

## Whangarei District Council Meeting Minutes

**Date:** Thursday, 27 June, 2019  
**Time:** 10:30 a.m.  
**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**In Attendance**

Her Worship the Mayor Sheryl Mai  
(Chairperson)  
Cr Gavin Benney  
Cr Crichton Christie  
Cr Vince Cocurullo  
Cr Tricia Cutforth  
Cr Shelley Deeming  
Cr Phil Halse  
Cr Cherry Hermon  
Cr Greg Innes  
Cr Greg Martin  
Cr Sharon Morgan  
Cr Anna Murphy

**Not in Attendance**

Cr Sue Glen

**Scribe** C Brindle (Senior Democracy Adviser)

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### Administrative matters

Her Worship covered the following administrative matters:

- Emergency evacuation procedures
- Order of items:
  - Item 6.8 Submission by Whangarei District Council on the Zero Carbon Amendment Bill – to be taken after public forum
  - Item 6.6 Speed Limit Bylaw – Speed Limit Consultation – withdrawn.
- Advised that members of the public and the media will be taking photographs.

#### 1. Karakia/Prayer

Cr Sharon Morgan opened the meeting with a karakia/prayer.

#### 2. Declarations of Interest

There were no declarations of interest made at this meeting.

### 3. **Apologies**

Cr Sue Glen (absent) and Cr Vince Cocurullo (early departure)

**Moved By** Cr Greg Innes

**Seconded By** Cr Phil Halse

That the apologies be sustained.

**Carried**

### 4. **Public Forum**

Catherine Murupaenga-Ikenn - Imperative to declare climate emergency

Brian May - Misleading council minutes.

*Item 6.8 was taken after public forum. Item 5.1 was taken after Item 6.8.*

### 5. **Confirmation of Minutes of Previous Meetings of the Whangarei District Council**

#### 5.1 **Minutes Whangarei District Council Meeting held 30 May 2019**

**Moved By** Cr Sharon Morgan

**Seconded By** Cr Phil Halse

That the minutes of the Whangarei District Council meeting held on Thursday 30 May 2019, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

#### 5.2 **Minutes Whangarei District Council Meeting held 11 June 2019**

**Moved By** Cr Tricia Cutforth

**Seconded By** Cr Anna Murphy

That the minutes of the Whangarei District Council meeting held on Tuesday 11 June 2019, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

## 6. Decision Reports

### 6.1 2019-20 Fees and charges

**Moved By** Cr Tricia Cutforth

**Seconded By** Cr Sharon Morgan

That the Council:

1. Adopt the 2019-20 fees and charges which were subject to consultation listed in Table A below:

**Table A: 2019-20 fees and charges which were subject to consultation**

	<b>Refer Attachment 1: Proposed Fees and Charges</b>
Bylaw Enforcement	Page 9
Drainage (Waste Water and Trade Waste)	Page 14
Food Act	Pages 15
Health Act Registered Premises	Page 16
Gambling Act and Racing Act	Page 17
Resource Management	Page 24
Rubbish Disposal	Pages 25 & 26
Water	Pages 27 & 28

2. Authorise the Chief Executive to make minor amendments, drafting, typographical or presentation corrections necessary.

**Carried**

### 6.2 Adoption of Annual Plan 2019 - 2020

**Moved By** Her Worship the Mayor

**Seconded By** Cr Anna Murphy

That Council

1. Adopt the Annual Plan 2019 – 2020
2. Authorise the Chief Executive to make any necessary minor drafting, typographical or presentation corrections to the Annual Plan 2019 – 2020 (including indexing).

**Carried**

*Cr Murphy was absent from 11.55am to 11.57am during Item 6.2.*

### 6.3 2019-2020 Rates Resolution

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Cherry Hermon

That the Council:

1. Having adopted the 2019-2020 Annual Plan, including the 2019-2020 Funding Impact Statement, resolves to set the following rates in accordance with the Local Government (Rating) Act 2002 for the financial year 1 July 2019 to 30 June 2020:

#### a. General Rates

Rate/Differential category	Basis of assessment	Including GST
<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 *	\$476.00
Residential category**	Per \$ of land value	\$0.0023536
Multi-Unit category**	Per \$ of land value	\$0.0047072
Rural category**	Per \$ of land value	\$0.0029911
Commercial and Industrial category**	Per \$ of land value	\$0.0152499
Miscellaneous category**	Per \$ of land value	\$0.0023536

#### b. Targeted Rates

Rate/Differential category	Basis of assessment	Including GST
<b>District Wide Refuse Management Rate</b>	Basis of Assessment – Sec 16, 17, 18, 19 & Schedule 2 & 3	
District Wide Refuse Management Rate (All rateable properties)	Per separately used or inhabited part of a rating unit*	\$187.00
<b>Sewerage Rates</b> (Connected to wastewater system)		
Residential category**	Per separately used or inhabited part of a rating unit*	\$738.00
Other – non-residential**	Per pan or urinal	\$472.00

