



# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## AGENDA

### Council Meeting 13 August 2019

NOTICE IS HEREBY GIVEN that a Meeting of Whanganui District Council will be convened on:

**Date: Tuesday, 13 August 2019**

**Time: 1.00pm**

**Location: Council Chamber  
101 Guyton Street  
Whanganui**

**Kym Fell  
Chief Executive**

**Whanganui District Council**

Mayor Hamish McDouall (Chair), Deputy Mayor Cr Jenny Duncan,  
Crs Charlie Anderson, Philippa Baker-Hogan, David Bennett, Josh Chandulal-Mackay, Murray  
Cleveland, Helen Craig, Kate Joblin, Hadleigh Reid, Alan Taylor,  
Rob Vinsen and Graeme Young.  
Whanganui Rural Community Board appointee – David Matthews

Terms of Reference:

- To carry out the leadership functions including advocacy and facilitation on behalf of the community
- To exercise all non-delegated functions and powers of the Council
- To make decisions which are required by legislation to be made by resolution of the local authority
- To determine all financial matters not delegated
- To authorise all expenditure not delegated to staff or other committees
- To consider any matters referred to it from any of the Standing Committees
- To receive reports from the Audit and Risk Committee
- To receive reports from Whanganui and Partners Board
- To receive reports from Whanganui Holdings Board
- To receive reports from Iwi partners
- To receive reports from the Youth Committee
- To develop and approve the Long-term Plan including any amendments and Annual Plans and associated policies, to hear submissions and approve the final plan
- To approve Plan Changes for notification and make decisions in respect to District Plan matters.

Procedural matters:

- Delegation of Committee powers
- Adoption of Standing Orders
- Confirmation of all Standing Committee minutes
- Employment of the Chief Executive, setting of the Chief Executive's performance targets and review of the Chief Executive's Performance and Remuneration (in accordance with Employment Agreement)
- Other delegations

**Items of business not on the agenda which cannot be delayed**

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson. The meeting must resolve to deal with the item and the Chairperson must explain at the meeting when it is open to the public the reason why the item is on the agenda and the reason why the discussion of the item cannot be delayed until a subsequent meeting. Refer to Standing Order 9.11.

Note: nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA with regard to consultation and decision-making.

**Discussion of minor matters not on the agenda**

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion. Refer to Standing Order 9.12.

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**1 OPENING PRAYER / KARAKIA****2 APOLOGIES****3 LEAVE OF ABSENCE****4 DECLARATIONS OF INTEREST**

Elected Members will be provided with the opportunity to declare any disclosable pecuniary or other non-pecuniary interest in any matter to be considered at this meeting, or declare any new conflicts that have arisen since last completing the Elected Members' Interests Register.

**5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION****Recommendation**

THAT the additional information tabled is taken with the relevant items.

**6 PUBLIC ENGAGEMENT FORUM**

## **7 CONFIRMATION OF MINUTES**

### **7.1 MINUTES OF THE COUNCIL MEETING HELD ON 10 JULY 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**References:** 1. Minutes of the Council Meeting held on 10 July 2019

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

#### **Recommendation**

THAT the Minutes of the Council Meeting held on 10 July 2019 are confirmed as a true and correct record.



**WHANGANUI  
DISTRICT COUNCIL**  
Te Kaunihera a Rohe o Whanganui

**MINUTES**

**Council Meeting  
10 July 2019**

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Council Meeting Minutes

10 July 2019

**MINUTES OF MEETING OF THE WHANGANUI DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBER, 101 GUYTON STREET, WHANGANUI  
ON 10 JULY 2019 AT 1.00PM**

**PRESENT:** Mayor Hamish McDouall (Chair), Cr Jenny Duncan (Deputy Mayor), Cr Charlie Anderson, Cr Josh Chandulal-Mackay, Cr Murray Cleveland, Cr Helen Craig, Cr Kate Joblin, Cr Hadleigh Reid, Cr Philippa Baker-Hogan, Cr Rob Vinsen, Cr Graeme Young.

**APOLOGIES:** Cr Alan Taylor.

**IN ATTENDANCE:** Kym Fell (Chief Executive), Mike Fermor (General Manager Finance), Bryan Nicholson (Chief Operating Officer), Leighton Toy (General Manager Property), Stephanie Macdonald-Rose (Policy and Governance Manager), Greg Anderson (Director Sarjeant Gallery), Justin Walters (Policy Analyst Legislative and Performance Management), Kate Barnes (Senior Democracy Advisor), Karyn Turner (Governance Services Officer).

**1 OPENING PRAYER / KARAKIA**

Cr Hadleigh Reid read the Whanganui District Council Prayer.

**2 APOLOGIES**

**Resolution 2019/29**

Moved: Mayor Hamish McDouall

Seconded: Cr Jenny Duncan

THAT the apology from Cr Alan Taylor be accepted and leave of absence granted.

**CARRIED**

**3 LEAVE OF ABSENCE**

Cr David Bennett – 8 July to 5 August 2019.

Mayor McDouall advised leave of absence had been granted to Cr Bennett.

**4 DECLARATIONS OF INTEREST**

No conflicts of interest were declared.

**5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION**

**Resolution 2019/30**

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Moved: Mayor Hamish McDouall

Seconded: Cr Jenny Duncan

THAT the additional information tabled is taken with the relevant items.

**CARRIED**

## **6 PUBLIC ENGAGEMENT FORUM**

### **• Larry Tasker – Recycling in Whanganui**

Mr Tasker presented information on recycling systems used in the Netherlands that he considered were worthy of Council's consideration. These included:

- A system that returned glass bottles back to the manufacturer for sterilisation and resale.
- The return of plastic soft drink bottles via a machine at supermarkets that produced a receipt that could then be presented at the supermarket check-out with the value taken off purchases made.
- Battery recycling: While Mr Tasker had initially understood that highly toxic batteries were sent to landfill, he had been advised that with a voluntary donation, Whanganui's recycling centre recycled torch batteries and used car batteries. It was therefore clear that Whanganui residents did have the opportunity to recycle batteries and he believed this needed better publicity.

Mr Tasker also referred to a method of weedkilling without pesticides used in the Netherlands. The method used intensive heat from a burner, powered by LPG gas, installed in a small machine on wheels. Weed control currently was through pesticides sprayed on verges and footpaths. This had potential for run-off into street gutters and then into waterways. Mr Tasker suggested there was opportunity for Whanganui to take a lead on weedkilling without pesticides and further investigate how this was done in the Netherlands. Other councils could also be brought onboard with this method of weedkilling.

## **7 CONFIRMATION OF MINUTES**

### **7.1 MINUTES OF THE COUNCIL MEETING HELD ON 11 JUNE 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

#### **Resolution 2019/31**

Moved: Mayor Hamish McDouall

Seconded: Cr Helen Craig

1. THAT the Minutes of the Council Meeting held on 11 June 2019 are confirmed as a true and correct record.

**CARRIED****8 REPORTS TO COUNCIL****8.1 NOTICE OF MOTION - CLIMATE EMERGENCY**

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Motion**

Moved: Cr Josh Chandulal-Mackay

Seconded: Cr Jenny Duncan

THAT Whanganui District Council recognises a state of global 'Climate Emergency' exists.

THAT in the development of its Climate Change Strategy, the exercising of actions directed by this Strategy, and any other relevant Whanganui District Council Strategies, due accord is given to the recognition that a climate emergency exist.

**Procedural Motion** – Cr Vinsen said climate change was an important issue and there was considerable public interest in this matter however he believed this motion had come in haste and proposed that the report be referred to the Strategy and Finance Committee.

**Resolution 2019/32**

Moved: Cr Rob Vinsen

Seconded: Cr Helen Craig

THAT the report be referred to the Strategy and Finance Committee.

**CARRIED**

Mayor McDouall, Crs Duncan and Chandulal-Mackay voted against.

**8.2 WATER SUPPLY BYLAW REVIEW**

**Author:** Justin Walters - Policy Analyst Legislative & Performance Management

**Authoriser:** Stephanie Macdonald-Rose - Policy & Governance Manager

Charlotte Almond - General Manager Strategy

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Resolution 2019/33**

Moved: Cr Helen Craig

Seconded: Cr Murray Cleveland

The Statutory Management Committee recommends to Council:

1. THAT the Council confirms that:

- a) a bylaw is the most appropriate way of addressing the issues relating to protection of the reticulated water supply system;
  - b) the Amended Water Supply Bylaw 2014 is the most appropriate form of a bylaw; and
  - c) the Amended Water Supply Bylaw 2014 is not inconsistent with the New Zealand Bill of Rights Act 1990.
2. THAT Council adopts the amended Water Supply Bylaw 2014 with a commencement date of 17 July 2019.

**CARRIED**

### **8.3 GOVERNMENT CONSULTATION UPDATE - JULY 2019**

**Author:** Justin Walters - Policy Analyst Legislative & Performance Management

**Authoriser:** Stephanie Macdonald-Rose - Policy & Governance Manager

Charlotte Almond - General Manager Strategy

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

#### **Discussion**

*Submission – Climate Change Response (Zero Carbon) Amendment Bill:* Cr Craig said this topic impacted the rural community and queried whether the Whanganui Rural Community Board's response to this issue had been discussed at the Council workshop. She also queried whether Board members had been in attendance. Mr Walters said Rural Community Board members have a standing invite to all Council workshops but did not attend this workshop. Councillors were made aware of the Board's view. Following a Community Board workshop the Board had written its own submission. The Board's submission made comment on different matters but did not directly conflict with the Council's submission. Parts of the Board's submission were included in the Council submission.

Cr Craig advised she would abstain from voting on the Council's submission as she had been unable to attend the Council's workshop.

*Smoke-Free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill:* Cr Baker-Hogan expressed concerned that the Council was not proposing to submit to this Bill. She said research revealed that the number of young people under the age of 18 years effected by smoking was significant. Cr Joblin supported Cr Baker-Hogan's proposal that the Council write a brief strong submission in support of the Bill.

Mr Walters responded to questions on the matrix used that provided guidance to Council officers in determining whether the Council drafted submissions on proposed consultation opportunities. While also working with Safer Communities to decide appropriate scores, staff capacity was also part of the matrix. Referring to the Smoke-Free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill, Cr Joblin believed it was not always necessary to put in labour-intensive responses to bills such as this, if it was considered it would make Whanganui a better safer community. She suggested a review of the matrix was required.

#### **Resolution 2019/34**

Moved: Mayor Hamish McDouall



Seconded: Cr Jenny Duncan

1. THAT the information within Government Consultation Update – June 2019 is noted.

**CARRIED**

**Resolution 2019/35**

Moved: Cr Josh Chandulal-Mackay

Seconded: Mayor Hamish McDouall

2. THAT the Council submission on the Climate Change Response (Zero Carbon) Amendment Bill is adopted

**CARRIED**

Cr Craig abstained from voting.

**Resolution 2019/36**

Moved: Cr Philippa Baker-Hogan

Seconded: Cr Kate Joblin

3. THAT Council makes a written submission on the Smokefree Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill by the closing date of 8 August 2019.

**CARRIED**

**8.4 REPRESENTATION REVIEW - CONFIRMATION OF POLL**

**Author:** Stephanie Macdonald-Rose - Policy & Governance Manager

**Authoriser:** Charlotte Almond - General Manager Strategy

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Discussion**

Ms Macdonald-Rose responded to questions. As well as inclusion of supplementary information on the poll questions in the election pack, an engagement plan would also provide further measures to provide information to the public during the election period.

**Resolution 2019/37**

Moved: Cr Murray Cleveland

Seconded: Cr Charlie Anderson

THAT the following representation review poll questions are confirmed:

**Do you want to elect candidates using the First Past the Post electoral system, or the Single Transferable Vote system?**

- I vote for First Past the Post (FPP)
- I vote for Single Transferable Voting (STV)

**Do you want to elect candidates based on a ward system, or do you want them to stand 'at large' (across the whole district)?**

- I vote to keep the voting area system as it is now ('at large' where candidates stand for the district as a whole)
- I vote for a ward system to be considered by the Council

**Do you want to keep the number of Whanganui district councillors at 12, or do you want to reduce the number to 10?**

- I vote for the number of councillors to remain at 12
- I vote for the number of councillors to be reduced to 10.

**CARRIED****8.5 WHANGANUI MASTERS GAMES REPORT 2019****Author:** Merle Benson - EA Property and Projects**Authoriser:** Leighton Toy - General Manager Property**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.**Discussion**

Mr Toy acknowledged the attendance of James Bowen, Trustee Whanganui New Zealand Masters Games Trust. Copies of the final report of the Downer New Zealand 30<sup>th</sup> Anniversary Whanganui Masters Games were tabled.

Mr Toy provided a summary of the 30<sup>th</sup> Anniversary Whanganui Masters Games and responded to questions. The Trust was pleased with the February 2019 event and there had been good participation. The financial juggling exercise to achieve the event could not be under-estimated with a small deficit of just under \$20,000. Areas for improvement for the 2021 Masters Games had also been identified and Mr Toy would like to work with Whanganui & Partners in supporting improvements to the Masters Games.

Acknowledgement was made to the Games sponsor, Downer New Zealand, the huge number of volunteers who had supported the Games, and the large number of local corporate sponsors.

**Resolution 2019/38**

Moved: Mayor Hamish McDouall

Seconded: Cr Hadleigh Reid

THAT the information is noted.THAT the final report of the 30<sup>th</sup> Anniversary Downer New Zealand Masters Games Whanganui February 2019 is tabled.**CARRIED****Resolution 2019/39**

Moved: Cr Helen Craig

Seconded: Cr Jenny Duncan

THAT Council thanks the Whanganui (NZ) Masters Games Trust Board, volunteers, major sponsor Downer NZ, and other corporate sponsors.

**CARRIED**

#### **8.6 DIRECTOR APPOINTMENT - THE NEW ZEALAND MASTERS GAMES LIMITED**

**Author:** Anna Palamountain - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

#### **Resolution 2019/40**

Moved: Mayor Hamish McDouall

Seconded: Cr Philippa Baker-Hogan

1. THAT Council appoint Kevin Nicholson as a director of The New Zealand Masters Games Limited.

**CARRIED**

#### **8.7 SARJEANT GALLERY REDEVELOPMENT PROJECT UPDATE**

**Author:** Gaye Batty - Project Director - Sarjeant Gallery Redevelopment Project

**Authoriser:** Bryan Nicholson - Chief Operating Officer

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

*At 2.45pm Mayor McDouall left the meeting and Deputy Mayor Cr Duncan assumed the Chair.*

#### **Resolution 2019/41**

Moved: Cr Kate Joblin

Seconded: Cr Charlie Anderson

THAT the information is noted.

