



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

MINUTES

**Council Meeting
26 May 2020**

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**MINUTES OF MEETING OF THE WHANGANUI DISTRICT COUNCIL
HELD IN THE ZOOM VIRTUAL MEETING
ON 26 MAY 2020 AT 1.00PM**

PRESENT: Mayor Hamish McDouall, Deputy Mayor Jenny Duncan, Cr Charlie Anderson, Cr Josh Chandulal-Mackay, Cr Helen Craig, Cr Kate Joblin, Cr Hadleigh Reid, Cr Alan Taylor, Cr Philippa Baker-Hogan, Cr Rob Vinsen, Cr Graeme Young, Cr Brent Crossan, Cr James Barron

APOLOGIES: Nil

IN ATTENDANCE: Grant Skilton (WRCB Member), Leighton Toy (General Manager Property), Mike Fermor (General Manager Finance), Kym Fell (Chief Executive), Bryan Nicholson (Chief Operating Officer), Rob Goldsbury (Legal Counsel), Stephanie Macdonald-Rose (Policy and Governance Manager), Kritzo Venter (Snr Stormwater Engineer), Justin Walters (Policy Analyst), Sarah Pomeroy (Communications & Marketing Manager), Kate Barnes (Senior Democracy Advisor), Anna Palamountain (Democracy Advisor)

1 OPENING PRAYER / KARAKIA

Mayor McDouall read the Athenian Oath.

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST

Cr Taylor declared a conflict of interest in Item 14.3 Masters Games - Whanganui - February 2021 – Update and

Cr Anderson declared a conflict of interest in Item 14.4 Whanganui District Council Holdings Limited Update - May 2020

5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION

WITHDRAWAL OF AGENDA ITEM 8.6

Discussion

Due to the unavailability of the presenter, Item 8.6 Whanganui & Partners Update – May 2020 was withdrawn from the agenda.

Resolution 2020/47

Moved: Cr Helen Craig

Seconded: Mayor Hamish McDouall

That item 8.6 Whanganui & Partners Update – May 2020 is withdrawn from the agenda.

CARRIED

6 PUBLIC ENGAGEMENT FORUM

No registrations for Public Engagement Forum were received.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 APRIL 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

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

Resolution 2020/48

Moved: Deputy Mayor Jenny Duncan

Seconded: Mayor Hamish McDouall

That the amended minutes of the Council Meeting held on 16 April 2020 are confirmed as a true and correct record.

Correction:

Item 9.4 Infrastructure, Climate Change, and Emergency Management Committee Minutes - 27 February 2020

- Cr Taylor and Cr Crossan moved and seconded the successful motion.

CARRIED

Cr Craig voted against the motion.

8 REPORTS TO COUNCIL

8.1 REMITS TO LOCAL GOVERNMENT NEW ZEALAND

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

Elected Members were advised that the Local Government New Zealand (LGNZ) Annual General Meeting (AGM) had been postponed from July and was now scheduled to be held in August 2020.

Feedback regarding Measuring and Reporting on Local Government's CO2 Emissions Remit was received. The below suggestions were put forth.

- Insert the word 'independent' before 'scheme' within the remit proposal section.
- Reference the Climate Change Response (Zero Carbon) Amendment Act under the relevant legislation section.

Stephanie Macdonald-Rose, Council's Policy & Governance Manager, said the remit would be updated to reflect feedback provided.

Timeframes for obtaining formal support of these remits was discussed. Based on the tight timeframes the Council agreed that the Mayor would work with staff to establish the best avenue for seeking formal support from other Councils'.

The Council expressed thanks and acknowledged the excellent work of staff in developing these remits. In particular the work of Policy Advisor, Kirsty Milham, was acknowledged for developing the Measuring and Reporting on Local Government's CO2 Emissions remit.

Resolution 2020/49

Moved: Cr Helen Craig

Seconded: Cr Rob Vinsen

That the Council confirms the following remits for submission, subject to any minor amendments and finalisation as necessary.

- Measuring and Reporting on Local Government's CO2 Emissions
- Rates Rebates for Low Income Property Owners
- Loans for Low Cost Housing
- Four-Year Election Cycle

CARRIED

Resolution 2020/50

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Helen Craig

That the Council authorise the Mayor to work with staff to determine the best avenue to gain other Councils' support for its remits.

CARRIED

8.2 AMENDMENTS TO RATES POSTPONEMENT AND RATES REMISSIONS POLICIES

Author: Mike Fermor - General Manager Finance

Authoriser: Kym Fell - Chief Executive

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

Discussion

Mike Fermor, Council's General Manager – Finance advised that the draft Rates Postponement Policy and the draft Rates Remission Policy had been amended to provide relief for the effects of Covid-19. He added that these draft policies had been reviewed by Simpson Grierson for compliance against relevant legislation.

