

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON WEDNESDAY, 19 MARCH 2008
COMMENCING AT 9.30 AM**

PRESENT:

Mayor	RA	Harvey, QSO, JP (until 10.38 am)
Deputy Mayor	PA	Hulse (from 9.40 am) (presiding from 10.39 am)
Councillors	DQ	Battersby, JP (from 9.35 am)
	BA	Brady, JP (from 10.30 am)
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP (from 9.35 am until 11.50 am)
	MM	Jolley (from 11.04 am)
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP

OBSERVERS:

W Paki, JP	(Chairman, Te Taumata Runanga)
EAG Grimmer, MNZM	(Chairman, Henderson Community Board)
JG Riddell	(Chairman, Massey Community Board)
GPJ Marshall	(Chairman, New Lynn Community Board)
CA Shepherd	(Waitakere Community Board))
P van der Voort	(New Lynn Community Board)

IN ATTENDANCE:

Acting Chief Executive Officer
Director: City Services
Director: Strategic Performance
Director: Strategic Planning
Acting Director: Corporate & Civic Services
Director: Public Affairs
Director: Finance
Group Manager: Asset Management
Group Manager: Resource Consents
Group Manager: Financial Management
Group Manager: Rates
Manager Transport Strategy
Manager: Strategic Projects Group
Manager: Regulatory Administration
Treasury Manager
Project Manager: Strategic Projects
Senior Road Safety Co-ordinator
Strategic Advisor: Transport
Strategic Advisor: Community Outcomes
Team Leader Cultural Wellbeing
Team Leader: Annual Plan & LTCCP
Annual Plan & LTCCP Co-ordinator
Democracy and Governance Team Manager
Committee Secretaries: N Delamere

1 APOLOGIES

456/2008

MOVED by Cr Neeson, seconded Cr Chan:

That apologies from Cr Flaunty for absence, Crs Hulse and Jolley for lateness and Cr Jolley for early departure be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

9.35 am Crs Battersby and Dallow entered the meeting.

3 CONFLICTS OF INTEREST

Elected Members were reminded via the agenda, of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have.

PRECEDENCE OF BUSINESS

457/2008

MOVED by Cr Clews, seconded Cr Neeson:

That Item 9: Report from the Long Term Council Community Plan and Annual Plan Committee be accorded precedence at this time.

CARRIED

9 REPORT FROM THE LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE

9.40 am Cr Hulse entered the meeting.

458/2008

MOVED by Cr Clews, seconded Cr Lawley:

1. That the report from the Long Term Council Community Plan and Annual Plan Committee be received.
2. That the recommendations from the Long Term Council Community Plan and Annual Plan Committee be considered.

CARRIED

459/2008

MOVED by Cr Clews, seconded Cr Clow:

That the draft budget and work programme changes outlined in the schedule below, reflecting a Council controlled rate increase of 7.40% and a 1.01% increase in regional levies be approved for consultation.

Draft Annual Plan 2008/2009

"Below the Line" Items, Requests and Changes from the Committee

Council Controlled Rate Increase Including Surplus Before Changes	7.03%
Revised Council Controlled Rate Increase After Changes	7.40%
Movement in Rates Funded External Levies	1.01%
Draft Total Rates Movement	8.41%
Rates Movement from Changes Below	0.37%

Operating Costs - Changes from the Committee

City Services

Parks and Transport Amenities 150,000

Strategy

Family Violence Prevention 65,000
 Hoani Waititi Marae Funding 100,000

Corporate and Civic

Increased Grant for CABx 100,000

Other Items

Consequential Interest Adjustment 22,000

Total Operating Costs 437,000

Capital Expenditure - Changes from the Committee

Public Affairs

Art Acquisition 20,000

Corporate and Civic

Weather Tightness Claims 1,250,000

Total Capital Expenditure 1,270,000

Total Changes 1,707,000

CARRIED

NOTE: Pursuant to Standing Order 32.12 Cr Corban requested that his vote against the motion be recorded.

460/2008

MOVED by Cr Clews, seconded Cr Neeson:

That the Acting Chief Executive Officer together with the Budget Review Group comprising Councillors, Battersby, Clews, Hulse and Clow review the draft Annual Plan 2008/2009 for the Council's controlled costs and report back to the Long Term Council Community Plan and Annual Plan Committee in June 2008 following the hearings of the draft Annual Plan 2008/2009 submissions.