**CARRIED**

#### **8.8 CHANGES TO MEMBER REMUNERATION**

**Author:** Kate Barnes - Senior Democracy Advisor

**Authoriser:** Stephanie Macdonald-Rose - Policy & Governance Manager

**Charlotte Almond - General Manager Strategy**

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

At 2.51pm, Mayor McDouall returned to the meeting and assumed the Chair.

#### **Discussion**

Referring to the introduction of a child care allowance, Cr Baker-Hogan considered implementing a policy prior to election could make a difference to a person's decision to stand for Council. Ms Barnes said a number of planned communication initiatives prior to election would include information on the child care allowance. It was up to each council to determine whether it paid any of a number of allowances and she advised it possibly was better for the new council to determine how it allocated its remuneration pool.

In further discussion, Cr Baker-Hogan proposed that the Council did agree to introduce an allowance for child care costs. This was supported by Cr Chandulal-Mackay. He said in many cases young people without flexibility in work, or a parent with young children, standing for Local Government was not feasible. This would make sure barriers were reduced enabling diversity in representation.

Cr Vinsen spoke against the motion. He did not believe there was any justification in loading the cost of child care on the Council. This was not a ratepayers' responsibility. Mayor McDouall, Crs Craig and Joblin spoke in support of the motion. In her right-of-reply, Cr Baker Hogan said the Council needed younger parents and currently this was a barrier to democracy. This allowance would assist in incentivising parents of children under the age of 14 years to partake in the democratic process.

#### **Resolution 2019/42**

Moved: Mayor Hamish McDouall

Seconded: Cr Helen Craig

THAT the information is noted.

**CARRIED**

#### **Resolution 2019/43**

Moved: Cr Philippa Baker-Hogan

Seconded: Cr Josh Chandulal-Mackay

THAT Council agrees to introduce an allowance for child care costs, in line with the options included in the Remuneration Authority's Local Government Members (2019/20) Determination 2019.

**CARRIED**

Crs Cleveland and Vinsen voted against.

*Adjournment 3.13pm to 3.29pm*

#### **8.9 ACTIONS ARISING FROM PREVIOUS MINUTES - JULY 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Resolution 2019/44**

Moved: Mayor Hamish McDouall

Seconded: Cr Kate Joblin

THAT the Actions Arising from Previous Minutes – July 2019 is noted.

**CARRIED**

**8.10 MAYOR'S REPORT FOR JUNE 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Resolution 2019/45**

Moved: Mayor Hamish McDouall

Seconded: Cr Murray Cleveland

1. THAT the Mayor's Report for June 2019 is noted.

**CARRIED**

**8.11 REPRESENTATIVE UPDATE - JULY 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Resolution 2019/46**

Moved: Mayor Hamish McDouall

Seconded: Cr Kate Joblin

THAT the Representative Update – July 2019 is noted.

**CARRIED**

**9 MINUTES FOR RECEIPT****9.1 MEETING MINUTES FOR RECEIPT - JULY 2019****Author:** Kim Fielder - Governance Services Officer**Authoriser:** Kate Barnes - Senior Democracy Advisor**Resolution 2019/47**

Moved: Cr Rob Vinsen

Seconded: Cr Jenny Duncan

THAT the minutes of:

- (a) Statutory Management Committee Meeting (Arts and Culture Strategic Plan) held on 16 May 2019

are received.

**CARRIED****Resolution 2019/48**

Moved: Cr Philippa Baker-Hogan

Seconded: Cr Rob Vinsen

THAT the minutes of:

- (b) Statutory Management Committee Meeting (Sport and Recreation Facilities Strategy and Water Supply Bylaw Review) held on 30 May

are received.

**CARRIED****Resolution 2019/49**

Moved: Cr Jenny Duncan

Seconded: Cr Charlie Anderson

THAT the minutes of:

- (c) Audit and Risk Committee Meeting held on 27 May 2019

are received.

**CARRIED****Resolution 2019/50**

Moved: Cr Rob Vinsen

Seconded: Cr Jenny Duncan

THAT the minutes of:

- (d) Infrastructure Committee Meeting held on 13 June 2019

are received.

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**Council Meeting Minutes**

10 July 2019

**CARRIED****Resolution 2019/51**

Moved: Cr Josh Chandulal-Mackay

Seconded: Cr Jenny Duncan

THAT the minutes of:

(e) Youth Committee Meeting held on 17 June 2019  
are received.

**CARRIED****Resolution 2019/52**

Moved: Cr Murray Cleveland

Seconded: Cr Josh Chandulal-Mackay

THAT the minutes of:

(f) Whanganui Rural Community Board Meeting held on 19 June 2019  
are received.

**CARRIED**

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**10 MOTION TO EXCLUDE THE PUBLIC****RESOLUTION TO EXCLUDE THE PUBLIC**

*Section 48, Local Government Official Information and Meetings Act 1987.*

**Resolution 2019/53**

Moved: Mayor Hamish McDouall

Seconded: Cr Kate Joblin

THAT the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7. Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

**CARRIED**

**Note**

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):
- (a) Shall be available to any member of the public who is present; and
  - (b) Shall form part of the minutes of the local authority.”

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 relevant part of the proceedings of the meeting in public are as follows:



## Council Meeting Minutes

10 July 2019

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
12.1	Confidential Minutes of the Council Meeting held on 11 June 2019			Refer to the previous public excluded reason in the agenda for this meeting	
13.1	Meeting Minutes for Receipt - July 2019			Refer to the previous public excluded reasons in the agenda for this meeting	
14.1	WDC Holdings Limited - Proposed Property Purchase	s7(2)(b)(ii), s7(2)(h), s7(2)(i)	Commercial Position, Commercial Activities, Negotiations	Holdings is in commercial negotiations for purchase of property.	
14.2	Actions Arising for Previous Minutes - Confidential - July 2019	s7(2)(b)(ii), s7(2)(i)	Commercial Position, Negotiations	To protect commercially sensitive information and negotiations	
14.3	Chief Executive's Report - July 2019	s7(2)(a), s7(2)(b)(ii), s7(2)(i)	Privacy, Commercial Position, Negotiations	To protect individuals and commercial private information	

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Council Meeting Minutes

10 July 2019

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**Resolution 2019/54**

Moved: Mayor Hamish McDouall

Seconded: Cr Kate Joblin

THAT Annette Main, Chair, and Matthew Doyle, Deputy Chair, Whanganui District Council Holdings Limited; be permitted to remain in the meeting after the public has been excluded because of their knowledge of **Item 14.1: WDC Holdings Limited – Proposed Property Purchase**. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of their position as Chair and Deputy Chair of Whanganui District Council Holdings Limited.

**CARRIED**

*Adjournment 4.08m to 4.12pm.*

Council Meeting Minutes

10 July 2019

**The Meeting reopened to the public at 5.14pm.**

**The meeting closed at 5.14pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 18 July 2019.**

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**CHAIRPERSON**

**7.2 MINUTES OF THE COUNCIL MEETING HELD ON 18 JULY 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**References:** 1. Minutes of the Council Meeting held on 18 July 2019 (Strike the Rates)

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

**Recommendation**

THAT the Minutes of the Council Meeting held on 18 July 2019 are confirmed as a true and correct record.



**WHANGANUI  
DISTRICT COUNCIL**  
Te Kaunihera a Rohe o Whanganui

# **MINUTES**

**Council Meeting  
18 July 2019**

**Order Of Business**

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Council Meeting Minutes

18 July 2019

**MINUTES OF MEETING OF THE WHANGANUI DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBER, 101 GUYTON STREET, WHANGANUI  
ON 18 JULY 2019 AT 2.00PM**

**PRESENT:** Mayor Hamish McDouall (Chair), Cr Jenny Duncan (Deputy Mayor), Cr Charlie Anderson, Cr Josh Chandulal-Mackay, Cr Murray Cleveland, Cr Kate Joblin, Cr Alan Taylor, Cr Philippa Baker-Hogan, Cr Rob Vinsen.

**APOLOGIES:** Cr David Bennett, Cr Helen Craig, Cr Hadleigh Reid, Cr Graeme Young.

**IN ATTENDANCE:** Bryan Nicholson (Chief Operating Officer), Mike Fermor (General Manager Finance), Mark Hughes (General Manager Infrastructure), Kate Barnes (Senior Democracy Advisor).

**1 OPENING PRAYER / KARAKIA**

Cr Jenny Duncan read the Prayer.

**2 APOLOGIES**

**Apology**

**Resolution 2019/55**

Moved: Mayor Hamish McDouall

Seconded: Cr Charlie Anderson

THAT the apologies from Cr Helen Craig, Cr Hadleigh Reid and Cr Graeme Young be accepted and leave of absence granted.

**CARRIED**

**3 LEAVE OF ABSENCE**

Cr David Bennett

**4 DECLARATIONS OF INTEREST**

There were no new declarations of interest.

**5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION**

There were no items tabled.

**6 REPORTS TO COUNCIL****6.1 RATES RESOLUTION FOR 2019/20**

**Author:** Simon Manville - Senior Finance Officer

**Authoriser:** Mike Fermor - General Manager Finance

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

**Discussion**

General Manager Finance summarised the report. The decisions before Council were largely a procedural formality as the recommendations were as a result of the Annual Plan, adopted 27 June 2019. Striking the rates is the mechanism to provide funding for what Council has agreed to do in 2019/20.

Council's property valuer, QV, collects data throughout the year to 30 June, enabling Council to make their rating decision using the latest information. Without this information, Council may end up over-rating existing ratepayers, as new subdivisions would not be reflected.

Rates notices will be posted on 1 August 2019.

Capital valuations increased 0.9% this year, and separately used or inhabited part of a rating unit (SUIP) increased 0.5%. This growth translated into an additional \$419,420 (GST incl) of rates.

Cr Baker-Hogan asked GM Finance to reiterate the average rates increase that will be applied. The overall average is 3.7%, but caution should be applied when using averages as there will be large individual variances to this. The current Long Term Plan had a 3.5% rates average increase for 2019/20. This increase had allowed for \$200,000 (GST excl) of growth in Whanganui, however the growth turned out to be almost double what was expected. This increase in growth had been discussed at annual plan workshops and taken into account when setting the 2019/20 rates.

Cr Baker-Hogan asked if Whanganui is to grow and the rating base increases, would there be lower rates per SUIP. GM Finance noted that Councillors are generally motivated by affordability for ratepayers but must make decisions based on the best information available at the time. He also noted that service levels are the key driver of rates and if Councillors wanted to reduce rates they should look to reduce service levels.

The Mayor noted that care should be taken when assuming growth, as it can backfire.

Cr Vinsen asked for more detail regarding where growth is accruing. Cr Joblin agreed, noting that a heat map may be useful. She pointed out that if the Council had not planned for growth, the rates increase would have been higher.

Cr Taylor said it would be good to note the quantum of the forestry only rate in relation to the wider rural rate.

**Resolution 2019/56**

Moved: Mayor Hamish McDouall

Seconded: Cr Jenny Duncan

1. THAT the Whanganui District Council sets the following rates (inclusive of GST) under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2019 and ending on 30 June 2020.



## (a) Uniform annual general charge

A Uniform annual general charge (UAGC) set under section 15 of the Local Government (Rating) Act 2002, as a fixed amount per Separately Used or Inhabited Part of a Rating Unit on all rating units in the district of \$831.00.

## (b) General rate

A differential general rate, set under section 13 and 14 of the Local Government (Rating) Act 2002, on the land value of each rating unit as follows:

	<b>Cents in the dollar</b>
<b>Commercial</b>	
Properties used for commercial or industrial purposes	1.6406
<b>Residential</b>	
less than 0.5 hectares	0.9035
greater than or equal to 0.5 hectares but less than 1 hectare	0.7941
greater than or equal to 1 hectare but less than 2 hectares	0.6848
greater than or equal to 2 hectares but less than 3 hectares	0.5754
<b>Farming</b>	
greater than or equal to 3 hectares but less than 4 hectares	0.4660
greater than or equal to 4 hectares but less than 5 hectares	0.3566
greater than or equal to 5 hectares but less than 10 hectares	0.2472
greater than or equal to 10 hectares	0.1378

## (c) Roads and footpaths rate

A differential targeted rate for roads and footpaths, set under section 16 of the Local Government (Rating) Act 2002, on the capital value of each rating unit as follows:

	<b>Cents in the dollar</b>
Residential	0.09362 cents per dollar of capital value on every rating unit in the 'Residential' category.
Farming	0.17810 cents per dollar of capital value on every rating unit in the 'Farming' category.
Commercial	0.25898 cents per dollar of capital value on every rating unit in the 'Commercial' category.

## (d) Roothing resilience rate

A differential targeted rate for the purpose of reducing debt for the roading activity set under section 16 of the Local Government (Rating) Act 2002, as a fixed amount per separately used or inhabited part of a rating unit as follows:

	Rate
Residential	\$45.00 per separately used or inhabited part of a rating unit in the 'Residential' category
Farming	\$50.00 per separately used or inhabited part of a rating unit in the 'Farming' category
Commercial	\$45.00 per separately used or inhabited part of a rating unit in the 'Commercial' category

## (e) Targeted rate on exotic forestry properties

A targeted rate for roading pavement renewals required to remediate roads used by vehicles associated with exotic forestry plantations in the district, set under section 16 of the Local Government (Rating) Act 2002, on the capital value of land used as exotic forestry plantations. The amount of the rate will be 0.23917 cents per dollar of capital value.

## (f) Earthquake strengthening and building replacement rate

A differential targeted rate for earthquake strengthening works on Council-owned buildings set under section 16 of the Local Government (Rating) Act 2002, as a fixed amount per separately used or inhabited part of a rating unit as follows:

	Rate
Residential	\$48.60 per separately used or inhabited part of a rating unit in the 'Residential' category
Farming	\$48.60 per separately used or inhabited part of a rating unit in the 'Farming' category
Commercial	\$49.60 per separately used or inhabited part of a rating unit in the 'Commercial' category

## (g) Debt retirement rate

A differential targeted rate to retire debt attributable to the cost of the city stormwater disposal system or other infrastructure system as decided by the Council set under section 16 of the Local Government (Rating) Act 2002, on the basis of the capital value of each rating unit that has a connection or for which connection is available. This charge will be set on a differential basis based on the availability of the service. The categories are 'connected' and 'serviceable' and 'other'. Rating units in the 'other' category are charged a fixed amount per separately used or inhabited part of a rating unit.

