



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

MINUTES

**Council Meeting
10 December 2019**

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

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

APOLOGIES: Cr Helen Craig, Cr Alan Taylor

IN ATTENDANCE: Kym Fell (Chief Executive), Bryan Nicholson (Chief Operating Officer), Mike Fermor (General Manager Finance), Mark Hughes (General Manager Infrastructure), Charlotte Almond (General Manager Strategy), Marianne Cavanaugh (Customer Solutions Manager), Anna Palamountain (Governance Services Officer), Kate Barnes (Senior Democracy Advisor), Brent Holmes (Senior Roading Engineer), Kirsty Milham (Policy Advisor - Research & Engagement), Jasmine Hessel (Senior Policy Advisor), Justin Walters (Policy Analyst - Legislative & Performance Management), Hamish Lampp (Planning Manager), Mark Ward (Chief Executive Whanganui & Partners) and Grant Skilton (WRCB Chair).

1 OPENING PRAYER / KARAKIA

Cr Jenny Duncan read the Prayer.

The Mayor asked the meeting to take a moment's silence to acknowledge the passing of former Deputy Mayor Liz Noble, and the events at Whakaari/White Island.

2 APOLOGIES

Apology

Resolution 2019/123

Moved: Cr Kate Joblin

Seconded: Cr Josh Chandulal-Mackay

That the apologies received from Crs Craig and Taylor be accepted and leave of absence granted.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST

Cr Anderson declared an interest in item 14.3.

5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION**Resolution 2019/124**

Moved: Mayor Hamish McDouall

Seconded: Cr Charlie Anderson

That the additional information is tabled with the relevant items:

- Item 8.3: Whanganui Community Awards
- Item 14.2: Chief Executive Report – December 2019
- Item 14.3: Whanganui District Council Holdings Limited Report – December 2019

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 19 NOVEMBER 2019**

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 2019/125

Moved: Cr Kate Joblin

Seconded: Deputy Mayor Jenny Duncan

That the Minutes of the Council Meeting held on 19 November 2019 are confirmed as a true and correct record.

CARRIED

The Mayor acknowledged the presence of immediate past chair of Whanganui Rural Community Board, David (Tex) Matthews. The Mayor presented Mr Matthews with a certificate and gift acknowledging his contributions to local government.

8 REPORTS TO COUNCIL**8.1 CLIMATE CHANGE UPDATE - DECEMBER 2019**

Author: Kirsty Milham - Policy Adviser - Research and Engagement

Authoriser: Stephanie Macdonald-Rose - Policy & Governance Manager
Charlotte Almond - General Manager Strategy

Resolution 2019/126

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Kate Joblin

That the Council receive the report – Climate Change Update - December 2019.

CARRIED

8.2 LETTERS OF EXPECTATION: WHANGANUI & PARTNERS; WHANGANUI DISTRICT COUNCIL HOLDINGS LTD; WHANGANUI AIRPORT JOINT VENTURE

Author: Marianne Cavanagh - Principal Advisor - Corporate

Authoriser: Bryan Nicholson - Chief Operating Officer

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

Discussion

In response to concerns regarding tight timeframes for Council to approve the draft Letters of Expectation (LoE) for Whanganui & Partners (W&P) and Whanganui District Council Holdings Ltd (WDCHL), Council's Principal Advisor – Corporate said that if the Council felt more comfortable a workshop could be arranged for late January 2020 to consider Councillors' feedback. She added that if Council decided on this approach, Council would still need to formally approve and provide these documents to W&P and WDCHL in time for them to provide their corresponding Statements of Intent (SoI) by 1 March 2020 as legislatively required under the Local Government Act 2002 (LGA).

Resolution 2019/127

Moved: Cr Kate Joblin

Seconded: Deputy Mayor Jenny Duncan

That Council:

- (a) receives the draft Letters of Expectation for Whanganui & Partners and Whanganui District Council Holdings Ltd
- (c) forward the draft letters of expectation to the relevant organisations.

CARRIED

Against – Crs Reid, Chandulal-Mackay, Young

8.3 WHANGANUI COMMUNITY AWARDS

Author: Marianne Cavanagh - Principal Advisor - Corporate

Authoriser: Bryan Nicholson - Chief Operating Officer

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

Discussion

The Council supported the introduction of the Whanganui Community Awards in 2020.

A submission by Cr Craig was circulated to elected members and discussed. Her suggestions were to be taken into account by staff working to develop this project.

In regard to the naming of the award scheme, some Councillors suggested a more creative name would be preferable, however no alternative suggestions were put forth. Suggestion was also made in regard to the selection panel. Councillors supported the idea of appointing an external party to the panel.