In reference to the draft Rates Postponement Policy, Council's General Manager – Finance advised that if rate payer's met the specified criteria and an agreed payment plan was in place that Council had the ability to postpone rates.

In response to questions, Council's General Manager – Finance said that the rates instalment due 27 May 2020 would be covered under the Council's current Rates Remission Policy. He added that any new arrangements with the rate payer would be based on the draft policies. He added that depending on consultation feedback and the direction given from the Council, he didn't envisage the draft policies dramatically changing from what was consulted on.

Feedback was provided on the format of the draft policies. To aid understanding, it was suggested that the options within the sections were numbered and the 'Miscellaneous' section was renamed to special or exceptional circumstances.

In response to a question regarding financial hardship, Council's General Manager – Finance advised that depending on the cause of the financial hardship, assistance associated to paying rates for investment properties would be considered under the COVID-19 section or the Miscellaneous section of the draft Rates Postponement Policy.

A question was raised regarding first year business owners that could not demonstrate a 30% or more reduction in revenue. Council's General Manager – Finance said that the Rates Postponement Policy offered flexibility and this type of scenario would be considered under the Miscellaneous section of the draft Rates Postponement Policy.

In regard to the annual fee on postponed rates, it was requested and agreed that the postponed fee be included within the consultation document.

It was noted that Council had been approached by members of the community regarding rates relief. In response to a question, Council's General Manager – Finance said that requests had come from owners of residential and commercial properties.

Thanks was given to Mike Fermor and his team for their efforts.

Cr Vinsen advised the Mayor that he owned a commercial property and based on this he declared an interest and abstained from voting on this item.

Resolution 2020/51

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Kate Joblin

That the Council:

- (a) Notes the requirement of section 102(4)(a) of the Local Government Act 2002 (LGA) for consultation on a draft Rates Postponement Policy and draft Rates Remission Policy in a manner that gives effect to the requirements of section 82 of the LGA before the policies are adopted.

;CARRIED

Cr Vinsen abstained

Resolution 2020/52

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Kate Joblin

That the Council:

- (b) Resolves to consult on its draft Rates Postponement Policy and draft Rates Remission Policy from 3 June 2020 to 24 June 2020 and that this approach meets the requirements of sections 82 and 82A of the Local Government Act 2002;

CARRIED

Cr Vinsen abstained

Resolution 2020/53

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Kate Joblin

That the Council:

- (c) Adopts the Consultation Document for consultation on the draft Rates Postponement Policy, draft Rates Remission Policy;

CARRIED

Cr Vinsen abstained

Resolution 2020/54

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Kate Joblin

That the Council:

- (d) Delegates authority to the General Manager - Finance to make minor editorial/formatting changes to the Consultation Document before it is released for consultation.

CARRIED

Cr Vinsen abstained

8.3 REVIEW OF STREET INFRASTRUCTURE BYLAW 2015

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

Justin Walters, Council's Policy Analyst, advised Elected Members that the Streets Infrastructure Bylaw 2015 was made on 12 October 2015 and that Council was required to review a bylaw no later than 5 years after the date on which it was made. He added that officers had reviewed the Streets Infrastructure Bylaw and recommended that a bylaw was still the most appropriate way of managing and protecting Council's street infrastructure assets.

Query was made to whether the rules for electric fences outlined under part 3, clause 9.2 of the amended Streets Infrastructure Bylaw was contradictory to the Animal Control Bylaw. Council's Policy Analyst said that in regard to bylaws, a specific rule overrides a general rule. He added that in this case the clause specific to electric fences referenced in the Animal Control Bylaw would override the general rule referenced in the amended Streets Infrastructure Bylaw. To aid understanding, a request was made to specifically note that electric fences were allowed under the amended Streets Infrastructure Bylaw.

Justin Walters was thanked for his efforts.

Resolution 2020/55

Moved: Cr Helen Craig

Seconded: Cr Charlie Anderson

That the Council:

- (a) adopts the Amended Streets Infrastructure Bylaw 2015 and the Statement of Proposal for consultation.

CARRIED

Resolution 2020/56

Moved: Cr Helen Craig

Seconded: Cr Charlie Anderson

That the Council:

- (b) confirms that:
- (i) a bylaw is the most appropriate way of addressing the issues relating to the management and protection of Council's street infrastructure network and public places;
 - (ii) the Amended Streets Infrastructure Bylaw 2015 is the most appropriate form of a bylaw; and
 - (iii) the Amended Streets Infrastructure Bylaw 2015 is not inconsistent with the New Zealand Bill of Rights Act 1990

.CARRIED

8.4 LAND ACQUISITION FOR STORMWATER ATTENUATION - 85 MOSSTON RD, WHANGANUI

Author: Kritzo Venter - Snr Stormwater Engineer

Authoriser: Mark Hughes - General Manager Infrastructure

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

Discussion

Kritzo Venter, Council's Senior Stormwater Engineer advised that in order to provide infrastructure services to the Westbourne Industrial Zone (Mill Road), Council required a communal attenuation area to mitigate the impact of high run-off from impervious surfaces such as roads during a heavy rain. He added that 85 Mosston Road, Whanganui had been identified as suitable location. The 2 hectare area was situated on the corner of Mill Road and Mosston Road and was the most ideal and cost effective location. He further added that negotiation for its acquisition had been completed under the Public Works Act.