	<b>Rate</b>
Connected	0.0174 cents in the dollar on capital value on every rating unit in the 'connected' category.
Serviceable	0.0087 cents in the dollar on capital value on every rating unit in the 'serviceable' category.
Other	\$20.00 per separately used or inhabited part of a rating unit that is in the 'other' category.

## (h) City water supply

A differential targeted rate for city water supply set under section 16 and 19 of the Local Government (Rating) Act 2002, as follows:

	<b>Rate</b>
Connected	\$258.51 per separately used or inhabited part of a rating unit that is connected to the city water system and is not metered.
Serviceable	\$129.26 per separately used or inhabited part of a rating unit that is not connected, but is practicably able to be connected to the city water system.
Metered supply	\$258.51 for part of or the whole first 310 cubic metres consumed or supplied, plus 83.39 cents per cubic metre for every cubic metre over the first 310 cubic metres that is consumed or supplied.
Rural extraordinary	\$211.09 per separately used or inhabited part of a rating unit supplied, plus 68.09 cents per cubic metre for every cubic metre consumed or supplied in excess of the first 310 cubic metres.

## (i) City water firefighting

A targeted uniform rate for provision and maintenance of a water supply for firefighting on rating units within the urban boundary per the operative District Plan, set under section 16 of the Local Government (Rating) Act 2002, at a rate of 0.02826 cents per dollar of capital value on each rating unit.

## (j) Maxwell water supply

A differential targeted rate to meet the costs of the Maxwell water supply, set under sections 16 and 19 of the Local Government (Rating) Act 2002, as follows:

	<b>Indicative rate</b>
Residential	\$345.00 per separately used or inhabited part of a rating unit in the 'residential' category connected to the Maxwell water system.
Dairy	\$69.00 per hectare on every rating unit in the 'dairy' category connected to the Maxwell water system.
Rural	\$15.24 per hectare on every rating unit within the 'rural' category connected to the Maxwell water system.

Plus 63.25 cents per cubic metre of water supplied to every rating unit connected to the Maxwell water supply system.

(k) Westmere water supply

A targeted rate, set under sections 16 and 19 of the Local Government (Rating) Act 2002, to meet the cost of the Westmere water supply at a rate of \$258.51 per rating unit for the first 310 cubic metres of water supplied, plus 83.39 cents per cubic metre of water supplied in excess of 310 cubic metres to any rating unit connected to the Westmere water system.

(l) Fordell water supply

A differential targeted rate to meet the costs of the Fordell water supply, set under sections 16 and 19 of the Local Government (Rating) Act 2002, as follows:

	Rate
Residential	\$195.40 per separately used or inhabited part of a rating unit in the 'residential' category connected to the Fordell water system.
Rural	\$9.38 per hectare on every rating unit in the 'rural' category connected to the Fordell water system.
Dairy	\$35.55 per hectare on every rating unit in the 'dairy' category connected to the Fordell water system.
Other	78.15 cents per cubic metre supplied on every rating unit in the 'other' category connected to the Fordell water system.

(m) City wastewater

A differential targeted rate for the operations, maintenance and development of the city wastewater disposal system, set under section 16 of the Local Government (Rating) Act 2002, assessed on rating units that are connected to the city wastewater disposal system, as follows:

	Rate
Residential	\$441.96 per separately used or inhabited part of a rating unit that is in the 'Residential' category and is connected to the city wastewater disposal system
Non-residential single pan	\$441.96 per separately used or inhabited part of a rating unit that is in the 'Non-residential single pan' category and is connected to the city wastewater disposal system
Non-residential multi pan	\$220.98 per pan that is in the " Non-residential multi pan" category and is connected to the city wastewater disposal system

(n) Trade waste contributions to the city wastewater treatment plant upgrade

A targeted rate set on a differential basis to meet the marginal costs of increasing the scale of the upgraded city wastewater treatment plant to cater for large volume and load trade waste discharges, set under section 16 of the Local Government (Rating) Act 2002. The rate is assessed as a fixed amount per rating unit on rating units

operated as businesses that discharge more than 100m<sup>3</sup> of trade waste per day through the city wastewater disposal system and predominantly located as follows:

<b>Businesses discharging more than 100m<sup>3</sup> of trade waste per day predominantly located at</b>	<b>Amount of rate and amount to be collected in the 2019/20 year</b>	<b>% of rate to be collected in the 2019/20 year</b>
57 Balgownie Ave, Whanganui	\$336,841	43.084
325 Heads Road, Whanganui	\$205,041	26.226
47 Bryce St, Whanganui	\$90,053	11.518
241 Heads Rd, Whanganui	\$116,237	14.868
49 Bryce St, Whanganui	\$33,647	4.304
<b>Total</b>	<b>\$781,819</b>	<b>100</b>

(o) Trade waste fixed operating costs

A targeted rate assessed on rating units operated as businesses that discharge more than 100m<sup>3</sup> of trade waste per day through the city wastewater disposal system to meet the fixed operating costs of the conveyance, treatment and disposal of large volume trade waste discharges, set under section 16 of the Local Government (Rating) Act 2002. The rate is assessed as follows:

<b>Rate</b>
\$34.848 per m <sup>3</sup> average daily flow set via the discharge permit issued under Council's Trade Waste Bylaw 2018, plus
\$13.939 per kg average daily Chemical Oxygen Demand (COD) set via the discharge permit issued under Council's Trade Waste Bylaw 2018, plus
\$51.027 per kg average daily Total Suspended Solids (TSS) set via the discharge permit issued under Council's Trade Waste Bylaw 2018.

(p) Marybank wastewater

A differential targeted rate to meet the costs of the Marybank wastewater disposal system, set under section 16 of the Local Government (Rating) Act 2002, as follows:

	<b>Rate</b>
Connected	\$378.22 per separately used or inhabited part of a rating unit in the 'connected' category that is connected to the Marybank wastewater disposal system.
Serviceable	\$189.11 per separately used or inhabited part of a rating unit in the 'serviceable' category that is not connected but is practicably able to be connected to the Marybank wastewater disposal system.

(q) Mowhanau wastewater

A differential targeted rate to meet the costs of the Mowhanau wastewater disposal system, set under section 16 of the Local Government (Rating) Act 2002, as follows:

	<b>Rate</b>
Connected	\$390.18 per separately used or inhabited part of a rating unit in the 'connected' category that is connected to the Mowhanau wastewater disposal system.
Serviceable	\$195.09 per separately used or inhabited part of a rating unit in the 'serviceable' category that is not connected but is practicably able to be connected to the Mowhanau wastewater disposal system.

(r) Stormwater disposal

A differential targeted rate to meet the costs of the city stormwater disposal system, set under section 16 of the Local Government (Rating) Act 2002, on the basis of the capital value of each rating unit that has a connection or for which connection is available.

	<b>Rate</b>
Connected	0.1780 cents in the dollar on capital value on every rating unit in the 'connected' category.
Serviceable	0.0890 cents in the dollar on capital value on every rating unit in the 'serviceable' category.

(s) Stormwater separation loans

A targeted rate to meet the repayment of advances made to assist with the costs of separation of stormwater and wastewater, set under section 16 of the Local Government (Rating) Act 2002.

Properties subject to this rate are those to which Council has made a stormwater separation loan. Stormwater separation loans have been made to assist property owners with the cost of separating wastewater and stormwater. Property owners can opt to have the loans over a period of two to five years with the first two years being interest free. The documentation for the advances records that the loans are secured as a rate. To formalise that process, the repayment is included in the rates setting process. The loans are on a differential basis according to the term selected by the ratepayer.

The rates are:

Loan over 2 years	A rate of 50 cents for each dollar originally advanced by the Council.
Loan over 3 years	A rate of 33.85 cents for each dollar originally advanced by the Council.
Loan over 4 years	A rate of 25.99 cents for each dollar originally advanced by the Council.
Loan over 5 years	A rate of 21.33 cents for each dollar originally advanced by the Council.

(t) Central Business District (CBD) services

A differential targeted rate to meet the costs of CBD cleaning, maintenance and the Mainstreet Whanganui promotional levy, set under section 16 of the Local Government (Rating) Act 2002, on all commercial rating units in CBD A and CBD B as follows:

	Rate
CBD A	0.4275 cents per dollar of capital value on every rating unit that is in the 'CBD A' category.
CBD B	0.1710 cents per dollar of capital value on every rating unit that is in the 'CBD B' category.

Plus \$299.40 per separately used or inhabited part of a rating unit for every rating unit that is in the 'CBD A' or 'CBD B' category.

(u) Separate works rates

Targeted rates to finance the costs of capital development of the roading network in the areas defined below, set under section 16 of the Local Government (Rating) Act 2002.

Whangaehu Valley Road N° 1 Upper Whangaehu Road

Whangaehu Valley Road N° 2 Mangamahu Road and Creek Road

The following separate works rates will be assessed on the land value of each rateable property in the appropriate area.

Whangaehu Valley Road N° 1	A rate of 0.02840 cents per dollar of land value.
Whangaehu Valley Road N° 2	A rate of 0.01926 cents per dollar of land value.

**CARRIED**

**Discussion**

Cr Taylor noted that the rural water supply is ripe for review, as the current structure is rather messy.

Cr Baker-Hogan noted the many exciting projects and growth in the district but pointed out the challenges of affordability and housing. She cautioned that population growth did not always mean increased rates income. She reminded members that rates can really put pressure on some ratepayers.

The Mayor congratulated staff who had worked on the Annual Plan and rates. He noted that rates were not the ideal way to collect revenue, and hoped there would be opportunities to consider other options through the Productivity Commission's review.

**Resolution 2019/57**

Moved: Mayor Hamish McDouall

Seconded: Cr Jenny Duncan

2. THAT all rates except those for metered water and stormwater separation loans are payable in four equal instalments on the following due dates:

<i>Instalment</i>	<i>Due date</i>
Instalment 1	Wednesday, 28 August 2019
Instalment 2	Wednesday, 27 November 2019
Instalment 3	Wednesday, 26 February 2020
Instalment 4	Wednesday, 27 May 2020

**CARRIED**

**Resolution 2019/58**

Moved: Mayor Hamish McDouall

Seconded: Cr Murray Cleveland

3. THAT metered water rates due dates be set as follows, based on the date the water meter is read:

<i>Reading Date</i>	<i>Due date</i>
July 2019	20 August 2019
August 2019	20 September 2019
September 2019	20 October 2019
October 2019	20 November 2019
November 2019	20 December 2019
December 2019	20 February 2020
January 2020	20 February 2020
February 2020	20 March 2020
March 2020	20 April 2020
April 2020	20 May 2020
May 2020	20 June 2020
June 2020	20 August 2020

**CARRIED**



**Resolution 2019/59**

Moved: Mayor Hamish McDouall

Seconded: Cr Kate Joblin

4. THAT a discount of 2.5% will be allowed on all net 2019/20 rates paid in full by 28 August 2019.

**CARRIED**

**Resolution 2019/60**

Moved: Mayor Hamish McDouall

Seconded: Cr Charlie Anderson

5. THAT the Council apply penalties as follows:
- (a) For rates (excluding metered water and stormwater separation loans), a charge of 10% will be added to any amount of an instalment remaining unpaid after the due date on the following dates:

<i>Instalment</i>	<i>Date on which penalty will be added</i>
Instalment 1	Wednesday, 4 September 2019
Instalment 2	Wednesday, 4 December 2019
Instalment 3	Wednesday, 4 March 2020
Instalment 4	Wednesday, 3 June 2020

- (b) An additional charge of 10% will be added to all metered water rates that remain unpaid after the due date, on following dates:

<i>Reading Date</i>	<i>Date on which penalty will be added</i>
July 2019	27 August 2019
August 2019	27 September 2019
September 2019	27 October 2019
October 2019	27 November 2019
November 2019	27 December 2019
December 2019	27 February 2020
January 2020	27 February 2020
February 2020	27 March 2020
March 2020	27 April 2020
April 2020	27 May 2020
May 2020	27 June 2020
June 2020	27 August 2020

- (c) An additional charge of 10% will be added to any amount of stormwater separation loan instalments that remain unpaid after the due date.
- (d) An additional charge of 10% will be added to rates assessed in any previous financial year that remain unpaid on 25 July 2019. The penalty will be added on 25 July 2019.

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An additional charge of 10% will be added on 25 January 2020 if the amount remains unpaid.

**CARRIED**

**The Meeting closed at 2.33pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 13 August 2019.**

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**CHAIRPERSON**

## 8 REPORTS TO COUNCIL

### 8.1 WHANGANUI & PARTNERS VERBAL UPDATE AND FINANCIAL SUMMARY

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**References:**

1. Whanganui & Partners Financial Overview 2018/19
2. Appendix 1 - Whanganui & Partners Funding Register

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

#### **Recommendation**

THAT the Council receive the report – Whanganui & Partners Verbal Update and Financial Summary.

#### **Executive Summary**

As per the requirements stated in the Council-Controlled Director Appointment and Remuneration Policy 2019, a verbal update from Whanganui & Partners will be provided.

Whanganui & Partners Financial Overview for 2018/19 report is attached (**Ref 1**), with Appendix 1 – Whanganui & Partners Funding Register (**Ref 2**).



## **OVERVIEW FOR FINANCIAL YEAR 2018/2019**

### **Period 2018/2019**

#### **1. Whanganui & Partners**

I am pleased to report that the financial year gone was a productive year. The net expenditure for the year was \$2.047M compared to the budget of \$2.330M. The operating surplus of \$283k is carried over and committed to activities that have already started and continue into the current financial year. These projects include the Rural Enterprise Project (REP), Port Revitalisation Project, Digital Business Promotion and Business Innovation Training Academy (BITA). The carryover also includes the PGF grant received from MBIE for the REP feasibility study.

#### **2. Arts & Creative Industries and Visitor information Centre (i-SITE)**

Whanganui & Partners are now responsible for Council's Community Arts budget and activities, and the Visitor Information Centre (i-SITE) operation and budget.

### **Plans for 2019/2020**

Our new Statement of Intent 2019/2020 (Sol) highlights the critical activities that will lead and support greater economic development in the district. Coupled to this activity is the development of fit-for-purpose infrastructure and new service offerings essential to attracting new businesses and maintaining the job growth and momentum of existing businesses. The Sol emphasizes the importance of improved freight logistics and gateways such as the port, new housing, re-purposing buildings as business facilities, year-round concerts and events, more and better visitor accommodation, unique international-quality attractions, and a diversity of quality food and beverage outlets as areas that will unlock further potential for Whanganui. Furthermore, enhancing the financial viability of the creative and education sectors in terms of access, appeal and relevance to the whole community, and to the artists and students themselves, will also grow and strengthen Whanganui.