Resolution 2019/128

Moved: Mayor Hamish McDouall

Seconded: Cr Josh Chandulal-Mackay

That Council support the introduction of Whanganui Community Awards from 2020, based upon the proposed concept as outlined within this report.

CARRIED

8.4 ROAD NAMING REQUEST, TAWHERO

Author: Johanna Verhoek - Team Leader - Planning

Authoriser: Charlotte Almond - General Manager Strategy

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

Discussion

In response to questions, Council's Planning Team Leader said that no staff recommendation had been put forward to Council in regard to this road naming request. She added that as per the Council's Road Naming and Numbering Policy 2018 the developer had been invited to submit a preferred road name. The developer's road name preference was Morrell Street after Whanganui born sculptor Joan Morrell. She added that while not a requirement under the policy, relevant Iwi groups had also been consulted with. Te Runanga O Tupoho and Ngaa Rauru Kiiitahi preferred road name was Te Repo Street which referenced the location as a wetland/swamp area.

Mayor McDouall acknowledged the resignation of Johanna Verhoek and her efforts. He wished her well for future endeavours.

Motion

Moved: Cr Josh Chandulal-Mackay

Seconded: Deputy Mayor Jenny Duncan

That in accordance with section 319(1)(j) of the Local Government Act 1974, and the preferences of Te Runanga o Tupoho and Ngaa Rauru Kiitahi, Council formally names the public road shown at Reference 1, as Te Repo Street.

In Favour: Mayor Hamish McDouall, Crs Jenny Duncan, Josh Chandulal-Mackay and Kate Joblin

Against: Crs Charlie Anderson, Philippa Baker-Hogan, Rob Vinsen, Graeme Young, Brent Crossan and James Barron.

Abstained: Cr Hadleigh Reid

LOST 3/7

Resolution 2019/129

Moved: Cr Rob Vinsen

Seconded: Cr Philippa Baker-Hogan

That in accordance with section 319(1)(j) of the Local Government Act 1974 Council formally names the public road shown at Reference 1, Morrell Street.

CARRIED

Against – Crs Chandulal-Mackay, Duncan

Abstained – Cr Reid

8.6 GOVERNMENT CONSULTATION UPDATE - DECEMBER 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

Council's Policy Analyst – Legislative and Performance advised that an additional point had been added to the Council's submission letter regarding the proposed speed limits on State Highway 3 between Whanganui and Westmere. He added that the Whanganui Rural Community Board (WRCB) had identified a risk associated to the Blue Skin Road intersection and this risk had been captured within the submission letter intended for the New Zealand Transport Agency (NZTA).

In response to a question regarding the possibility of extending the proposed 50km speed limit to included Pickwick Road, Council's Policy Analyst – Legislative and Performance said he would refer this question to NZTA. General Manager Infrastructure added that potentially not all Pickwick Road residents would be in support of this suggestion as some residents enjoy the rural ambience associated with a higher speed limit.

Cr Young voted against adopting the submission letter to NZTA noting that, in his opinion, slowing traffic down would not reduce the risk of a major accident.

Resolution 2019/130

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr Kate Joblin

That Council

- (a) receives information within Government Consultation Update – December 2019.
- (b) adopts the Council submission on Setting of New Permanent Speed Limits on State Highway 3 between Whanganui to Westmere.

CARRIED

Against – Cr Young

The meeting adjourned at 2.20pm

The meeting reconvened at 2.30pm

8.7 DOG CONTROL 2018/19 ANNUAL REPORT

Author: Samantha Solesbury - Administrative Assistant – Compliance & Building
Warrick Zander - Compliance Operations Manager

Authoriser: Bryan Nicholson - Chief Operating Officer

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

Discussion

In response to a question, Council's Compliance Operations Manager said that all dog related complaints were recorded in our Customer Request Management (CRM) system with the exception of ongoing matters which in some cases bypass the CRM system and were directed straight to the Animal Control Officer involved.

Cr Duncan advised that she had been made aware of an incident where multiple complaints for a specific dog related complaint were lodged with Council and these were not accurately recorded. Council's Compliance Operations Manager requested this information be sent through to him to address.

In response to a question regarding infringement statistics outlined in the Annual Dog Control Report 2018/19, Council's Compliance Operations Manager said that a large number of infringements had been withdrawn due to dog owners gaining compliance.

Dog registration statistics were also referenced. Acknowledgement was given to the Animal Control Team for a fantastic result.

An issue was raised regarding roaming dogs mauling cats and small dogs in the Puriri Street area at night. Council's Compliance Operations Manager said that Council's Animal Control Team were aware of this issue, noting that incidents relating to these specific dogs were happening across an

area from Mosston Road through to Abbott Street and as far north as Fox Road. He added that Animal Control were investigating a spike in attacks complaints for this area also.

