

### 3. Minutes: Extra-ordinary Whangarei District Council Tuesday 28 June & Wednesday 13 July 2016

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*Minutes of an Extra-ordinary Whangarei District Council meeting held in the Council Chamber, Forum North on Tuesday 28 June 2016 at 9.00am and Wednesday 13 July 2016 at 1.00pm*

**Present:**

Her Worship the Mayor S L Mai

Crs S J Bell, S J Bretherton, C B Christie, P A Cutforth, S J Deeming, S M Glen, P R Halse, C M Hermon, G C Innes, G M Martin, B L McLachlan, S L Morgan and J D T Williamson

**In Attendance:**

Chief Executive (R Forlong), Group Manager Support Services (A Adcock), Group Manager Infrastructure (S Weston), Group Manager Positive Growth (J Thompson), Governance Manager (J Marris), Team Leader – Revenue and Collections (R Whitehead), Financial Accountant (D Henwood), Management Accountant (N Butturini), Bylaw Co ordinator (S Munday), Media Relations Adviser (A Midson), Contractor (K Gilman), Executive Assistant (J Crocombe) and Senior Meeting Co ordinator (C Brindle)

*Her Worship advised Item 2 would be taken first on the agenda, Item 1 would be taken after Item 5.*

#### 1. Deliberations – proposed Freedom Camping Bylaw

**Additional information**

Supplementary No 1 – Additional to Item 1 – Deliberations proposed Freedom Camping Bylaw – staff advice; circulated separate to the agenda but not within the timeframes specified in LGOIMA, required a resolution to consider at the meeting.

**Moved: Cr Deeming**

**Seconded: Cr Morgan**

“That the additional information in Supplementary No 1 – Deliberations proposed Freedom Camping Bylaw – staff advice; be included in deliberations at today’s meeting.”

**CARRIED**

**Moved: Cr Glen**

**Seconded: Cr Williamson**

“That Council deliberate on the proposed Freedom Camping Bylaw.”

**CARRIED**

## **Topic 1 – Area Specific Areas**

Tutukaka Coast  
Whananaki  
Bream Bay  
Various

**Moved: Her Worship the Mayor**

**Seconded: Cr Deeming**

“That the following changes be incorporated into the proposed Freedom Camping Bylaw:

- 1.1 Pataua South – locate the designated site for Freedom Camping vehicles within the circular tarsealed area adjacent to the bridge.
- 1.2 Mangaiti Reserve, Whananaki – be included in Schedule 2.
- 1.3 For all other areas identified in Topic 1, that Council notes the submissions and that no changes to the proposed bylaw are made.”

**CARRIED**

*Crs Christie, Martin and McLachlan requested their votes against be recorded.*

## **Topic 2 – General comments on freedom camping**

General comments on the Proposed Bylaw to regulate freedom camping in the Whangarei District.

**Moved: Cr Deeming**

**Seconded: Cr Morgan**

“That Council notes the submissions and that no associated changes to the proposed Bylaw are made.”

**CARRIED**

*Cr Cutforth requested her abstention from voting on Topic 2 be recorded.*

## **Topic 3 – Proposal to restrict freedom camping to self-contained vehicles only**

**Moved: Her Worship the Mayor**

**Seconded: Cr Morgan**

“That Council notes the submissions and that no associated changes to the proposed Bylaw are made.”

### Amendment

**Moved: Cr Christie**

**Seconded: Cr McLachlan**

“That no changes are made to the proposed Bylaw excepting that:

Part 2 (Permitted, Restricted and Prohibited Freedom Camping Areas) – 6 2(a) of the proposed Bylaw be amended to:

‘That no person may freedom camp except in a self-contained vehicle and excepting for within 200 metres of a Council toilet facility.’

**The amendment was LOST  
on the casting vote of the Mayor**

Procedural motion

**Moved: Her Worship the Mayor**  
**Seconded: Cr Gen**

“That the item (Topic 3) be adjourned until 11.20am.”

**The procedural motion was CARRIED**

*A tea break of 15 minutes was taken from 11.05am to 11.20am.  
Following the tea break discussion on the amendment resumed.*

Further amendment

**Moved: Cr Hermon**  
**Seconded: Cr Bretherton**

“That no person may freedom camp except in self-contained vehicles unless at a designated site where 24 hour toilet facilities are available.”

**The amendment was CARRIED**

*On the (further) amendment being put as the motion Her Worship called for a division:*

*For the motion:*

*Crs Cutforth, Glen, Christie, McLachlan, Hermon, Williamson, Bretherton and Innes (8)*

*Against the motion:*

*Crs Deeming, Bell, Martin, Morgan, Halse and Her Worship the Mayor (6)*

**The motion was CARRIED**

Procedural motion

**Moved: Her Worship the Mayor**  
**Seconded: Cr Innes**

“That the meeting adjourn and reconvene at 1pm on Wednesday 13 July (Council Chambers).”