Our major sectors of focus include:

- 1) Manufacturing, Commercial and Logistics
- 2) Agribusiness
- 3) Education, skills and capability building (including international)
- 4) Visitor industries and destination marketing
- 5) Branding and Visitor Information Centre (i-site management)
- 6) Events and Digital industries including overseeing iconic Whanganui events and conferences
- 7) Creative industries, design innovation, performing arts, and visual and object arts.

Matching with the above sectors, Table 1 shows the Budget Allocations for 2019/20 FY.

**Table 1: Budget for Financial Year 2019/2020**

Sector Focus	Budget
Administration	1,070,583
Manufacturing, Logistics and Commercial	215,000
Agribusiness	192,000
Capability & International	185,610
Visitor Industries	230,000
Brand & Events	332,500
Creative Industries & Arts	18,000
Whanganui & Partners Budget *	2,243,693
Creative Industries & Arts	241,308
Visitor Information Centre	432,992
CEDA-Business Growth Advisor**	110,400
<b>Total</b>	<b>3,028,393</b>

\* Including Carryovers of 283k (Pending approval, at 13 August Council Meeting)

\*\*Agreement with CEDA (Funding: Regional Business Network, Callaghan Innovation and New Zealand Trade Enterprise)

Mark Ward  
**Chief Executive Officer**

## Appendix

Attachment 1: W&P Funding Register.

## Whanganui & Partners Funding Register 2018/2019



	Organisation/Person	Funding Purpose	Amount
<b>EVENT FUNDING</b>			
1	Whanganui Motorcycle Club	Speedweek Hill Climb & Speedweek Beach Race	\$ 15,000
2	Artist Open Studio Trust	Artist Open Studio 2019 Programme	\$ 25,000
3	NZ Society of Artists in Glass	CoLab Conference	\$ 20,000
4	Cricket Whanganui	Cricket Festival Event Funding	\$ 8,000
5	Masters Games		\$ 40,000
6	Whanganui Vintage Weekend Trust	Vintage Weekend	\$ 30,000
7	Whanganui Cemetary Circuit	Whanganui Cemetary Circuit	\$ 40,000
8	Whanganui Rowing Association	Billy Webb Challenge	\$ 7,500
9	Whanganui Community Sports Centre	Jets NBL Games	\$ 1,550
10	Whanganui District Council Youth Committee	Vibe Music Festival	\$ 4,500
11	Whanganui Bowling Club	Classic 4s 18/19 August 2018	\$ 217
12	Whanganui Walls	Street Art Festival	\$ 17,000
13	Unique Whanganui River Experience	Joseph Parker Visit	\$ 3,500
14	Wanganui Harrier Club	Three Bridges Marathon	\$ 2,100
15	Shelter View Promotions Ltd	Jet Sprints	\$ 5,000
16	Whanganui Sports Heritage Trust	Sir Peter Snell International Track Meeting	\$ 500
17	Aramoho Bowling Club	2019 Peter Bellis Tribute Tournament	\$ 2,000
18	Rotary Club of Wanganui North Inc	2019 Rotary District 9940 Conference	\$ 3,000
19	Glastonbury Dance Studio	Rivercity Dancesport Championships	\$ 5,000
20	Brass Whanganui	Grant to Brass Whanganui -China 2019	\$ 10,000
21	Venue Hire (Whanganui Venues & Events)	Spring Challenge	\$ 2,550
22	Whanganui Regional Heritage Trust Board	Funding in support of Whanganui Heritage Month 2019	\$ 5,000
<b>PARTNER FUNDING</b>			
23	WDETT (100% Sweet)	Partnership funding	\$ 65,000
24	Whanganui Maori Regional Tourism Org	Funding support for Strategic Planning	\$ 4,000

25	Whanganui Chamber of Commerce	Associate Sponsor of WCoC Regional Business Awards	\$ 10,000
		Catering for Workshop	\$ 825
26	Te Manu Atatu	TMA Business Expo	\$ 5,000
		TMA Awards (Business)	\$ 3,000
		TMA Awards (Education)	\$ 3,000
		TMA Awards	\$ 5,506
		TMA Brochure	\$ 3,600
27	Whanganui District Council IT	Free Wi-fi in the CBD Project	\$ 5,000
28	NZ International Commercial Pilot Academy	Travel Grant (India & China)	\$ 5,000
29	Pop Up Business School Aoteroa	Collaboration Partner for Pop Up	\$ 15,000
30	Tamaupoko Community Led Trust	Funding support for setting up of River Valley Training Centre.	\$ 10,000
31	Visit Ruapehu	Mountains to Sea Contract (July 2018-June 2019)	\$ 30,000
<b>FUNDING APPLICATION</b>			
32	Whanganui Growth Fund	Funding Application	\$ 20,000
33	GPSOS	Co-promotion Funding	\$ 9,000
<b>OTHER SUPPORT</b>			
34	Comms Consultant-Angus Murray	Graphics aid at the W&P Workshop	\$ 100
35	eMBA Presenters x 5	eMBA Presenters	\$ 1,500
36	Ngā Tāngata Tiaki o Whanganui Trust	Guest Speaker at eMBA (Auckland)	\$ 370
37	NZ Glassworks	Gift Purchase: International Visitor	\$ 200
38	Cricket Whanganui	Gift Voucher: Cricket Festival Prize	\$ 100
39	Invictus Games NZ	Expression of Interest	\$ 1,000
40	UCOL	10 Year Celebration	\$ 270
41	WDETT (100% Sweet)	Jumpstart Event (Venue Hire+Catering)	\$ 1,052
42	Whanganui Vintage Weekend Trust	Purchase of Dazzle Ball Ticket	\$ 450
43	Nagaizumi Cho Council	Homestay Fee	\$ 2,473
44	Heritage Publishing	Mountain to Sea Publication (Advert & Purchase)	\$ 4,000
45	TMA Business Awards	Collateral Printing	\$ 107
46	100% Sweet	Collateral Printing	\$ 150

47	Publicity: Dancing with the Stars	Dancing with the Stars	\$ 15,000
	<b>FAMILIARISATION PROGRAMMES</b>		
46	Jo Percival	AA Traveller	\$ 450
47	Venue Famil		\$ 994
48	Peter Carty & Diane Clayton	The Guardian and Tourism NZ	\$ 2,650
49	Anna Gamboni	Destinationz Magazine	\$ 494
50	Convене Group	Business Event Workshop Facilitator	\$ 1,500
51	Jo Bates	Home Magazine	\$ 335
52	Tim Roxborough	NZ Herald	\$ 620
51	Convене Group	Business Event Positioning Conference Strategy	\$ 5,000
52	Gary and Gayle Dickinson	Publishers Lets Travel Magazine and My Wedding Magazine	\$ 200
53	David Chien	Kiwi Holidays	\$ 175
			<b>\$ 480,538</b>



## 8.2 LOCAL ALCOHOL POLICY

**Author:** Stephanie Macdonald-Rose - Policy & Governance Manager

**Authoriser:** Charlotte Almond - General Manager Strategy

**References:** 1. Local Alcohol Policy

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

### Recommendation

THAT Council agrees to publicly notify adoption of the Local Alcohol Policy.

THAT Council brings into force the adopted Local Alcohol Policy on 2 September 2019.

THAT Clauses Three and Four of the Local Alcohol Policy are brought into effect no earlier than three months following public notification.

### Executive summary

The purpose of this report is to request that Council bring into force the adopted Local Alcohol Policy (LAP).

On 4 July 2017 Council adopted a Provisional Local Alcohol Policy (PLAP). The PLAP was publicly notified thereafter, receiving two appeals against four policy elements. At the request of the Alcohol Regulatory and Licensing Authority (ARLA) Council acknowledged on 13 November 2018 that the appealed elements were 'unreasonable' in light of the object of the Sale and Supply of Alcohol Act 2012 (the SSAA). These were amended accordingly.

No further appeals were received to the amended PLAP from submitters following its notification, with ARLA adopting the resubmitted PLAP (**Ref 1**) on 3 July 2019.

The preferred option requests that Council now bring into force the adopted LAP.

Section 90 of the SSAA states that an adopted LAP comes into force once a territorial authority gives public notice of its adoption and brings the policy into force on a day stated by resolution.

The date of 2 September 2019 has been selected to enable public notification to be delivered.

### Background

The SSAA allows territorial authorities to have a LAP to govern the sale, supply, and/or consumption of alcohol within a district so that this is undertaken safely, responsibly, and in a way that minimises alcohol-related harm.

On 4 July 2017 Council adopted a PLAP following public consultation under the special consultative procedure on a draft LAP. The PLAP was publicly notified thereafter, receiving two appeals against four elements.

The four elements were:

- the location of licensed premises to be considered in line with sensitive locations;
- a district-wide limit on off-licensed premises;
- maximum off-licence hours; and
- discretionary conditions relating to single units.

On 12 June 2018 Council considered the four appealed elements of the PLAP, requesting Legal Counsel to engage in negotiations with appellants. This resulted in a consent memorandum being filed with ARLA who resolved all appeals by way of consent order.

On 30 January 2019, Council notified all submitters to the draft LAP of their rights to appeal the amended PLAP by 22 March 2019.

No appeals were received and, in accordance with section 87(3) of the SSAA, the resubmitted PLAP was adopted by ARLA on 3 July 2019.

### **Key issues**

The key issues are as follows:

- ARLA has adopted the LAP.
- Council is now required to publicly notify and bring into force the LAP.
- New license hours and a one-way door policy will come into effect three months after Council issues a public notice of the LAP's adoption.
- The majority of elements deemed unreasonable in light of the SSAA have been resolved by improving clarity.
- The amended policy elements largely remain unchanged from their initial intention and purpose.
- The contentious issue of off-licence hours has successfully been resolved.
- Relying on the default provisions of the SSAA are insufficient in minimising alcohol-related harm in the Whanganui context.
- This is the final process for implementing a LAP. It will now come into force.

### **Options**

#### **Option 1: Bring the adopted Local Alcohol Policy into force (this is the recommended option)**

This option would mean Council would bring the LAP into force and give effect to the policy.

This option is based on the significant work undertaken in the development of the LAP – including consultation with the community and impacted parties.

This option should be adopted if Council supports the LAP's ability to assist in minimising and reducing alcohol-related harm.

It also aligns with community support for Council to adopt a LAP and continues Council's enduring advocacy for healthy communities.

There are no immediate disadvantages associated with this option. Impacts to regional development and the local economy are unlikely to occur and will be subject to monitoring as part of policy implementation.

All appeals have now been resolved and ARLA has adopted the LAP.

**Option 2: Do not bring into force the Local Alcohol Policy and rely on the provisions of the SSAA**

This option would see Council resolving to not bring into force the LAP, ceasing its development, and instead relying on the default provisions of the SSAA in matters relating to alcohol licensing.

The option should be adopted if it is considered that the default provisions of the SSAA are sufficient in minimising and reducing alcohol-related harm within the district - or if it is believed that alcohol-related harm is relatively low.

This option is generally not supported by the majority of key stakeholders nor the general population, including mana whenua.

There are no perceived advantages for choosing this option considering the Council resources invested thus far into the development and revision of this policy.

Relying on the default provisions provided by the SSAA may not effectively minimise current alcohol-related harm, nor safeguard against future increases in this harm. This is due to a lack of localised control that would impact on the health, safety and well-being of this community.

### SUMMARY OF CONSIDERATIONS

#### **Fit with purpose of local government**

This policy responds to issues of wellbeing, particularly from a health and safety standpoint. The LAP reflects the community's amenity and preference and supports a localised approach to minimising and reducing alcohol-related harm.

[Link: Section 10 of the Local Government Act 2002](#)

#### **Fit with strategic framework**

Select checkboxes to indicate whether the decision / report contributes, detracts or has no impact

	Contributes	Detracts	No impact
Leading Edge Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-Term Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Infrastructure Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Policies or Plans – <b>Safer Whanganui Strategy</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The LAP particularly supports the Community strand of the Leading Edge Strategy and is closely aligned to achievement of this action: *“Support the welfare of our community and protect our people from harm through health, wellbeing and regulatory functions and policies”*. In addition, it has a strong relationship with the Safer Whanganui Strategy – being listed as a key local policy within this document.

[Link: Leading Edge Strategy](#)

[Link: Leading Edge Strategy Toolkit](#)

[Link: Policy and strategy documents](#)

#### **Risks**

The recommended decision has a very minor degree of risk.

The following risks have been considered and identified:

- Financial** risks related to the financial management of Council and the ability to fund Council activities and operations, now and into the future
- Service delivery** risks related to the meeting of levels of service to the community
- Reputation / image** risks that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media
- Legal compliance (regulatory)** risks related to the ability of management to effectively manage the Council, comply with legal obligations and avoid being exposed to liability
- Environmental** risks related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible
- Health, safety and wellbeing** risks related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council's facilities and services

**Information technology and management** risks related to the integrity of the Council's IT network, including security, access and data management

**Infrastructure / assets** risks related to the inability of assets to provide the required level of service in the most cost effective manner

**Project completion** risk of failure to complete on time, on budget and to plan

There are no risks associated with the recommended decision.

[Link: Risk Due Diligence Questions](#)

[Link: Risk Policy](#)

### **Policy implications**

Council currently has no policy governing alcohol licensing matters. Council's Liquor Policy 2008 is no longer valid. This was made under the repealed Sale of Liquor Act 1989.

As there is currently no adopted LAP in place, the default provisions of the SSAA and District Plan apply to district alcohol licensing matters.

An adopted LAP and Council's Alcohol Control Bylaw would work in tandem to minimise alcohol-related harm and offset associated public nuisance. The regulatory team and Safer Whanganui Manager have been involved in the development of the LAP.

### **Financial considerations**

There are no financial considerations as a result of this recommendation. Resourcing and financial requirements have already been expended in the development and defence of the LAP.