<b>Water Rates</b>		
<b>Consumption charge</b> <i>Note: where an invoice for water by meter relates to a period that spans two financial years, the consumption over the period will be pro-rated (i.e. the amount of water consumed or supplied in the first year will be charged at the first year's amount per cubic metre, and the amount consumed or supplied in the second financial year will be charged at the second year's amount per cubic metre).</i>	Volume of metered water consumed per cubic metre	\$2.26
<b>Supply charge (metered)</b>	Provision of service per separately used or inhabited part of a rating unit*	\$34.50
<b>Availability charge</b>	Availability of service per separately used or inhabited part of a rating unit*	\$34.50
<b>Uniform charge (unmetered)</b>	Provision of service per separately used or inhabited part of a rating unit*	\$474.00
<b>Backflow preventer charge</b>	Provision of service per connection based on the nature of connection	
	15/20mm connection	\$80.42
	25mm connection	\$81.52
	32mm connection	\$96.44
	40mm connection	\$98.69
	50mm connection	\$102.39
	80/100mm connection	\$257.89
	150mm connection	\$301.90
	200mm connection	\$500.01
<b>Roading Scheme</b>		
Whangaruru North Road Seal Extension (Year 5 of 5)	Per rating unit in a specified and defined area of benefit ***	\$575.00
McKinley Road Seal Extension (Year 5 of 5)	Per rating unit in a specified and defined area of benefit ***	\$575.00
<b>Hikurangi Swamp</b>		
Hikurangi Swamp Special Rating District	Per hectare of land in the Hikurangi Swamp Special Rating area ***	
	Class A approx 2,830 ha	\$206.74
	Class B approx 1,480 ha	\$185.68

Hikurangi Swamp Drainage Rating District	Class C approx 1,372 ha	\$144.73
	Class D approx 1,974 ha	\$20.72
	Class E approx 1,106 ha	\$10.42
	Class F approx 32,100 ha	\$4.17
	Per hectare of land in the Hikurangi Swamp Drainage Rating District ***	
	Class A approx 5,745 ha	\$21.01
	Class F approx 11,969 ha	\$2.11

\* The definition of a separately used or inhabited part of a rating unit can be found in the Funding Impact Statement section of Council's 2019-2020 Annual Plan.

\*\* The definitions of these differential categories can be found in the Funding Impact Statement section of Council's 2019-2020 Annual Plan.

\*\*\* The definitions of these specified and defined area of benefits can be found in the Funding Impact Statement section of Council's 2019-2020 Annual Plan.

2. Resolves to agree the due dates, discount allowed and penalties as set out as follows:

**a. Discount for full payment of annual rates**

Council agrees to apply a policy for early payment of rates under Section 55 of the Local Government (Rating) Act 2002. Where the total year's land rates (excluding roading scheme rates) and any arrears are paid in full by the due date of the first instalment 20 August 2019 a discount of two percent (2%) will apply. The discount does not apply to arrears.

**b. Penalty and due dates for rates paid in instalments**

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

Council agrees the following due dates and to add penalties to land rates not paid by the due date under Section 57 of the Local Government (Rating) Act 2002. A penalty of ten percent (10%) will be added to the amount of each instalment which remains unpaid after the due date for payment, in accordance with the table below:

Instalment	Due date for payment	Date penalty will be added
One	20 August 2019	23 August 2019
Two	20 November 2019	25 November 2019
Three	20 February 2020	25 February 2020
Four	<del>20 May 2020</del>	<del>25 May 2020</del>

*\*Rescinded: Due to COVID-19 Pandemic – refer resolution Council 30 April 2020. Fourth instalment date resolved to be 30 May 2020 and penalty date 25 May 2020.*

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

Council agrees the following due dates for payment and to add penalties to water rates not paid by the due date under Section 57 of the Local Government (Rating) Act 2002.

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 in accordance with the following table:

<b>Month water rates invoice issued</b>	<b>Due date for payment</b>
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 January 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 July 2020

A penalty of ten percent (10%) will be applied to amounts of water rates unpaid after the due date, in accordance with the following table:

<b>Month water rates invoice issued</b>	<b>Date penalty will be added</b>
July 2019	23 August 2019
August 2019	25 September 2019
September 2019	23 October 2019
October 2019	25 November 2019
November 2019	24 December 2019
December 2019	23 January 2020
January 2020	25 February 2020
February 2020	25 March 2020
March 2020	23 April 2020
April 2020	25 May 2020
May 2020	24 June 2020
June 2020	23 July 2020

### **Additional penalty charges**

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

In accordance with section 58 of the Local Government (Rating) Act 2002 Council agrees that a penalty of ten percent (10%) will be added to any unpaid rates (including penalties previously added and water rates) from the previous rating years that remain unpaid as at 4 July 2019. This penalty will be added on 4 September 2019.