In response to questions regarding mitigating this issue, Council's Compliance Operations Manager said that two dog traps were in place and that members of the community were voluntarily patrolling the area. He added that rosters for animal control staff to patrol the area at night were not currently in place and to do so would require additional resourcing. He noted that if a priority incident was to occur an Animal Control Officer was on call to attend.

He further added that Animal Control had been actively working with the Communications Team to communicate key messages in relation to this issue.

In response to a question, Council's Compliance Operations Manager said there was no obligation for a member of the public to catch or contain a dog.

The importance of keeping complainants details private was highlighted as residents feared repercussions.

Clarification was sort in regard to the Pitbull dog breed. Council's Compliance Operations Manager explained that this breed was permitted but needed to be classified as menacing under the Dog Control Act 1996. He added that menacing and dangerous dogs were required to be neutered under the Dog Control Act 1996. The exception was if a Pitbull was identified by type then neutering was not a requirement under the Act unless the dog was deemed to be a risk public safety.

In response to a questions regarding resourcing of the Animal Control Team, Council's Compliance Operations Manager said that there had been no reduction in resource. He added that there was a significant amount of admin involved in the animal control role and in field admin solutions were being explored.

Public concern regarding roaming dogs was acknowledged and would be taken into consideration when the Dog Control Bylaw and Dog Control Policy was reviewed in mid-2020.

Resolution 2019/131

Moved: Cr Kate Joblin

Seconded: Cr Josh Chandulal-Mackay

That the Dog Control Policy and Practices Report 2018/19 is adopted, publicly notified and a copy is sent to the Secretary for Local Government.

CARRIED

Cr Joblin declared an interest in Item 8.8 Easement over Reserve – 59 Taupo Quay and left the room.

8.8 EASEMENT OVER RESERVE - 59 TAUPO QUAY

Author: Rob Goldsbury - Legal Counsel

Authoriser: Kym Fell - Chief Executive

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

Resolution 2019/132

Moved: Mayor Hamish McDouall

Seconded: Cr Rob Vinsen

That Pursuant to section 348(1) of the Local Government Act 1974, the Council grants permission to itself (as administrator of the Reserve adjoining 59 Taupo Quay, Whanganui) to the granting of a right of way easement over a private way adjoining 59 Taupo Quay, Whanganui in favour of the owner of 59 Taupo Quay (Lot 1 DP66796).

That Pursuant to section 48(1) of the Reserves Act 1977 the Council, under delegated authority, consents to the granting of a right of way easement over that part of a reserve comprising a private way adjoining 59 Taupo Quay, Whanganui in favour of the owner of 59 Taupo Quay (Lot 1 DP66796).

CARRIED

Cr Joblin returned to the meeting.

8.9 DELEGATIONS REGISTER

Author: Rob Goldsbury - Legal Counsel

Authoriser: Kym Fell - Chief Executive

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

Discussion

In response to a question regarding Mainstreet and their right to enforce bylaws in the Central Business District, Council's Legal Counsel said that he would look into the specific agreement held with Mainstreet and advise.

Resolution 2019/133

Moved: Mayor Hamish McDouall

Seconded: Cr Kate Joblin

That the Council adopts the Delegations Policy set out in the Delegations Register.

That the Council delegates the statutory and other powers set out in Part A of the Delegations Register to the Chief Executive.

That the Council delegates the statutory powers set out in Part B of the Delegations Register to the Officers from time to time occupying the position descriptions set out that Part B.

That the Council notes the sub-delegations granted by the Chief Executive set out in Part C of the Delegations Register.

That the Council notes that the terms of reference and delegations to Committees and the Rural Community Board that were approved at its meeting of 19 November 2019 (and any subsequent terms of reference and delegations to Committees or Community Boards granted by the Council) will be recorded in Part D of the Delegations Register.

CARRIED

8.10 APPOINTMENTS TO BOARDS AND EXTERNAL BODIES DECEMBER 2019

Author: Ngāwai Matthews - Governance Support 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 2019/134

Moved: Mayor Hamish McDouall

Seconded: Cr Rob Vinsen

That Council makes appointments to the following roles outlined in the report “Appointments to boards and external bodies December 2019”:

- Horizons Regional Council Regional Transport Committee Alternate – Cr Young
- Housing Champion – Cr Joblin
- Bushy Park Trust Board – Cr Taylor
- Whanganui River Enhancement Charitable Trust – Cr Duncan
- Regional Civil Defence Emergency Management Group Alternate – Cr Taylor

CARRIED

8.11 WHANGANUI & PARTNERS QUARTERLY UPDATE - DECEMBER 2019

Author: Anna Palamountain - Governance Services Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

Discussion

Whanganui & Partners Chief Executive and Whanganui & Partners Board Chair presented to the Council. Whanganui & Partners were congratulated on the promotion of Whanganui during the recent Labour Party Conference.

