategic Partnership Standing Committee (Te Kārearea) support a submission from Council to the New Zealand Geographic Board | Ngā Pou Taunaha o Aotearoa.
- Note Te Kārearea requests that if a submission is made by Council it considers the submission from Ngāti Kahu o Torongare to be discussed at their hui on 2 April 2023.
- Delegates His Worship the Mayor and Cr Deborah Harding (as Chair of Te Kārearea Strategic Partnership Standing Committee) to make a submission taking into account feedback from Council and the outcomes from the hui of Ngāti Kahu o Torongare.

Carried

Councillors Reid and Olsen abstained from voting on Item 4.3. Cr Yovich requested his vote against be recorded.

The meeting adjourned at 10.02am and reconvened at 10.20am. Administrative note: The livestream concluded at 10.02am.

## 5. Code of Conduct Hearing

### 5.1 Code of Conduct Complaint 2023

Procedural motion

Moved By Cr Gavin Benney Seconded By Cr Ken Couper

That Council hold the hearing in confidential and that the resolutions only be released to open record.

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

| Recorded              | For | Against | Abstain |
|-----------------------|-----|---------|---------|
| His Worship the Mayor |     | X       |         |
| Cr Gavin Benney       | Χ   |         |         |
| Cr Nicholas Connop    |     | X       |         |
| Cr Ken Couper         | X   |         |         |
| Cr Phil Halse         | X   |         |         |
| Cr Deborah Harding    | X   |         |         |
| Cr Patrick Holmes     | Χ   |         |         |
| Cr Scott McKenzie     |     |         |         |
| Cr Marie Olsen        | Χ   |         |         |
| Cr Carol Peters       |     | X       |         |
| Cr Simon Reid         |     | X       |         |
| Cr Phoenix Ruka       | Χ   |         |         |
| Cr Paul Yovich        |     | Χ       |         |
| Results               | 7   | 5       |         |

## The procedural motion was Carried (7 to 5)

Cr McKenzie was absent.

Cr Golightly did not take part in discussions on the procedural motion and did not vote on the procedural motion.

### **Procedural motion**

Moved By Cr Gavin Benney Seconded By Cr Ken Couper

That Cr Golightly, her legal representative and her support person be allowed to remain in the room during the confidential proceedings.

Carried

Councillors Connop and Yovich requested their vote against be recorded. Cr McKenzie was absent.

Cr Golightly did not take part in discussions on the procedural motion and did not vote on the procedural motion.

### 6. Public Excluded Business / Rāhui Tangata

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:

|     | ral subject of each matter<br>considered | Reason for passing this resolution in relation to each matter  | Ground(s) under<br>Section 48(1) for<br>passing this<br>resolution |
|-----|--|--|--|
| 1.1 | Code of Conduct Complaint 2023           | 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 maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members of officers or employees of any local authority, or any persons to whom section 2(5) of this Act applies in the course of their duty. | Section 7(2)(f)(i)   |
|      | To protect information which is subject to an obligation of confidence or would be likely otherwise to damage the public interest.  | Section 7(2)((c)(ii) |
|      | Refer Item 6.3 Minutes Whangarei District Council 27<br>April 2023 whereby council made this correction.  |                      |

## 7. Closure of Meeting / Te katinga o te Hui

Cr Olsen closed the meeting with a prayer.

The meeting concluded at 11.50am.

Confirmed this 27<sup>th</sup> day of April 2023

His Worship the Mayor (Chairperson)