In response to a questions regarding the proposed structure, Council's Senior Stormwater Engineer said it would be surrounded by an earth wall and the internal side of the dry basin would be planted with wetland plants. Low level water would continuously flow into the basin to ensure the vegetation remained viable. He added that works would be funded by development contributions.

In response to a question, Council's Senior Stormwater Engineer said there was no impact to the Titoki Wetlands.

Resolution 2020/57

Moved: Cr Alan Taylor

Seconded: Deputy Mayor Jenny Duncan

That the acquisition of No 85 Mosston Rd, Whanganui be approved for a purchase price of: \$230,435-00.

CARRIED

8.5 APPOINTMENTS TO THE YOUTH COMMITTEE - MAY 2020

Author: Nicole Grey - Youth Committee Project Support Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

Stephanie Macdonald-Rose - Policy & Governance Manager

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

Discussion

Kate Barnes, Council's Senior Democracy Advisor, advised that a comprehensive recruitment process had been carried out by the recruitment panel and as a result they had been able to appoint a diverse range of young people.

Resolution 2020/58

Moved: Cr James Barron

Seconded: Cr Josh Chandulal-Mackay

That Council appoints the following people to the Youth Committee:

- (a) Catrina Thomson
- (b) Chez-Ashli Peters
- (c) Jacob Brown
- (d) Louis Devine
- (e) Miriama Joseph
- (f) Myles Simpson
- (g) Siobhan Sarkar
- (h) Ranee Nikora-Rehu

CARRIED

Cr Chandulal- Mackay left the meeting at 2.48pm

8.6 WHANGANUI & PARTNERS UPDATE - MAY 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

This item was withdrawn from the agenda.

8.7 REPRESENTATIVE UPDATE - MAY 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Discussion

Cr Craig reported on the following activities:

- UCOL Arts and Design Programme
- Meeting with Auckland University regarding Whanganui in particular earthquake strengthening Town Centre Regeneration was discussed.
- Town Centre Regeneration

Cr Craig acknowledged Mainstreet. She added that their efforts in supporting local business was excellent.

Resolution 2020/59

Moved: Mayor Hamish McDouall

Seconded: Cr Philippa Baker-Hogan

That the Council receive the report – Representative Update - May 2020.

.CARRIED

9 MINUTES FOR RECEIPT

Nil

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 16 April 2020			Refer to the agenda for this meeting.	
14.1	Section 17A Review	s7(2)(a)	Privacy	May contain information about employees	
14.2	Whanganui to Auckland Air Travel Services	s7(2)(h)	Commercial Activities	Keeping confidential commercially sensitive information.	
14.3	Masters Games - Whanganui - February 2021 - Update	s7(2)(b)(ii), s7(2)(i)	Commercial Position, Negotiations	The Trust are progressing several commercially sensitive discussions pertaining to sponsorship revenue, details of which are recorded within the item.	The information to be released will be dependent upon the feedback received from Council, and will relate to whether the Trust are to proceed or not with the organising of the Masters Games event in February 2021.
14.4	Whanganui District Council Holdings Limited Update - May 2020	s7(2)(b)(ii), s7(2)(h)	Commercial Position, Commercial Activities		
14.5	Chief Executive's Report - May 2020	s7(2)(a), s7(2)(b)(ii), s7(2)(i)	Privacy, Commercial Position, Negotiations	To protect individuals and commercial and private information	

Resolution 2020/60

Moved: Mayor Hamish McDouall

Seconded: Cr Philippa Baker-Hogan

That Danny Jonas, Chief Executive, Sport Whanganui, and Rachel O'Connor, Games Manager, be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of 14.3: Masters Games - Whanganui - February 2021 - Update. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of their roles in the delivery of Whanganui Masters Games.

That Annette Main, Chair, Matthew Doyle, former Deputy Chair, and Geoff Evans, General Manager, Whanganui District Council Holdings Limited, be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of 14.4: Whanganui District Council Holdings Limited Verbal Update – March 2020. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of their positions with Whanganui District Council Holdings Limited.

That Grant Skilton be permitted to remain at this meeting, after the public has been excluded, because of his knowledge of the rural community. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because Grant Skilton is a member of the Whanganui Rural Community Board

.CARRIED

Meeting adjourned 3:00pm

Meeting reconvened 3:14pm

The meeting closed at 6.30pm.

The minutes of this meeting were confirmed at the Council Meeting held on 23 June 2020.

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CHAIRPERSON