CARRIED

Regulatory Proposed Fees and Charges 2008/2009 - Statement Proposal

461/2008

MOVED by Cr Clews, seconded Cr Cooper:

That the Regulatory Proposed Fees and Charges 2008/2009 - Statement Proposal be approved for consultation.

CARRIED

Rates Stepped Differential

462/2008

MOVED by Cr Clews, seconded Cr Neeson:

That Council approve the following changes to the Rates Stepped Differential as specified in the Funding Impact Statement and Description of the Differential Rating System and Method of Calculation of rates, to be included for consultation in the draft Annual Plan 2008/2009:

Differential Group	Step	New Step
Residential (1 unit)	Step 1	\$1 to \$270,000
	Step 2	\$270,000 to \$950,000
	Step 3	\$950,000 +
Residential (2 units)	Step 1	\$1 to \$540,000
	Step 2	\$540,000 to \$1,900,000
	Step 3	\$1,900,000 +
Residential (3 units)	Step 1	\$1 to \$810,000
	Step 2	\$810,000 to \$2,850,000
	Step 3	\$2,850,000 +
Residential (4 units)	Step 1	\$1 to \$1,080,000
	Step 2	\$1,080,000+
Residential (5-9 units)	Step 1	\$1 to \$1,350,000
	Step 2	\$1,350,000+
Residential (10-39 units)	Step 1	\$1 to \$3,000,000
	Step 2	\$3,000,000+
Residential (40+ units)	Step 1	\$1 to \$12,000,000
	Step 2	\$12,000,000+

CARRIED

Uniform Annual General Charge

MOVED by Cr Lawley, seconded Cr Hulse:

That Council approve a Uniform Annual General Charge be set under Section 15 of the Local Government (Rating) Act 2002 of \$628 inclusive of GST on all rateable land, being set and charged upon each separately used or inhabited part of a rating unit, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

LOST

463/2008

MOVED by Cr Corban, seconded Cr Neeson:

That Council approve a Uniform Annual General Charge be set under Section 15 of the Local Government (Rating) Act 2002 of \$690 inclusive of GST on all rateable land, being set and charged upon each separately used or inhabited part of a rating unit, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

NOTE: Pursuant to Standing Order 32.12 Crs Chan and Lawley requested that their vote against the motion be recorded.

Business Differential

464/2008

MOVED by Cr Clow, seconded Cr Cooper:

That Council approve that for the 2008/2009 year 20% of the total rate requirement, excluding targeted rates for water supply, will be collected from business sector properties and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

Uniform Annual Charge for Rural Sewerage

465/2008

MOVED by Cr Clews, seconded Cr Corban:

That Council approve a targeted rate set as a fixed charge on a uniform basis under Section 16 of the Local Government (Rating) Act 2002 of \$158 inclusive of GST be set and charged upon each septic tank, long-drop or grease trap for all rating units in the Non-Drainage area of the City (as defined in the Description of the Differential Rating System and Method of Calculation of Rates) that are scheduled to be pumped out by Council within the three-yearly cycle, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

Uniform Annual Charge for Environmental Monitoring

466/2008

MOVED by Cr Clow, seconded Cr Clews:

That Council approve a targeted rate set as a fixed charge on a uniform basis under Section 16 of the Local Government (Rating) Act 2002 of \$34 inclusive of GST be set and charged on all rating units in the Non-Drainage Area of the City as defined in the Description of the Differential Rating System and Method of Calculation of Rates and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

Water Supply Rate

467/2008

MOVED by Cr Lawley, seconded Cr Chan:

That Council approve a targeted rate described as the Water Supply Charge be set and charged according to a scale of charges under Section 19 of the Local Government (Rating) Act 2002 of \$1.53 inclusive of GST per cubic metre of water provided as measured by meter, with a minimum charge of \$17 for each billing period, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

Uniform Annual Charge for Wastewater - Residential

468/2008

MOVED by Mayor Bob Harvey, seconded Cr Clow:

That Council approve a targeted rate set as a fixed charge on a uniform basis under Section 16 of the Local Government (Rating) Act 2002 of \$402 inclusive of GST be set and charged on each separately used or inhabited part of a rating unit in the Drainage Area of the City, excluding non-rateable properties, and business sector properties, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

NOTE: Pursuant to Standing Order 32.12 Crs Battersby and Hulse requested that their vote against the motion be recorded.