**CARRIED**

*The meeting adjourned at 11.44am.*

*Item 2 was taken first on the agenda.*

## **2. Rates Remission and Postponement Policies**

**Moved: Cr Deeming**  
**Seconded: Cr Bretherton**

“That Council:

- a) Adopts the full Rates Remission and Postponement Policies (attachment one) which include changes to existing policies 09/103, 12/102, 09/413 and new policy 16/414 – Remission of Rates on Voluntarily Protected Land.”

*On the motion being put Cr Halse called for a division:*

*For the motion:*

*Crs Deeming, Cutforth, Glen, Christie, McLachlan, Martin, Hermon, Williamson, Morgan, Innes and Her Worship the Mayor (11)*

*Against the motion:*

*Crs Bell, Bretherton and Halse (3)*

**CARRIED**

## **3. 2016-2017 Fees and Charges**

**Moved: Cr Hermon**  
**Seconded: Cr Morgan**

“That Council:

- a) Adopts the fees and charges included within the 2016-17 Statement of Proposal.”

**CARRIED**

## **4. 2016-2017 Annual Plan Adoption**

**Moved: Her Worship the Mayor**  
**Seconded: Cr Martin**

“That Council:

- a) Adopts the 2016-2017 Annual Plan in accordance with Section 95 of the Local Government Act (2002);
- b) Authorises the Chief Executive to make any necessary minor drafting, typographical or presentation corrections to the 2016-2017 Annual Plan prior to circulation.”

*On the motion being put Cr Glen called for a division:*

*For the motion:*

*Crs Deeming, Cutforth, Glen, Christie, McLachlan, Martin, Hermon, Williamson, Morgan, Innes, Halse and Her Worship the Mayor (12)*

Against the motion:

Crs Bell and Bretherton (2)

**CARRIED**

## 5. Rates Resolution 2016-2017

**Moved: Cr Morgan**  
**Seconded: Cr Deeming**

“That Council:

1. Having adopted the 2016-2017 Annual Plan (including the 2016-2017 Funding Impact Statement, sets the following rates and charges in accordance with the Local Government (Rating) Act 2002 for the financial year 1 July 2016 to 30 June 2017.

<b>General Rates</b>	Basis of Assessment – Sec 13, 14, 15 & Schedule 2	
Uniform Annual General Charge	Per separately used or inhabited part of a rating unit	\$422.00
Residential category	Per \$ of land value	\$0.0031918
Residential Step 1	Per \$ of land value	\$0.0015959
Residential Step 2	Per \$ of land value	\$0.0007980
Multi – Unit category	Per \$ of land value	\$0.0063836
Rural category	Per \$ of land value	\$0.0029121
Commercial/Industrial category	Per \$ of land value	\$0.0203299
Miscellaneous category	Per \$ of land value	\$0.0031918
<b>Targeted Rates</b>	Basis of Assessment – Sec 16, 17, 18, 19 & Schedule 2 & 3	
District Wide Refuse Management Charge (All rateable properties)	Per separately used of inhabited part of a rating unit	\$171.00
<b>Sewerage Rates</b> (Connected to wastewater system)		
Residential	Per separately used or inhabited part of a rating unit	\$660.00
Other – non-residential up to two pans	Per separately used or inhabited part of a rating unit	\$660.00

Other – non-residential three or more pans	Per pan or urinal	\$429.00
<b>Water Rates</b>		
Consumption charge	Volume of metered water consumed per cubic metre	\$2.22
Annual supply charge (metered)	Provision of service per separately used or inhabited part of a rating unit	\$34.00
Annual availability charge	Availability of service per separately used or inhabited part of a rating unit	\$34.00
Annual Uniform charge (unmetered)	Provision of service per separately used or inhabited part of a rating unit	\$467.00
Backflow preventer charge	Provision of service per connection based on the nature of connection	
	15/20mm connection	\$77.15
	25mm connection	\$78.20
	32mm connection	\$92.51
	40mm connection	\$94.67
	50mm connection	\$98.22
	80/100mm connection	\$247.39
	150mm connection	\$289.61
200mm connection	\$479.66	
<b>Special Rates</b>		
Basis of Assessment – Sec 16, 17, 18 & Schedule 2 & 3		
<b>Roading Scheme</b>		
Whangaruru North Road Seal Extension (Year 2 of 5)	Per rating unit in a specified and defined area of benefit	\$575.00
McKinley Road Seal Extension (Year 2 of 5)	Per rating unit in a specified and defined area of benefit	\$575.00



### **Due dates and penalty dates for land rates**

Council agrees the following due dates and to add penalties to rates not paid by the due date under Sec 57 of the Local Government (Rating) Act 2002. A penalty of 10% will be added to the amount of each instalment which remains unpaid after the due date for payment.