Nil

Approved in LTP / AP

Unbudgeted \$

### **Legislative considerations**

The LAP is developed in accordance with the following legislation:

#### A LAP is adopted (s87, SSAA):

- 1) If no appeal against any element of a provisional local alcohol policy is made earlier, the policy is adopted 30 days after its public notification.
- 2) If appeals against elements of a provisional local alcohol policy have been made but they have all been dismissed by the licensing authority, the policy is adopted 30 days after the last of them is dismissed.
- 3) If a provisional local alcohol policy has been resubmitted to the licensing authority under section 84(1)(b) or 85(2)(b) and the licensing authority decides that it is satisfied that every element it asked the territorial authority to reconsider (other than an element in respect of which the High Court has overturned the licensing authority's finding that it is unreasonable in the light of the object of this Act) has been either deleted or replaced by a new or amended element that is not unreasonable in the light of the object of this Act, the resubmitted policy is adopted when the licensing authority makes its decision.

- 4) If the High Court has overturned every finding of the licensing authority (ARLA) that an element of a provisional local alcohol policy is unreasonable in the light of the object of this Act, the policy is adopted when the High Court makes its decision.

Council has the power to refrain from bringing the LAP into effect.

Section 88 of the SSAA allows Council to discontinue development of a LAP at any time prior to adoption.

A LAP comes into force when (s90, SSAA 2012):

- 1) Once a provisional local alcohol policy has been adopted and ceased to be provisional, the territorial authority concerned—
  - a) must give public notice of its adoption; and
  - b) may then bring it into force on a day stated by resolution.

The one-way door policy and hours will take effect three months after public notification (s90(2), SSAA).

If a LAP contains elements stating differing maximum trading hours than previously, or introduces a one-way door policy, these elements must be brought into effect no less than three months after public notification of the LAP's adoption to allow licensees time to transition. The rest of the LAP is brought into effect on any day stated by resolution

**Significance**

The recommended decision is considered not significant as per Council's Significance and Engagement Policy.

[Link: Significance and Engagement Policy](#)

[Link: Determining significance overview](#)

**Engagement**

In the preparation of this item, officers have received and incorporated legal advice from Simpson Grierson associates who have acted as Council's legal representation during the public hearing presided by ARLA.

A total of 86 written submissions were received to the draft LAP. Submitters were then informed of their rights to appeal the amended PLAP. Council received no further appeals to the amended PLAP.

Key stakeholders involved during public consultation included the Medical Officer of Health; Police NZ; Progressive Enterprises; Foodstuffs Incorporated; Hospitality NZ; Retail NZ; liquor licence holders; and Mainstreet Whanganui.

The next step is to publicly notify the LAP and engage with affected parties. A public notice will be released and all stakeholders individually contacted. In addition, a meeting is scheduled with Police and Health representatives to discuss joint implementation. A communications plan is being prepared which will include all aspects – for example, signage requirements and promotion through social media.

[Link: Significance and Engagement Policy](#)

[Link: Engagement and Consultation Standard](#)

[Link: Guideline on how to determine 'significance](#)



**WHANGANUI  
DISTRICT COUNCIL**  
Te Kaunihera a Rohe o Whanganui

## **Provisional Local Alcohol Policy**



**Whanganui District Council Policy**

*Originator:*

*Policy Team*

*Contact person for enquiries:*

*Compliance Operations Manager / Chief Alcohol Licensing Inspector  
Manager, Safer Whanganui*

*In force from:*

*2 September 2019*

*Date by which a review should be carried out:*

*September 2025*

*Policy Inventory number:*

*660471*





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### **Executive Summary**

This policy outlines the licencing conditions Council's District Licensing Committee (DLC) and the Alcohol Regulatory Licensing Authority (ARLA) must have regard to when they make decisions on licence applications.

With the purpose of reducing alcohol-related harm in the Whanganui District, the policy sets a district-wide limit on off-licensed premises (with the exclusion of supermarkets and grocery stores); location of licensed premises to sensitive sites; a requirement for a one-way door restriction; discretionary conditions; and maximum trading hours for licensed premises.



## Introduction

### *Why we need a policy*

The Sale and Supply of Alcohol Act 2012 (the Act) allows for councils to adopt a policy relating to the sale, supply, or consumption of alcohol within its district.

The objectives of the Act are stated as:

- a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
- b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Council considers a policy is necessary to further strengthen the objectives of the Act in reducing alcohol-related harm in the district. Having a policy delivers Council's commitment to support the welfare of the community, protect people from harm, and support the work of health agencies to secure a district that works for everyone.

The purpose of this policy is to minimise alcohol-related harm within the district through the regulation of matters relating to licensed premises.

### *Who it is prepared for*

This policy applies to all current and prospective licensed premises in the Whanganui district and is prepared for Whanganui's District Licensing Committee and Council's Alcohol Licensing team.

### *Scope of policy*

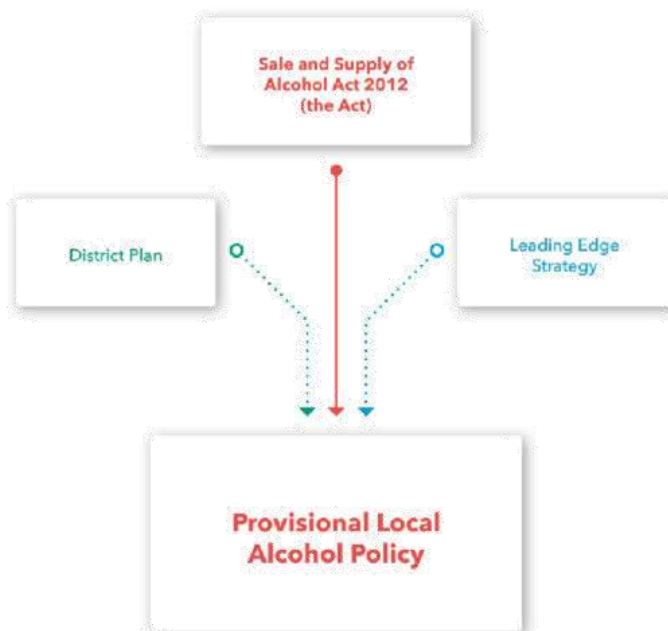
Section 77(1) of the Act legislates the scope of this policy to the following matters (and no others):

- location of licensed premises by reference to broad areas;
- location of licensed premises by reference to proximity to premises of a particular kind or kinds;
- location of licensed premises by reference to proximity to facilities of a particular kind or kinds;
- whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district;
- maximum trading hours;
- the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions;
- one-way door restrictions.

Where this policy doesn't make reference to a matter concerning Alcohol licensing, Council's position defaults to the provisions of the Act.



### Policy context



The content of this policy is provided for under Section 77(1) of the Act and has been written in accordance with the policies set out in Council’s District Plan. This policy supports the goal of Council’s Leading Edge Strategy in improving health targets, pursuing actions to support the welfare of the community, and in securing a district that works for everyone.

### Background and issues

Safer Whanganui’s Alcohol and Other Drugs reference group’s initial investigations found there was sufficient rationale and research for the development of a Local Alcohol Policy.

Discussions amongst Council and key stakeholders including the WDHB’s Medical Officer of Health and Police then confirmed that a more restrictive stance to curb alcohol-related harm in the district was needed.

To inform the policy’s development, Council developed a Draft Local Alcohol Policy Research Report.

The following issues taken from the report are presented as concerns for address by a Local Alcohol Policy:





- In 2014, 18.7% of residents (compared to the New Zealand average of 15.5%) identify themselves as a hazardous drinker.
- Whanganui's population is more prone to alcohol-related harm (Māori make up 22% of the district's population and are twice as likely than non- Māori to consume large quantities of alcohol<sup>1</sup>; 7.4% are aged 18 to 24; and 39% of the population experience high levels of deprivation).
- When contrasting on and off-licence closing hours to Emergency Department (ED) presentations, a higher frequency of alcohol-related ED presentations occurs in conjunction with the availability of alcohol and the closing times of on and off-licence outlets.
- Alcohol-related chronic disease admissions for the most part have been relatively steady across 2013 to 2015 for both discharge and patient counts.
- Deaths and injuries where alcohol was deemed a contributing factor are on the increase.
- In 2015, 45% of Alcohol and Other Drug referrals have a diagnosis of Alcohol Use Disorder.
- Over the last five years, Police actions undertaken where a person is found intoxicated in public (drunk custodies) peak between 1:00am to 1:59am, coinciding with the final hour of trade for on-licences.
- Police data indicates that alcohol was a factor in 19% of all family violence cases attended by Police during 2014/15 and 2015/16.
- Where there is a concentration of licenced premises, and the relatively higher availability of alcohol (Central Whanganui, Whanganui East, Aramoho, Gonville, and Castlecliff), there is also a higher frequency of violence events and drunk custodies than in areas where there is a lesser concentration of licenced premises and relatively less availability of alcohol.
- 15% of the total vehicle crashes recorded for the Whanganui district in 2014 were alcohol-related.

## Vision and purpose

### *Vision statement*

*To support the objectives of the Sale and Supply of Alcohol Act 2012 and contribute to the safety and health of the Whanganui District.*

### *Purpose*

- To govern the sale, supply, and consumption of alcohol so that it is undertaken safely and responsibly.
- To minimise alcohol-related harm in the Whanganui District.
- To support the welfare of our community and protect our people from alcohol-related harm.
- To reflect our local communities' character, amenity, values, preferences and needs.

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<sup>1</sup> 2013/14 New Zealand Health Survey, Ministry of Health



## Objectives and policies

### 1. Location of licensed premises to be considered in line with sensitive locations

#### *Policy*

- 1.1. With respect to any new licence applications, the District Licensing Committee shall have regard to the proximity to facilities identified as a sensitive site and the likely impact on that site amenity, and good order.
- 1.2. From the date this policy comes into force, no new off-licence applications (with the exception of supermarkets<sup>2</sup> and grocery stores<sup>3</sup>) will be granted for premises determined by the District Licensing Committee to be within 100 metres of the legal site boundary of a sensitive site as defined.
- 1.3. For the purposes of clauses 1.1 and 1.2 above 'sensitive site' means:
  - Early childhood centres<sup>4</sup>
  - Primary and secondary schools<sup>5</sup>
  - Marae
  - Places of worship<sup>6</sup>
  - Alcohol treatment centres
  - Children's parks/playgrounds
- 1.4. For the purposes of clauses 1.1 and 1.2 above, a new licence application, including a reference to a new off-licence application, means an application for a premises that has not traded pursuant to a licence of the same kind within the previous 6 months.
- 1.5. Where a sensitive site opens in proximity to an existing licensed premises that licensed premises is exempt from clauses 1.1 and 1.2 of this policy.
- 1.6. Where existing licensed premises are within 100 metres of the legal boundary of a sensitive site and the licensee of those premises re-locates its business to premises that remain within 100 metres of that same sensitive site, clause 1.2 of this policy will not apply.

#### *Rationale*

Young people's exposure to alcohol outlets and susceptibility to associated alcohol advertising provides the grounds for the inclusion of a buffer between licensed premises and sensitive sites. Supermarkets and grocery stores are exempt due to the display, promotion, and advertisements restrictions provided for by the Act.

### 2. District-wide limit on off-licensed premises

#### *Policy*

- 2.1. From the date this policy comes into force, no further new off-licences will be considered appropriate under this policy if the grant of that further new off-

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<sup>2</sup> As defined by section 32(1)(e) of the Sale and Supply of Alcohol Act 2012.

<sup>3</sup> As defined by section 33 of the Sale and Supply of Alcohol Act 2012.

<sup>4</sup> As defined by section 310 of the Education Act 1989.

<sup>5</sup> As defined by section 145(2) of the Education Act 1989.

<sup>6</sup> Includes any church, mosque or other facility designed primarily for worship and related religious activities



licence would bring the total number of off-licences in the region to 14 or more.

2.2.

2.3. For the purposes of clause 2.1 above, a new off-licence does not include a new off-licence for a supermarket or grocery store. For the purposes of clause 2.1 above, the total number of off-licences in the region excludes off-licences for supermarkets and grocery stores.

2.4.

Clause 2.1 will be reviewed by the Whanganui District Council annually to ensure that this clause is not inconsistent with development objectives and potential in the Whanganui district

#### *Rationale*

The application of this limit will only apply to off-licences, as on-licences and club licences provide a controlled drinking environment that is sufficiently regulated by the Act and corresponding regulations. Supermarkets and grocery stores are exempt due to the provisions of the Act regulating the kinds of alcohol sold, display and single-area conditions<sup>7</sup>

### **3. A one-way door restriction will apply**

#### *Policy*

- 3.1. All taverns, bars, pubs, and night-clubs whose licensed hours exceed midnight are required to have a one-way door restriction in effect from one hour prior to licensed closing hours.
- 3.2. Any patrons exiting any tavern, bar, pub, or night-club within the district are not to be admitted or re-admitted to any of these listed licence premises.
- 3.3. This policy does not apply, at the discretion of door staff, to allow for an intoxicated person to be taken to a place of safety on the licenced premises<sup>8</sup>.

#### *Rationale*

A one-way door restriction is designed to stagger patron migration and reduce alcohol-related disturbances and offences.

### **4. Maximum licensed hours**

#### *Policy*

The following maximum licensed hours are:

- 4.1. On-licence hours
  - 4.1.1. Tavern, Hotel, bar, pub, or night-club
    - a) Opening hours: 8am
    - b) Closing hours: 2am the following day.
  - 4.1.2. Restaurants
    - a) Opening hours: 8am

<sup>7</sup> As defined by sections 58, 112, and 114 of the Sale and Supply of Alcohol Act 2012.

<sup>8</sup> In accordance with section 252(3)(a) of the Sale and Supply of Alcohol Act.





- b) Closing hours: Midnight.

#### 4.2. Off-licence hours

##### 4.2.1. Supermarkets, grocery stores and bottle stores

- a) Opening hours: 7am
- b) Closing hours: 10.00pm

##### 4.2.2. Hotels, bars, taverns, and wineries

- a) Opening hours: 7am
- b) Closing hours: 9.30pm

#### 4.3. Club licence hours

- a) Opening hours: 8am
- b) Closing hours: Midnight

#### 4.4. Special licence hours

- 4.4.1. Special licence hours granted will not exceed the maximum hours allowed for under the Act.

#### *Rationale*

On-licences reflect current maximum licensed hours and are set below the maximum trading hours in the Act. Decreasing and limiting hours of sales from off-licences is designed to reduce alcohol-related harm including violence events, drunk custodies, and alcohol-related offences. Clubs' maximum licensed closing hours better reflect the nature of activities associated with this licence.

### **5. The District Licensing Committee may consider discretionary conditions**

#### *Policy*

The District Licensing Committee *may* consider the following list of discretionary conditions when issuing a licence. The District Licensing Committee may apply any reasonable condition that it believes will minimise alcohol-related harm, and that it is not limited to the list provided in this policy.