Wastewater Targeted Rate - Business

10.30 am Cr Brady entered the meeting.

469/2008

MOVED by Cr Clews, seconded Cr Cooper:

That Council approve a targeted rate for wastewater set differentially on business sector properties on the same basis as the General Rate calculated on the rateable land value of business sector rating units in the Drainage Area of the City, excluding non-rateable properties, as shown below to be included for consultation in the draft Annual Plan 2008/2009.

CARRIED

Wastewater Targeted Rate - Non-Rateable

470/2008

MOVED by Cr Clews, seconded Cr Neeson:

That Council approve a targeted rate for wastewater set differentially on the same basis as the General Rate calculated on the rateable land value of non-rateable rating units in the Drainage Area of the City, where a wastewater service is provided, as shown below, to be included for consultation in the draft Annual Plan 2008/2009:

Wastewater Targeted Rate - Draft Annual Plan 2008/2009 Differential Rates including GST

	Wastewater Targeted rate
	Cents in \$
Business Sector	0.4295
Non-Rateable Step 1	0.1878
Non-Rateable Step 2	0.1409
Non-Rateable Step 3	0.0939

CARRIED

General Rate

471/2008

MOVED by Cr Clews, seconded Cr Dallow:

That Council approve that a general rate set under Section 13 of the Local Government (Rating) Act 2002 on all rateable land, calculated on the rateable value of rating units and levied differentially on the differential categories of land as specified in the Funding Impact Statement and Description of the Differential Rating System and Method of Calculation of rates, as shown below, to be included for consultation in the draft Annual Plan 2008/2009:

General Rate - Draft Annual Plan 2008/2009 Differential Rates including GST (UAGC @ \$690)

	General Rate
	Cents in \$
Residential Step 1	0.2708
Residential Step 2	0.2031
Residential Step 3	0.1355
Multi-Unit 2 Step 1	0.2708
Multi-Unit 2 Step 2	0.2031
Multi-Unit 2 Step 3	0.1355
Multi-Unit 3 Step 1	0.2708
Multi-Unit 3 Step 2	0.2031
Multi-Unit 3 Step 3	0.1355
Multi-Unit 4 Step 1	0.2708
Multi-Unit 4 Step 2	0.2031
Multi-Unit 5-9 Step 1	0.2708
Multi-Unit 5-9 Step 2	0.2031
Multi-Unit 10-39 Step 1	0.2708
Multi-Unit 10-39 Step 2	0.2031
Multi-Unit 40+ Step 1	0.2708
Multi-Unit 40+ Step 2	0.2031
Business Sector	1.5223
Other Categories Step 1	0.2708
Other Categories Step 2	0.2031
Other Categories Step 3	0.1355

CARRIED

NOTE: Pursuant to Standing Order 32.12 Cr Corban requested that his vote against the motion be recorded.

Te Atatu Business District Targeted Rate

472/2008

MOVED by Cr Corban, seconded Cr Brady:

That Council approve a targeted rate be set at the rate of .4103 cents in the dollar on the land value of the business sector properties situated in the Te Atatu Peninsula town centre, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009. Such a rate to yield \$78,750 inclusive of GST in the 2008/2009 Rating Year.