Resolution 2019/135

Moved: Mayor Hamish McDouall

Seconded: Deputy Mayor Jenny Duncan

That the Council receive the report – Whanganui & Partners Quarterly Update - December 2019.

CARRIED

8.5 PRESENTATION FROM NEW ZEALAND TRANSPORT AGENCY - DECEMBER 2019

Author: Anna Palamountain - Governance Services Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

Discussion

Emma Speight, NZTA Director Regional Relationships – Lower North Island was joined by Mark Owen, Manager – System Management, Robyn Fisher, Director – Office of the Chief Executive, Dan Tate, Team Lead – Safety Engineers, Hannah Thomson Journey Manager – Manawatu/Whanganui /Taranaki and Wayne Oldfield, Senior Manager – Systems Management from NZTA.

Collectively NZTA representatives briefed the Council on the work being undertaken to repair slippage on State Highway 4. It was noted that a temporary road would be open by Christmas and would be monitored to manage any risk of land slippage.

In response to questions, NZTA representatives said that State Highway 4 was a key link and gave assurance that focus and effort would not reduce. They added that a specific team had been set up to ensure this project was resourced correctly.

In response to question regarding the proposed speed limits on State Highway 3 between Whanganui and Westmere, NZTA representatives said that an intersection at Blue Skin Road could be considered.

The Mayor thanked NZTA for their presentation and acknowledged their financial contribution towards existing projects.

Resolution 2019/136

Moved: Mayor Hamish McDouall

Seconded: Cr Hadleigh Reid

That the Council receive the report – Presentation from New Zealand Transport Agency - December 2019.

CARRIED

8.12 ACTIONS ARISING - DECEMBER 2019

Author: Anna Palamountain - Governance Services Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

Resolution 2019/137

Moved: Mayor Hamish McDouall

Seconded: Cr James Barron

That the Council receive the report – Actions Arising - December 2019.

CARRIED

8.13 REPRESENTATIVE UPDATE - DECEMBER 2019

Author: Anna Palamountain - Governance Services Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

No updated was provided by members. Item 8.13 was withdrawn.

8.14 MAYOR'S REPORT - DECEMBER 2019

Author: Eva Osborne - Executive Assistant

Authoriser: Hamish McDouall - Mayor

Resolution 2019/138

Moved: Cr Kate Joblin

Seconded: Cr Hadleigh Reid

That the Council receive the report – Mayor's Report - December 2019.

CARRIED

9 MINUTES FOR RECEIPT**9.1 WHANGANUI RURAL COMMUNITY BOARD MEETING - 31 OCTOBER 2019**

Author: Anna Palamountain - Governance Services Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

Resolution 2019/139

Moved: Cr Brent Crossan

Seconded: Cr Charlie Anderson

That the minutes of the Whanganui Rural Community Board Meeting held on 31 October 2019 are received.

CARRIED

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

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

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
11.1	Confidential Minutes of the Council Meeting held on 19 November 2019			Refer to reasons contained within each item	
14.1	Presentation on Regional Three Waters Review	s7(2)(a), s7(2)(h), s7(2)(i)	Privacy, Commercial Activities, Negotiations	Potential impact on employees	
14.2	Whanganui District Council Holdings Limited Report - December 2019	s7(2)(b)(ii)	Commercial Position	Commercial position	
14.2	Chief Executive's Report - December 2019	s7(2)(a), s7(2)(b)(ii), s7(2)(i)	Privacy, Commercial Position, Negotiations	To protect individuals and commercial and private information	
3.1	Whanganui District Council Holdings Limited Report - December 2019	s7(2)(b)(ii)	Commercial Position	Commercial position	

Resolution 2019/140

Moved: Deputy Mayor Jenny Duncan

Seconded: Cr James Barron

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

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)

That David Walker, GHD be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of Item 14.1 Presentation on Regional Three Waters Review. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of his study of three waters in the Manawatu-Whanganui region.

That Annette Main, Chair, and Matthew Doyle, Deputy Chair, Whanganui District Council Holdings Limited be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of Item 14.3: Whanganui District Council Holdings Limited Report. 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

The meeting reopened to the public at 4.15pm

Resolution 2019/141

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 in the agenda, for the reasons provided.

That Phill Bedford, New Zealand International Commercial Pilot Academy, be allowed to remain after the public has been excluded because of his knowledge of item 14.3 Whanganui District Council Holdings Limited Report December 2019. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter due to his role as chief executive of New Zealand International Commercial Pilot Academy.

CARRIED

The meeting reopened to the public at 6.39pm.

The Meeting closed at 6.39pm.

The minutes of this meeting were confirmed at the Council Meeting held on 11 February 2020.

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CHAIRPERSON