#### 5.1. On-licences

5.1.1. Pursuant to Section 110(1) and 117 of the Act, the following discretionary conditions *may* apply to on-licences:

- Application of a one-way door restriction after a specified trading hour.
- More restrictive hours taking into account neighbouring land use (section 110(3) of the Act).
- For licence holders of both an on-licence and an off-licence, require a separate point of sale for the off-licence if a totally separate area or premises is not practical.
- The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.

5.1.2. The following discretionary conditions *may* apply to the outdoor areas of Tavern and Hotel licences:





- Require a management plan for the management of patrons in outdoor areas, to minimise impacts on the amenity of nearby properties.
- The licensee must ensure litter (this includes, but is not limited to, vomit and alcohol-related rubbish) is removed from outside the premises.
- The licensee must ensure that at all times when a queue is formed; a dedicated staff member is required to manage the queue and ensure it does not impede the general public or use of the pavement.
- Require a noise management plan and compliance at all times with that plan.

#### 5.2. Off-licences

5.2.1. Pursuant to Sections 109, 117, and 133(2) of the Act, the following discretionary conditions *may* apply to bottle stores<sup>9</sup>, general stores<sup>10</sup>, and complimentary sales<sup>11</sup>:

- At least 50% of any store front glazing shall be transparent.
- Alcohol-related advertisements, signage and display of alcohol is to be consistent with Crime prevention through environmental design (CPTED) guidelines.
- The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.
- Impose a supervised designation for bottle stores<sup>12</sup> only.
- The licensee must not break down the retail packaging of packages containing less than 445ml units of beer, cider or RTDs for sale from the licensed premises, except where the retail packaging of those alcohol products has been accidentally damaged and in which case the licensee may re-package those alcohol products for sale in packages containing no less than 4 units. .

#### 5.3. Club licences

5.3.1. Pursuant to Section 110(1) and 117 of the Act, the following discretionary conditions *may* apply to club licences:

- Where patronage exceeds 100 people at any one time, a certificated manager must be on duty.
- More restrictive hours taking into account neighbouring land use (section 110(3) of the Act).
- Define the specific maximum number of patrons to be permitted on the premises.
- Require a management plan for the management of patrons in outdoor areas, to minimise impacts on the amenity of nearby properties.

<sup>9</sup> As issued under section 32(1)(b), of the Sale and Supply of Alcohol Act 2012.

<sup>10</sup> As issued under section 34 of the Sale and Supply of Alcohol Act 2012.

<sup>11</sup> As issued under section 35 of the Sale and Supply of Alcohol Act 2012.

<sup>12</sup> As issued under section 32(1)(b).



- The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.
- Require a noise management plan and compliance at all times with that plan.

5.4. Special Licences

5.4.1. Pursuant to Section 117 of the Act, the following discretionary conditions *may* apply to special licences:

- Events over 1,000 attendees, or as otherwise considered appropriate, require an Event Alcohol Risk Management Plan in a form acceptable to the Council.
- Restrictions of the number of drinks sold to one patron and setting of final drinks.
- Restricting or prohibiting certain types of drinking vessels.
- Require a management plan for the management of patrons in outdoor areas, to minimise impacts on the amenity of nearby properties.
- Require a noise management plan and compliance at all times with that plan.
- The licensed area designated for the sale, supply and consumption of alcohol to be clearly defined and cordoned off, especially with respect to outside events.

*Rationale*

The outlined discretionary conditions are aimed at minimising risks and pre-empting problems. The listed discretionary conditions are to be considered, but are voluntary in application and *may* not necessarily be applied by the District Licensing Committee.

**Monitoring and evaluation**

The following indicators provide measures for evaluating the policy’s success in achieving its stated objectives.

Objective	Outcome	Indicator	Method
A one-way door restriction will apply	Reduce risks to public safety and health.	Number of drunk custodies.	Drunk custodies statistics provided by Police trend analysis.



Maximum licensed hours			
A one-way door restriction will apply	Reduce risks to public safety and health.	The number of violence events reduce for each hour between 9pm and 6am the next day.	Trend analysis of violence events. Data provided by Police.
Maximum licensed hours		98% of off-licences apply one-way door policy.	Police to conduct random audits of one-way door policy.
All objectives	Consumption of alcohol safely undertaken.	Average number of alcohol-related presentations to Emergency Department.  Drink driving offences.  Feedback from inspectors and Medical officer of Health.	Emergency Department alcohol-related presentations provided by WDHB and trend analysis performed.  Drink driving offences as provided by Police.  Feedback provided by Council inspectors and Medical officer of health.
Maximum licensed hours	District's health improves	Alcohol-related problems in the district, including: <ul style="list-style-type: none"> <li>• alcohol-related chronic diseases</li> <li>• alcohol use disorders</li> <li>• injuries where alcohol was a contributing factor</li> </ul>	Alcohol-related chronic diseases provided by WRPHO, monitored and examined.  Alcohol use disorders monitored, provided by WDHB.  ACC provides injury data based on



			search of claim form's free text field.
Maximum licensed hours  District-wide cap on off-licensed premises	Sale, supply, and consumption of alcohol should be undertaken safely and responsibly.	Infringements issued under Council's Alcohol Control Bylaw decrease.	Trend analysis of all three offence types provided by Police.

**References**

- *Sale and Supply of Alcohol Act 2012*
- *Resource Management Act 1991*
- *Education Act 1989*

**8.3 GOVERNMENT CONSULTATION UPDATE - JULY 2019****Author:** Justin Walters - Policy Analyst Legislative & Performance Management**Authoriser:** Stephanie Macdonald-Rose - Policy & Governance Manager  
Charlotte Almond - General Manager Strategy**References:**

1. Government Consultation Update - August 2019
2. Draft Council submission on 2020-2030 Road Safety Strategy
3. Council submission on Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.**Recommendation**THAT the information within Government Consultation Update – August 2019 is noted.THAT the Council submission on 2020-2030 Road Safety Strategy be adopted.THAT the Council submission on the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill be noted.**Executive summary**

The purposes of this report are to provide an update on consultations being undertaken by Central Government and other organisations which have the potential to impact on Council or the Whanganui District; and to provide the Council submissions on the Council submission on 2020-2030 Road Safety Strategy for consideration and the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill for noting.

**Background**

The purpose of the government consultation update (**Ref 1**) is to keep the Council informed on opportunities to provide feedback on legislation, discussion documents and other consultations, undertaken by Central Government and public organisations, which have potential to affect the operation of Council or the wider Whanganui District.

The following new Government consultations are available for comment:

<b>Consultation</b>	<b>Closing Date</b>
2020-2030 Road Safety Strategy – Road to Zero	14/08/2019
Clean Cars	20/08/2019
Local government funding and financing inquiry - Draft Report	29/08/2019
Localism Discussion Document	15/12/2019

**Key issues**2020-2030 Road Safety Strategy – Road to Zero

National Road Safety Strategy replaces the existing Safer Journeys Strategy and seeks to adopt a 'Vision Zero' philosophy with the ambition that nobody should be killed or seriously injured on our roads.

The strategy sets out seven principles:

- We will plan for peoples mistakes;
- We design for human vulnerability;
- We will strengthen all parts of the road transport system;
- We have a shared responsibility for improving road safety;
- Our actions are grounded in evidence and evaluated;
- Our road safety actions support health, wellbeing and liveable places; and
- We make safety critical decision-making priority

With the following five areas of focus:

- Infrastructure improvements and speed management
- Vehicle safety
- Work-related road safety
- Road user choices
- System management

Officers support 'Vision Zero' as an aspirational vision along with the goal of a 40% reduction in deaths and serious injuries however there is concern around practical implementation of the strategy, particularly relating to the infrastructure improvements and speed management focus area, in the current funding environment.

A draft Council submission on the 2020-2030 Road Safety Strategy is attached for consideration by the Council **(Ref 2)**.

Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill

On 10 July 2019 the Council resolved to submit in support of the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill. The submission supports the bill as a way to reinforce and influence equity outcomes in health and social norms related to the exposure of children to second smoke in vehicles.

Due to the timing of the close of submissions the Council submission was approved by the Mayor and Chief Executive. The approved submission is attached for noting **(Ref 3)**.



**Local Government Funding and Financing Inquiry - Draft Report**

A draft submission is being drafted and will be circulated to members. Any submission is expected to be approved by the Mayor and CE due to the timing of the meeting and the close of submissions.

**Resource Management Review Panel**

The government is establishing a panel to undertake a comprehensive review of the Resource Management Act 1991. Under the [panel's terms of reference](#) issues and options will be circulated for public comment and a final report is due in May 2020.

**Next Steps**

If the Council resolves to make a submission on any of the open consultations, where sufficient time allows, the draft submission will be tabled for approval at a Council meeting.

In the event that the timing of the consultation period does not allow for this process, the draft submission will be circulated to Councillors for comment, with the Mayor and Chief Executive approving the final submission. The final submission will then be included at the following Council meeting for noting.

**Government Consultation Update**

**August 2019**

**Title:** 2020-2030 Road Safety Strategy - Road to Zero  
**Organisation/ Committee:** Ministry of Transport  
**Submission Closes:** 14/08/2019  
**Status:** Awaiting Final Approval  
**Decision \ Recommendation:** Make a submission

<p><b>Brief</b>                  National Road Safety Strategy replaces the existing Safer Journeys Strategy and seeks to adopt a 'Vision Zero' philosophy with the ambition that nobody should be killed or seriously injured on our roads.</p>	<p><b>Assessment</b>                  The strategy addresses:</p> <ul style="list-style-type: none"> <li>• a proposed vision</li> <li>• principles to guide decision making and investment</li> <li>• a proposed 10 year target</li> <li>• focus areas for the next 10 years, and</li> <li>• a plan of priority interventions for the first action plan, as well as priority interventions for future action plans.</li> </ul> <p>Broadly speaking officers support the vision and principles however the implementation of 'Focus Area 1 - Infrastructure Improvement and Speed Management' is likely to have funding impacts on Council.</p>												
<p><b>Consultation documents &amp; more info</b>                  Summary - <a href="https://www.transport.govt.nz/multi-modal/keystrategiesandplans/road-safety-strategy/">https://www.transport.govt.nz/multi-modal/keystrategiesandplans/road-safety-strategy/</a>                  Discussion Document - <a href="https://www.transport.govt.nz/assets/Import/Uploads/Our-Work/Documents/e97c3b3d0d/Road-to-Zero-consultation-document-July2019.pdf">https://www.transport.govt.nz/assets/Import/Uploads/Our-Work/Documents/e97c3b3d0d/Road-to-Zero-consultation-document-July2019.pdf</a></p>	<p><b>Leading Edge Strategy</b>  <i>Community, Connectivity, Environment and Economy</i></p> <p><b>Submission score</b></p> <table border="1" data-bbox="746 1361 1273 1512"> <tr> <td>Impact</td> <td>5</td> <td>Lead</td> <td>4</td> </tr> <tr> <td>Significant</td> <td>5</td> <td>Capacity</td> <td>4</td> </tr> <tr> <td>Strategic intentions</td> <td>4</td> <td><b>Total score (out of 25)</b></td> <td><b>22</b></td> </tr> </table>	Impact	5	Lead	4	Significant	5	Capacity	4	Strategic intentions	4	<b>Total score (out of 25)</b>	<b>22</b>
Impact	5	Lead	4										
Significant	5	Capacity	4										
Strategic intentions	4	<b>Total score (out of 25)</b>	<b>22</b>										



**Title:** Clean Cars  
**Organisation/ Committee:** Ministry of Transport  
**Submission Closes:** 20/08/2019  
**Status:** Department Feedback  
**Decision \ Recommendation:** No submission

<p><b>Brief</b>                  The Ministry of Transport is proposing to introduce a Clean Car Standard and Clean Car Feebate Scheme which would apply to all new and used light vehicles first registered in New Zealand after 2021.</p>	<p><b>Assessment</b>                  The stated aim of the proposal is to reduce the CO<sub>2</sub>-e emissions of New Zealand's vehicle fleet. It seeks to do this in two ways, firstly by influencing retail decisions through a feebate scheme with higher CO<sub>2</sub>-e emitting vehicle having tariff while lower emission vehicle have a rebate. The second is by requiring importers to meet certain quotas for average CO<sub>2</sub>-e emission for particular weight classes of vehicles imported into New Zealand.</p>												
<p><b>Consultation documents &amp; more info</b>                  Summary - <a href="https://www.transport.govt.nz/multi-modal/dimatechange/electric-vehicles/clean-cars">https://www.transport.govt.nz/multi-modal/dimatechange/electric-vehicles/clean-cars</a>                   Discussion Document - <a href="https://www.transport.govt.nz/assets/Import/Uploads/Our-Work/Documents/f794fd5c6/LEV-consultation-document-final.pdf">https://www.transport.govt.nz/assets/Import/Uploads/Our-Work/Documents/f794fd5c6/LEV-consultation-document-final.pdf</a></p>	<p><b>Leading Edge Strategy</b>  <i>Connectivity, Environment and Economy</i></p> <p><b>Submission score</b></p> <table border="1" data-bbox="730 1059 1273 1211"> <tr> <td>Impact</td> <td>1</td> <td>Lead</td> <td>1</td> </tr> <tr> <td>Significant</td> <td>3</td> <td>Capacity</td> <td>2</td> </tr> <tr> <td>Strategic intentions</td> <td>3</td> <td><b>Total score (out of 25)</b></td> <td><b>10</b></td> </tr> </table>	Impact	1	Lead	1	Significant	3	Capacity	2	Strategic intentions	3	<b>Total score (out of 25)</b>	<b>10</b>
Impact	1	Lead	1										
Significant	3	Capacity	2										
Strategic intentions	3	<b>Total score (out of 25)</b>	<b>10</b>										