<b>Instalment</b>	<b>Due Date</b>	<b>Date penalty applied</b>
One	22 August 2016	25 August 2016
Two	21 November 2016	24 November 2016
Three	20 February 2017	23 February 2017
Four	22 May 2017	25 May 2017

### **Due dates and penalty dates for water rates**

Water accounts are processed monthly, two-monthly or six-monthly. Council agrees that the due dates of these accounts will be relative to the consumer's cyclic billing period and will show on the water rates invoice. A penalty of 10% will be applied to amounts unpaid 7 days after the applicable due date.

### **Additional penalty charges**

#### **Additional penalty on arrears for land rates**

Council agrees that all rates (including penalties previously added) from the previous rating years that still remain unpaid as at 5 July 2016 will have a further 10% penalty added. This penalty will be added on 2 September 2016.

#### **Additional penalty on arrears for water rates**

Council agrees that a further penalty of 10% will be added to any water rates arrears (including penalties previously added) which continue to remain unpaid at every six monthly interval after the due date."

*On the motion being put Cr Bretherton called for a division:*

*For the motion:*

*Crs Deeming, Cutforth, Glen, Bell, Christie, McLachlan, Martin, Hermon, Williamson, Morgan, Innes, Halse and Her Worship the Mayor (13)*

*Against the motion:*

*Cr Bretherton*

**CARRIED**

*Item 1 was taken after Item 5. The meeting adjourned part way through Item 1.*

**THE MEETING ADJOURNED AT 11.44AM ON TUESDAY 28 JUNE TO BE RECONVENED AT 1.00PM ON WEDNESDAY 13 JULY IN THE COUNCIL CHAMBERS, FORUM NORTH RUST AVENUE, WHANGAREI.**



**THE MEETING RECONVENED AT 1.00PM ON WEDNESDAY 13 JULY IN THE COUNCIL CHAMBERS, FORUM NORTH RUST AVENUE, WHANGAREI.**

*Minutes of the reconvened Extra-ordinary Whangarei District Council meeting held in the Council Chamber, Forum North on Tuesday 28 June 2016 at 9.00am and Wednesday 13 July 2016 at 1.00pm*

**Present:**

Her Worship the Mayor S L Mai

Crs S J Bell, S J Bretherton, C B Christie, S J Deeming, S M Glen, C M Hermon, G C Innes, G M Martin, B L McLachlan, S L Morgan and J D T Williamson

**Apologies:**

Crs P A Cutforth and P R Halse

**Moved: Cr Innes**

**Seconded: Cr Glen**

“That the apologies be sustained.”

**CARRIED**

**In Attendance:**

Chief Executive (R Forlong), Governance Manager (J Marris), Bylaw Co ordinator (S Munday), Executive Assistant (J Crocombe) and Senior Meeting Co ordinator (C Brindle)

**1. Deliberations – proposed Freedom Camping Bylaw**

Council resolved to accept further information to inform their decision making (Extra ordinary business ) and then resumed deliberations on Topic 3.

**Extra ordinary business**

Supplementary Agenda No 2 – proposed Freedom Camping Bylaw – staff advice providing further information to inform Council’s decision making was tabled.

**Moved: Cr Innes**

**Seconded: Cr Morgan**

“That Council:

- a) Consider the further information provided in Supplementary Agenda No 2, to inform decision making, at this meeting.”

**CARRIED**

### **Topic 3 – Proposal to restrict freedom camping to self-contained vehicles only**

**Moved: Cr Bell**

**Seconded: Cr Deeming**

“That Council:

- a) Requests the Chief Executive to direct staff to develop a third Schedule for the proposed Bylaw that identifies appropriate designated sites for non self-contained freedom camping that includes provisions for proximity to 24 hour toilet facilities; and any associated necessary further amendments to the proposed Bylaw.
- b) Requests the Chief Executive to report back to Council on an appropriate mechanism for making the Bylaw.”

**CARRIED**

### **Topic 4 – Summer prohibition**

**Moved: Her Worship the Mayor**

**Seconded: Cr Innes**

“That Council notes the submissions and accepts the alternative restrictions to the proposed summer prohibition in the areas outlined in the table below:

<b>Area</b>	<b>Restriction/Prohibition to be applied</b>
Langs Beach	Schedule 2 – prohibited
Mcleod Bay – Stuart Road, all road reserve	Schedule 2 – prohibited
Moureeses Bay Recreation Reserve	Schedule 1 – restricted to a designated site
Ruakaka Beach Reserve	Schedule 1 – restricted to a designated site
Sandy Bay – road reserve carpark	Schedule 1 – restricted to a designated site
Wellingtons Bay – main reserve (Whangaumu Reserve)	Schedule 1 – restricted to a designated site
Woolleys Bay – eastern carpark	Schedule 2 – prohibited.”

**CARRIED**

**The meeting closed at 1.32pm**

Confirmed this 27<sup>th</sup> day of July 2016

S L Mai (Chairperson)