Amendment

**Moved By** Cr Crichton Christie

**Seconded By** Cr Phil Halse

That the penalty for rates be adjusted to the first day of the next month.

**The amendment was Lost**

**The Motion was Carried**

**6.4 Agreement to enter into a section 17 Public Works Process at 20 Walton Street**

**Moved By** Cr Cherry Hermon

**Seconded By** Cr Sharon Morgan

That the Council approves the Chief Executive or his delegated authority to sign the section 17 Public Works Act agreement located in attachment 1 of the agenda report, on behalf of Council pursuant to section 17 of the Public Works Act.

**Carried**

**6.5 Vehicles on Beaches Bylaw - Langa Beach**

**Moved By** Cr Phil Halse

**Seconded By** Cr Shelley Deeming

That Whangarei District Council

1. Adopt the Statement of Proposal – Proposed Amendments to the Vehicles on Beaches Bylaw 2019 for consultation.
2. Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the to the Statement of Proposal – Proposed Amendments to the Vehicles on Beaches Bylaw 2009 and to approve the final design and layout of the documents prior to final printing and publication.

**Carried**

**6.6 Speed Limit Bylaw - Speed Limit Consultation**

Item 6.5 was withdrawn.

**6.7 Recommendations from the Community Funding Committee**

**Moved By** Cr Crichton Christie

**Seconded By** Cr Anna Murphy



That having considered the recommendations of the Community Funding Committee 12 June 2019; Council

1. Approves the allocation of the Annual Operating Fund for 2019-20 as follows:
  - a. Citizens Advice Bureau Whangarei (\$70,000)
  - b. Creative Northland (\$208,000)
  - c. Mangakahia Sports Ground Society (\$28,600)
  - d. Northland Craft Trust (\$51,195)
  - e. Sistema Whangarei (\$20,575)
  - f. Volunteering Northland (\$17,900)
  - g. Whangarei Art Museum (\$398,970)
  - h. Whangarei Museum and Heritage Trust (\$434,210)
  - i. Whangarei Quarry Gardens Trust (\$39,085)
  - j. Whangarei Youth Space Trust (\$15,345).

**Carried**

*Item 6.8 was taken after Item 4 Public forum.*

#### **6.8 Submission on the Climate Change Response (Zero Carbon) Amendment Bill**

**Moved By** Cr Greg Innes

**Seconded By** Cr Anna Murphy

That Council approves the submission to central government on the Climate Change Response (Zero Carbon) Amendment Bill.

#### Amendment

**Moved By** Cr Crichton Christie

**Seconded By** Cr Vince Cocurullo

That the submission be amended to include that 'the emission target be achieved by the year 2030'.

*On the amendment being put Cr Murphy called for a division:*

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Her Worship the Mayor	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		

Cr Tricia Cutforth	X		
Cr Shelley Deeming		X	
Cr Phil Halse		X	
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin		X	
Cr Sharon Morgan		X	
Cr Anna Murphy	X		
<b>Results</b>	<b>8</b>	<b>4</b>	<b>0</b>

**The amendment was Carried (8 to 4)**

*On the amendment being put as the substantive motion Cr Cutforth called for a division:*

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Her Worship the Mayor	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming		X	
Cr Phil Halse		X	
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin		X	
Cr Sharon Morgan		X	
Cr Anna Murphy	X		
<b>Results</b>	<b>8</b>	<b>4</b>	<b>0</b>

**The amendment was Carried  
as the substantive Motion (8 to 4)**

*Cr Glen was absent.*

## **7. Information Reports**

### **7.1 Report on 2018/2019 camping in public places report**

**Moved By** Cr Cherry Hermon  
**Seconded By** Cr Vince Cocurullo

That Council notes the report.

**Carried**

## **8. Public Excluded Business**

**Moved By** Cr Shelley Deeming  
**Seconded By** Cr Sharon Morgan

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>		<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for passing this resolution</b>
1.1	Confidential Minutes Whangarei District Council 30 May 2019	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Civic Honours Selection Committee – Approval of Minutes and Recommendations		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

<b>Item</b>	<b>Grounds</b>	<b>Section</b>
1.1	For the reasons as stated in the minutes	
1.2	To protect the privacy of natural persons	Section 7(2)(a)

**Carried**

## **9. Closure of Meeting**

The meeting concluded at 12.57pm.

Confirmed this 25<sup>th</sup> day of July 2019

Her Worship the Mayor Sheryl Mai (Chairperson)