<p><b>Title:</b></p> <p>Organisation/ Committee:</p> <p><b>Submission Closes:</b></p> <p>Status:</p> <p>Decision \ Recommendation:</p>	<p><b>Local government funding and financing inquiry - Draft Report</b></p> <p>Productivity Commission</p> <p><b>29/08/2019</b></p> <p>Department Feedback</p> <p>Make a submission</p>												
<p><b>Brief</b></p> <p>The Productivity Commission is undertaking an inquiry into local government funding and financing</p>	<p><b>Assessment</b></p> <p>On the 6 July the Productivity Commission released the Local Government Funding and Financing Inquiry - Draft Report in response to submissions for comment.</p>												
<p><b>Consultation documents &amp; more info</b></p> <p>Summary -</p> <p><a href="https://www.productivity.govt.nz/sites/default/files/At%20a%20glance_Local%20government%20funding_0.pdf">https://www.productivity.govt.nz/sites/default/files/At%20a%20glance_Local%20government%20funding_0.pdf</a></p> <p>Draft Report -</p> <p><a href="https://www.productivity.govt.nz/sites/default/files/ProdCom_Draft%20report_Local%20government%20funding%20and%20financing_1.pdf">https://www.productivity.govt.nz/sites/default/files/ProdCom_Draft%20report_Local%20government%20funding%20and%20financing_1.pdf</a></p>	<p><b>Leading Edge Strategy</b></p> <p><i>Community, Connectivity, Environment and Economy</i></p> <p><b>Submission score</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Impact</td> <td style="padding: 2px; text-align: center;">5</td> <td style="padding: 2px;">Lead</td> <td style="padding: 2px; text-align: center;">4</td> </tr> <tr> <td style="padding: 2px;">Significant</td> <td style="padding: 2px; text-align: center;">5</td> <td style="padding: 2px;">Capacity</td> <td style="padding: 2px; text-align: center;">4</td> </tr> <tr> <td style="padding: 2px;">Strategic intentions</td> <td style="padding: 2px; text-align: center;">5</td> <td style="padding: 2px;"><b>Total score (out of 25)</b></td> <td style="padding: 2px; text-align: center;"><b>23</b></td> </tr> </table>	Impact	5	Lead	4	Significant	5	Capacity	4	Strategic intentions	5	<b>Total score (out of 25)</b>	<b>23</b>
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<p><b>Title:</b> Localism Discussion Document</p> <p><b>Organisation/ Committee:</b> Local Government New Zealand (LGNZ)</p> <p><b>Submission Closes:</b> 15/12/2019</p> <p><b>Status:</b> Department Feedback</p> <p><b>Decision \ Recommendation:</b> TBC</p>													
<p><b>Brief</b> LGNZ has issues a discussion document to assist it promote localism during the build up to the 2020 Parliamentary elections.</p>	<p><b>Assessment</b> LGNZ considers that wellbeing of communities could be enhanced by decentralising the provision of some services to better allow them to reflect a places unique differences and encourage greater public participation.</p> <p>Changes to the devolution of powers for local government has the potential to significantly impact on the way that local government operates and is funded.</p>												
<p><b>Consultation documents &amp; more info</b> Summary - <a href="https://localism.nz/">https://localism.nz/</a></p> <p>Discussion Document - <a href="https://localism.nz/assets/Documents/f411ba372e/Reinvigorating-local-democracy-LGNZ-July-2019.pdf">https://localism.nz/assets/Documents/f411ba372e/Reinvigorating-local-democracy-LGNZ-July-2019.pdf</a></p>	<p><b>Leading Edge Strategy</b> <i>Community, Connectivity, Environment and Economy</i></p> <p><b>Submission score</b></p> <table border="1"> <tr> <td>Impact</td> <td>5</td> <td>Lead</td> <td>4</td> </tr> <tr> <td>Significant</td> <td>5</td> <td>Capacity</td> <td>4</td> </tr> <tr> <td>Strategic intentions</td> <td>3</td> <td><b>Total score (out of 25)</b></td> <td><b>21</b></td> </tr> </table>	Impact	5	Lead	4	Significant	5	Capacity	4	Strategic intentions	3	<b>Total score (out of 25)</b>	<b>21</b>
Impact	5	Lead	4										
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**Assessing Submission Development Matrix**

The following matrix provides guidance to Council officers in determining:

- a) whether Council drafts a submission on a proposed consultation opportunity; and
- b) if Council decides to draft a submission, the form of the submission (letter, full submission etc.)

Criteria	Details	Score
Does this proposal <b>impact</b> on a role, service or activity undertaken by WDC?	Given the scope of WDC's current responsibilities and functions will this proposal have any impact or bearing? Is this to a primary activity as per the purpose of local government or a secondary function? Consideration should be given if there is a likely impact to our agreed levels of services.	Out of 5
Is the proposal <b>significant</b> ?	Is what is being proposed likely to have a significant impact? This could be through our Significance and Engagement Policy as well as through other factors.	Out of 5
Does this proposal align with our <b>strategic intentions</b> ?	Is there a relationship between what is being proposed and our Leading Edge Strategy? What about other key strategies? Will this positively contribute or be a detrimental factor?	Out of 5
Are we a <b>lead</b> agency?	Are we one of the lead agencies that should submit or can we provide feedback or support to another submitter (e.g. as part of a sector response)?	Out of 5
Do we have the staff <b>capacity</b> ?	What is the capacity of the policy team and / or technical experts? Low capacity may mean a letter is drafted rather than a full submission.	Out of 5

**Key**

Score	Details
0-9	Council should not, unless a specific reason defaults matrix scoring, make a submission.
10-18	Council can consider making a submission, but it is recommended low levels of engagement and staff capacity are applied.
19-25	Council should make a submission.



## August 2019

**Ministry of Transport**

Via email: [roadsafetystrategy@transport.govt.nz](mailto:roadsafetystrategy@transport.govt.nz).

**Re: 2020-2030 Road Safety Strategy – Road to Zero**

Whanganui District Council (Council) **supports** 'Vision Zero' as an aspirational vision along with the goal of a 40% reduction in deaths and serious injuries. However, Council is concerned about the practical implementation of the strategy, particularly relating to the 'Infrastructure Improvements and Speed Management' focus area.

Council **supports** the seven principles of the strategy with its recognition that people make mistakes and the need to design for human vulnerability. Furthermore, Council **supports** an evidence based and holistic approach to the road transport system.

Council is **concerned** about the implementation of the key focus area of 'Infrastructure Improvement and Speed Management'. In principle the Council is not opposed to the concept of using both infrastructure improvements and the setting of appropriate speed limits to reduce serious injuries or deaths. However, recent reductions in approved projects and associated funding suggests that the ministry will predominantly utilise reductions in speed limits and only fund minor roading improvements. Council notes that only minor safety upgrades, rumble strips and median barriers, are being programmed for strategic routes and state highways and that investment in design and road rehabilitation has been significantly limited. This approach does not appear to align with principles 1, 2 or 3 of the strategy of planning for peoples' mistakes, designing for human vulnerability or strengthening the road transport system. Well designed and maintained roading infrastructure is critical in maintaining and improving road safety. Relatedly, Council is **concerned** about how a disproportionate reliance on speed limits on strategic routes will interact with the key focus area of work place safety. Lower speed limits on key strategic routes will result in more time behind the wheel for drivers and higher likelihood of fatigue related incidents.

Council is **deeply concerned** that ongoing underinvestment in the regional roading network will lead to a disproportionate reliance on reductions in speed limits on state highways, which are crucial for efficiently connecting regional New Zealand to our markets and services. This access is key to ensuring that regional New Zealand is not left behind either economically or in terms of the ability of residents to participate in training opportunities and cultural activities that predominantly occur in urban centres. Council notes that by increasing the time to travel to the regions would adversely impact the government's ability to achieve a fairer, more equitable and more inclusive economy in respect of regional communities.

Council **supports** work to improve the safety and performance of the New Zealand vehicle fleet to help reduce crashes or mitigate their consequences when they do occur.

Council **supports** treating road safety as a critical health and safety at work issue. Council considers that an additional indicator should be included relating to serious injuries or death for road side workers. Health and safety of workers operating within the road corridor is a key concern for Council.

Council **supports** both the 'Road User Choices' and 'Systems Management' key focus areas, as supporting and encouraging safer behaviour on roads will help to improve national road safety. Driving, including motorcycle riding, are complicated tasks that require both knowledge and skill as well as dedicated, constant attention. Council supports the BikeReady and Ride Forever programs and considers that ongoing driver training should be extended to motor vehicle drivers as well. It is critical that good driving skills and appropriate driving behaviours are taught at the time of licencing and reinforced over time.

Yours sincerely

Hamish McDouall  
**Mayor**  
Whanganui District

Kym Fell  
**Chief Executive**  
Whanganui District Council

DRAFT





5 August 2019

**Health Committee**

Via email: [health@parliament.govt.nz](mailto:health@parliament.govt.nz)

**Re: Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill**

Whanganui District Council **supports** the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill as a way to protect children from the harm associated with second-hand smoke.

Second-hand smoke is a major source of indoor air pollution, and can cause illness and premature death. Health effects from second-hand smoke include cardiovascular disease, respiratory disease, cancer, reproductive outcomes and effects on childhood development. Children, particularly younger children, are at particular risk from second-hand smoke and have little to no ability to influence adults smoking in vehicles. The 2015 ASH Snapshot Survey found that 19.76% of all Year 10 students had been exposed to second hand smoke in a car or van. Over time, public education and social marketing campaigns have reduced children's exposure to second hand smoking in vehicles and the proposed amendments will act to reinforce and influence equity outcomes in health and social norms.

Yours sincerely

Hamish McDouall  
**Mayor**  
**Whanganui District**

Kym Fell  
**Chief Executive**  
**Whanganui District Council**

#### 8.4 THREE WATERS REVIEW UPDATE

**Author:** Mark Hughes - General Manager Infrastructure

**Authoriser:** Kym Fell - Chief Executive

**References:** Nil

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

#### **Recommendation**

THAT the Council receive the report – Three Waters Review update.

#### **Executive Summary**

The Government is reviewing how to improve the regulation and supply of potable water, wastewater and stormwater. The catalyst for the review being the 2016 Havelock North campylobacter outbreak.

The first of the reforms were announced on 31 July. This paper provides a high level update on the announcement.

#### **Key information**

##### Update

A new regulatory framework to be implemented through a 'Water Services Bill' with possible enactment by mid-2020, but with a transitional period, where needed, of up to 5 years.

The framework includes:

- Regulatory coverage to all water suppliers, except individual households
- Mandatory disinfection of supplies, exemptions are likely to be only given to very small, isolated communities
- Stronger management of water source risk
- A new water regulator established with strengthened compliance, monitoring and enforcement
- Will include wastewater and stormwater standards, compliance and good practice guidelines for discharges, overflows and management of risk.

The Government also noted that some regions are investigating options for making voluntary changes to service delivery and funding. To support this they will consider proposals from the regions to fund on a 50/50 basis the cost of investigation and business case preparation.

##### Next Steps

Further decisions on the institutional arrangements for the central regulator including form and location by September 2019.



Options review update on service delivery and funding arrangements by the end of 2019, but no decision on a preferred option until at least next year.

Options currently being considered are:

- Proceed with regulatory reforms only, with voluntary, sector-led reforms to delivery
- Establish a three waters fund to subsidise costs for struggling communities
- Develop options for a system of larger publicly owned providers

The paper will consider cost implications of the reforms, but already notes:

- Nationally, the estimated capital costs of upgrading drinking water to standard is between \$309M and \$574M and additional annual operating costs of \$11M - \$21M
- Nationally, the estimated capital cost of upgrading wastewater treatment systems for discharge to fresh water, coastal discharge and reducing overflows to two per year is between \$3.0b - \$4.3b and additional operating cost of \$126M - \$193M
- A large part of these costs will need to be incurred under existing regulation and should be part of council's long term plans
- Across the sector, councils are already planning to spend \$4b on drinking water and \$5b on wastewater over the next 10 years
- The challenge is that some smaller councils and communities and non-council suppliers (including marae) are not well positioned to respond to the proposed reforms. A report exploring options for sharing costs across communities, or a nationwide fund, will be provided at the end of 2019.

#### Implications for Whanganui District Council (WDC)

WDC is well position to react and meet the reforms so far announced.

For drinking water, we have secure artesian supply (not ground/surface water); all water is disinfected by chlorination; we already meet the new (March 2019) standards. Our role for next year will be to work on the transition of the regulatory functions from the Ministry of Health to the new National Regulator and address any new monitoring and reporting requirements.

For wastewater, we are expecting to continue for some years with our existing consent (expiry 2026), but will need to be fully involved during the transition period. Changes may have to be made to the RMA and Horizons' One Plan.

Stormwater is less clear and we believe changes will need to be made through the RMA/One Plan for national consistency before we can evaluate any implications for WDC.

## 8.5 DELEGATION OF AUTHORITY TO VOTE AT LOCAL GOVERNMENT FUNDING AGENCY (LGFA) SHAREHOLDERS COUNCIL ANNUAL MEETING

**Author:** Claire Williamson - Projects Manager  
**Authoriser:** Mike Fermor - General Manager Finance  
**References:** Nil

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

### Recommendation

THAT delegated authority is given to the General Manager Finance to vote on Council's behalf at the Local Government Funding Agency Shareholders Council Annual Meeting in November 2019.

### Executive summary

The Local Government Funding Agency (LGFA) Shareholders Council will hold its annual meeting in November 2019. As this meeting is to be held shortly after the local body elections, delegated authority is sought for the General Manager Finance to vote on Council's behalf at this meeting.

### Background

The LGFA is an important source of borrowings by local Councils. Through the LGFA Councils have been able to source funds at both lower borrowing costs and for longer tenures. The LGFA is the largest issuer of NZD securities after the New Zealand Government and its bonds are amongst the largest and most liquid New Zealand dollar debt instruments available for investors.

Whanganui District Council is a shareholder in the LGFA and as such has voting rights at the Annual Meeting of its Shareholders Council to be held in November 2019.

### Key issues

The LGFA are seeking shareholder resolutions on the election of directors and the election of local authorities to the Shareholders Council, as well as directors remuneration. The LGFA are also finalising work on lending to CCOs and CCTOs, as agreed at the 2018 Annual Meeting.

### Options

It is recommended that delegated authority is provided to the General Manager Finance to vote on Council's behalf due to the timing of the Shareholders Council Annual Meeting being in the period immediately following the local body election. If delegated authority is not provided, Whanganui District Council may be unable to exercise its right to vote at this meeting.

**SUMMARY OF CONSIDERATIONS**

**Fit with purpose of local government**

Not applicable.

[Link: Section 10 of the Local Government Act 2002](#)

**Fit with strategic framework**

Select checkboxes to indicate whether the decision / report contributes, detracts or has no impact

	Contributes	Detracts	No impact
Leading Edge Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Long-Term Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Infrastructure Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Policies or Plans -	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed recommendation is an administrative formality.

[Link: Leading Edge Strategy](#)  
[Link: Leading Edge Strategy Toolkit](#)  
[Link: Policy and strategy documents](#)

**Risks**

The recommended decision has a very minor degree of risk.

The following risks have been considered and identified:

- Financial** risks related to the financial management of Council and the ability to fund Council activities and operations, now and into the future
- Service delivery** risks related to the meeting of levels of service to the community
- Reputation / image** risks that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media
- Legal compliance (regulatory)** risks related to the ability of management to effectively manage the Council, comply with legal obligations and avoid being exposed to liability
- Environmental** risks related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible
- Health, safety and wellbeing** risks related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council's facilities and services
- Information technology and management** risks related to the integrity of the Council's IT network, including security, access and data management
- Infrastructure / assets** risks related to the inability of assets to provide the required level of service in the most cost effective manner
- Project completion** risk of failure to complete on time, on budget and to plan

The proposed recommendation is an administrative formality.

There are no risks to providing delegated authority to vote.

[Link: Risk Due Diligence Questions](#)

[Link: Risk Policy](#)

***Policy implications***

None.

***Financial considerations***

None.

Nil

Approved in LTP / AP

Unbudgeted \$

***Legislative considerations***

None.

***Significance***

The recommended decision is considered not significant as per Council's Significance and Engagement Policy.

[Link: Significance and Engagement Policy](#)

[Link: Determining significance overview](#)

***Engagement***

Not applicable.

[Link: Significance and Engagement Policy](#)

[Link: Engagement and Consultation Standard](#)

[Link: Guideline on how to determine 'significance](#)

**8.6 APPOINTMENT TO THE SPORT WALL OF FAME SELECTION COMMITTEE****Author:** Eva Osborne - Executive Assistant**Authoriser:** Hamish McDouall - Mayor**References:** Nil

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

**Recommendation**

THAT Council appoint Hamish McDouall to the Sport Wall of Fame Selection Committee.

**Executive summary**

Hamish McDouall has put his name forward for nomination to the Sport Wall of Fame Selection Committee.

Hamish is a sports historian, author of three sport books and a former Whanganui representative in roller hockey.

**8.7 ACTIONS ARISING FOR PREVIOUS MINUTES - AUGUST 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**References:**

1. Legacy Actions Arising from Previous Minutes
2. Actions Arising from Previous Minutes

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

**Recommendation**

THAT the Council receive the report – Actions Arising for Previous Minutes - August 2019.

Actions arising from previous minutes are attached (**Ref 1 and 2**).



		<u>THAT</u> Council considers setting up co-governance arrangements for identified lakes and reserves with Whanganui Land Settlement Negotiation Trust's post settlement governance entity.	To be considered during land settlement discussions.	
<b>3</b>	6. Triennial Election 2019 – Election Timetable, Early Processing of Returned Votes and Order of Candidates' Name	<u>THAT</u> candidates' names be in random order by surname on the voting document sent to the electors of the Whanganui District.	<b>Noeline Moosman</b> Councils' resolution on the order of candidates' names to be notified in the public notice placement scheduled for Wednesday, 21 August 2019	50



Actions Arising from Previous Minutes						
N <sup>o</sup>	Meeting	Item Title	Resolution	Officer	Action Note	% Complete
4	Council 11/06/2019	Sale of driveway at 88 Duncan Street, Whanganui, to adjoining owner	<b>Resolution 2019/11</b> <u>THAT</u> the Council gives the Chief Executive delegated authority to sell the right of way at 88 Duncan Street, Whanganui, to the owner of 90 Duncan Street, Whanganui.	Elana Macdonald- Rose	Working through details of Sales and Purchase Agreement. Expected to be with CE by mid July 2019	80

**8.8 MAYOR'S REPORT FOR JULY 2019****Author:** Eva Osborne - Executive Assistant**Authoriser:** Hamish McDouall - Mayor**References:** Nil**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.**Recommendation**

THAT the Council receive the report – Mayor's Report for July 2019.

**Executive Summary**

A monthly report highlighting the Mayor's activity for July 2019.

**1 July**

- Duffy Books – Present the special Government book to students at Upokongaro school
- Whanganui & Partners Workshop for Elected members
- Whanganui Leaders Group Meeting

**2 July**

- SLG Meeting – Te Puna Wairere – FLOW
- Duffy Books - Present the special Government Book to students at Castlecliff School

**3 July**

- Minister of Health visit to DHB
- Citizenship Ceremony

**5 July**

- Meeting with a constituent regarding Royal Honour
- Refugee Resettlement Support Tender teleconference

**6 July**

- Te Manu Atatu Business Awards – UCOL table

**8-9 July**

- LGNZ Annual General Meeting in Wellington – Two days

**10 July**

- CE Review Committee
- Council Meeting

**14 July**

- Ministerial announcement of EQPB regulation change in Feilding

**16 July**

- Statutory Management Committee – EQPB Thoroughfares and Digital Strategy
- Whanganui & Partners Board interview
- Meeting with CEO of Te Wananga o Aotearoa

**17 July**

- Whanganui & Partners Board interviews – all day

**18 July**

- Council meeting to strike rates
- Refugee Resettlement Support Tender teleconference

**19 July**

- Ministry of Social Development breakfast
- Accelerate 25 lead Team Meeting
- Meeting with English Language Partners
- Royal Wanganui Opera House Networking evening

**23 July**

- 2019 Whanganui UCOL Second Semester Powhiri
- Regional Roding teleconference
- Infrastructure Committee meeting

**24 July**

- Waste Minimisation Working Party meeting
- Dinner with Jason Tsui – Principal and guest visiting from ZWIE International School China

**25 July**

- Sarjeant Gallery Trust Board meeting

**29 July**

- Youth Committee Meeting – present new committee member with certificate

**30 July**

- Strategy Management Committee – Housing Strategy
- Government Agency mix and mingle

**31 July**

- Te Kopuka na Te Awa Tupuna meeting
- GPSOS product launch
- Whanganui Rural Community Board End of Term function

**Media**

5 July – Work begins on new Wikitoria Road culvert. Began on Thursday 4 July and will be completed by 13 September.

8 July – Interested in standing for Council. Mayor Hamish McDouall is happy to talk to anyone interested in standing for Whanganui District Council.

9 July – Keep New Zealand Beautiful Awards. Whanganui is entering the national Keep New Zealand Beautiful Awards which celebrate towns, cities and local heroes who lead the way with outstanding environmental and beautification work.

12 July – Plastic Free July. Whanganui District Council is pleased to support Plastic Free Whanganui with its promotion of Plastic Free July.

16 July – Exhibition lifts lid on Durie Hill Elevator. To celebrate this year's centenary of Durie Hill Elevator, a unique part of Whanganui's history – a mercury arc rectifier – has just gone on display at the Whanganui i-SITE at 31 Taupō Quay.

17 July – Bike and lights to impress. The Light up Bike Spectacle, this year re-named Lights On Bikes, will be back on Friday, 27 September.

18 July – Election presentations. This is a great opportunity to hear from people who have successfully campaigned for votes and worked to represent others' views.

24 July - Fire damaged building too dangerous to save. Whanganui District Council's Chief Executive, Kym Fell, says an extensively fire-damaged heritage building on the corner of Whanganui's Taupō Quay and Victoria Avenue cannot be saved.

26 July – Golden ticket to ride Durie Hill. Limited edition 'golden tickets' to ride the Durie Hill Elevator are now on sale.

26 July – Newest Citizens welcomed. Whanganui Mayor Hamish McDouall and Whanganui District Council Chief Executive Kym Fell welcomed 25 new citizens in a ceremony in the Council Chamber this month.

26 July – Velodrome work continuing. Whanganui District Council is continuing work to determine the scope, viability and cost of putting a roof on the Whanganui Velodrome.

29 July – Strategy set framework for future. Whanganui District Council has adopted its new Sport and Recreation Facilities Strategy.

**8.9 REPRESENTATIVE UPDATE - AUGUST 2019****Author:** Kim Fielder - Governance Services Officer**Authoriser:** Kate Barnes - Senior Democracy Advisor**References:** Nil

**Significance of decision** – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

**Recommendation**

THAT the Council receive the report – Representative Update - August 2019.

**Executive Summary**

Elected members may provide a brief verbal update on conferences/forums attended, or the activities of those organisations/groups for which they are a Council representative.

## **9 MINUTES FOR RECEIPT/ADOPTION**

### **9.1 INFRASTRUCTURE COMMITTEE MEETING - 23 JULY 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**References:** 1. Infrastructure Committee Meeting Unconfirmed Public Minutes - 23 July 2019 (under separate cover)

#### **Recommendation**

THAT the unconfirmed Minutes of the Infrastructure Committee Meeting held on 23 July 2019 are received.

That Council confirms the following recommendation from the Infrastructure Committee:

THAT Council annuls the proposed trial roundabout at the Guyton Street and Victoria Avenue Intersection, due to design safety audit findings on pedestrian safety, practicality of temporary construction, and identified increased costs, and disruption to existing amenities to implement.

**9.2 WHANGANUI RURAL COMMUNITY BOARD COMMITTEE MEETING - 31 JULY 2019**

**Author:** Kim Fielder - Governance Services Officer

**Authoriser:** Kate Barnes - Senior Democracy Advisor

**References:** 1. Whanganui Rural Community Board Committee Meeting Minutes - 31 July 2019 (under separate cover)

**Recommendation**

THAT the Minutes of the Whanganui Rural Community Board Committee Meeting held on 31 July 2019 are received.

**9.3 STRATEGY AND FINANCE COMMITTEE MEETING - 1 AUGUST 2019****Author: Kim Fielder - Governance Services Officer****Authoriser: Kate Barnes - Senior Democracy Advisor****References: 1. Strategy and Finance Committee unconfirmed minutes 1 August 2019  
(under separate cover)****Recommendation**

THAT the Minutes of the Strategy and Finance Committee Meeting held on 1 August 2019 are received.

That Council confirms the following recommendation from the Strategy and Finance Committee:

THAT Council approves the schedule of carry overs from 2018/2019 to 2019/20 as listed in item 'Financial Results 2018/2019 and Carry Overs to 2019/2020 Financial Year' in the Strategy and Finance Committee's agenda 1 August 2019.



**9.4 PROPERTY AND COMMUNITY SERVICES COMMITTEE - 6 AUGUST 2019**

**Author:** Kim Fielder - Governance Services Officer  
**Authoriser:** Kate Barnes - Senior Democracy Advisor  
**References:** Nil

**Recommendation**

THAT the Minutes of the Property and Community Services Committee Meeting held on 6 August 2019 are received.

THAT Council confirms the following recommendations from the Property and Community Services Committee:

1. That Whanganui District Council gives public notice pursuant to section 13 of the Litter Act 1979 of its intention to increase the litter infringement fee from \$100 to \$400.
  
2. That Whanganui District Council:
  - (a) approves the form of Trust Deed for the Whanganui Heritage Restoration Trust (draft dated 17 July 2019).
  - (b) approves the form of the Heads of Agreement between Whanganui District Council and Whanganui Heritage Restoration Trust (draft dated 17 July 2019).
  - (c) approves \$100,000 of unbudgeted loan funding to the Whanganui Heritage Restoration Trust.
  - (d) delegates authority to the Chief Executive to make any minor typographical or formatting changes to either the Whanganui Heritage Restoration Trust Deed or the Heads of Agreement between Whanganui District Council and Whanganui Heritage Restoration Trust.

The minutes of the Property and Community Services Committee Meeting held on 6 August 2019 will be tabled at the meeting.

**10 MOTION TO EXCLUDE THE PUBLIC****RESOLUTION TO EXCLUDE THE PUBLIC**

*Section 48, Local Government Official Information and Meetings Act 1987.*

**Recommendation**

THAT the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7. Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

**Note**

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”

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 relevant part of the proceedings of the meeting in public are as follows:

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
12.1	Confidential Minutes of the Council Meeting held on 10 July 2019			Refer to the previous public excluded reason in the agenda for this meeting	
13.1	Confidential Minutes for Receipt - August 2019			Refer to the previous public excluded reason in the agenda for this meeting	
14.1	Whanganui District Council Dog Pound	s7(2)(i)	Negotiations	We are providing financial information which would adversely impact the tender process if made public.	Public release post project completion.
14.2	Whanganui and Partners Board Director Appointments	s7(2)(a)	Privacy	To protect the privacy of the proposed Directors and other applicants	
14.3	Actions Arising from Previous Minutes - Confidential - August 2019			Refer to the previous public excluded reason in the agenda for this meeting	
14.4	Chief Executive's Report - August 2019	s7(2)(a), s7(2)(b)(ii), s7(2)(i)	Privacy, Commercial Position, Negotiations	To protect individuals and commercial private information	

THAT Peter Scott BVSc, Vets on Carlton, be permitted to remain at the meeting, after the public has been excluded because of their knowledge of **Item 14.1 Whanganui District Council Dog Pound**. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of their professional expertise.

**11 CONFIDENTIAL CORRESPONDENCE / ADDITIONAL INFORMATION****Recommendation**

THAT the additional information tabled is taken with the relevant items.

**12 CONFIDENTIAL CONFIRMATION OF MINUTES****12.1 CONFIDENTIAL MINUTES OF THE COUNCIL MEETING HELD ON 10 JULY 2019****13 CONFIDENTIAL MINUTES FOR ADOPTION / RECEIPT****13.1 CONFIDENTIAL MINUTES FOR RECEIPT - AUGUST 2019****14 CONFIDENTIAL REPORTS TO COUNCIL****14.1 WHANGANUI DISTRICT COUNCIL DOG POUND****14.2 WHANGANUI AND PARTNERS BOARD DIRECTOR APPOINTMENTS****14.3 ACTIONS ARISING FROM PREVIOUS MINUTES - CONFIDENTIAL - AUGUST 2019****14.4 CHIEF EXECUTIVE'S REPORT - AUGUST 2019****15 MOTION TO REOPEN THE MEETING TO THE PUBLIC****Recommendation**

THAT the meeting be reopened to the public and the preamble, discussion and resolutions associated with Item 12.1: Confidential Minutes of the Council Meeting held on 10 July 2019, Item 13.1: Confidential Minutes for Receipt – August 2019, 14.1: Whanganui District Council Dog Pound, Item 14.2 Whanganui and Partners Board Director Appointments, Item 14.3 Actions Arising from Previous Minutes – Confidential – August 2019 and Item 14.4: Chief Executive's Report – August 2019, remain confidential until all parties have either accepted to the terms of the proposals or agreed to cease negotiations, unless otherwise specified in the agenda. The Mayor and Chief Executive may then release press reports on the matter.