CARRIED

Due Dates for Payment of Rates

473/2008

MOVED by Mayor Bob Harvey, seconded Cr Clews:

That Council approve that the rates (other than the targeted rates for water supply) for the year 1 July 2008 to 30 June 2009 will be payable in four instalments on due dates as follows:

Instalment Number	Due Date
1	20 August 2008
2	20 November 2008
3	20 February 2009
4	20 May 2009

CARRIED

474/2008

MOVED by Cr Mitchell, seconded Cr Neeson:

That the due date for the targeted rate for water supply shall be the "latest date for payment" set out in each rates invoice for water supply, shown on the respective assessment for such charge as delivered to the owner of the rating unit, which will be a date 30 days after the date of each rates invoice for water supply, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

Penalties on Unpaid Rates

475/2008

MOVED by Cr Clews, seconded Cr Neeson:

That Council approve that pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002:

- i) A penalty of ten per cent of the amount of rates assessed under each instalment in the 2008/2009 financial year (other than targeted rates for water supply) that are unpaid after the due date of each instalment, will be added to such unpaid rates on the day following the due date of the instalment. Provided that where all rates (other than the targeted rate for water supply) payable to 30 June 2009 (together with any arrears of rates, other than targeted rate for water supply, but including penalties on arrears of rates) are paid in full by 20 November 2008, no instalment penalty will be payable in respect of the 2008/2009 year.
- ii) A further penalty calculated on rate arrears (other than the targeted rate for water supply) will be added on the day following 30 September 2008. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2008/2009 year (other than the targeted rate for water supply), including any penalties added, that remain unpaid on 30 September 2008.
- iii) A further penalty calculated on rate arrears (other than the targeted rate for water supply) will be added on the day following 31 March 2009. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2008/2009 year (other than targeted rates for water supply), including any penalties added, that remain unpaid on 31 March 2009.

and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Annual Plan 2008/2009.

CARRIED

10.38 am Mayor Bob Harvey vacated the Chair.

10.39 am Deputy Mayor assumed the Chair.

476/2008

MOVED by Cr Cooper, seconded Cr Dallow:

That the Funding Impact Statement and Other Rating Information as prepared be adopted for inclusion in the draft Annual Plan 2008/2009 for consultation.

CARRIED

477/2008

MOVED by Cr Clews, seconded Cr Neeson:

That the draft Annual Plan 2008/2009 comprising of reports, analysis and budget estimates presented to, considered and amended by the Long Term Council Community Plan and Annual Plan Committee be adopted for consultation as a Statement of Proposal in terms of Section 83 of the Local Government Act 2002.

CARRIED

NOTE: Pursuant to Standing Order 32.12 Cr Corban requested that his vote against the motion be recorded.

478/2008

MOVED by Cr Cooper, seconded Cr Dallow:

That a Editorial Group comprising the Mayor, Chairman of the Long Term Council Community Plan and Annual Plan Committee and Councillor Clow be delegated to approve consultation and editorial content of the draft Annual Plan 2008/2009.

CARRIED

479/2008

MOVED by Cr Clews, seconded Cr Neeson:

That the Council congratulates the Acting Chief Executive Officer, Director: Finance and his team and all directors and support staff for the tremendous effort made in producing the draft Annual Plan 2008/2009 for adoption in such a clear and timely fashion.

CARRIED

PRECEDENCE OF BUSINESS

480/2008

MOVED by Cr Hulse, seconded Cr Lawley:

That Item 5: Representative on the Trustee Appointment Committee of the Auckland Regional Migrant Services Trust be accorded precedence at this time.

CARRIED

5 REPRESENTATIVE ON THE TRUSTEE APPOINTMENT COMMITTEE OF THE AUCKLAND REGIONAL MIGRANT SERVICES TRUST

481/2008

MOVED by Cr Cooper, seconded Cr Neeson:

The Council resolved to:

1. Receive the Representative on the Trustee Appointment Committee of the Auckland Regional Migrant Services Trust report.
2. Approve the nomination of Carolynne Stone, a Waitakere City representative onto the Trustee Appointment Committee of the Auckland Regional Migrant Services Trust, be approved.

CARRIED

11.04 am Cr Jolley entered the meeting.

ADJOURNMENT

482/2008

MOVED by Cr Hulse, seconded Cr Neeson:

That the meeting stand adjourned until 11.25 am.

CARRIED

11.11 am The meeting adjourned.

11.37 am The meeting reconvened. Crs Dallow, Mitchell, Lawley, Corban and Jolley were not present.

11.38 am Crs Dallow and Mitchell returned to the meeting.

11.39 am Crs Lawley, Corban and Jolley returned to the meeting.

The Order of Business resumed at Item 4: State Highways Update.

4 STATE HIGHWAYS UPDATE

11.50 am Cr Dallow and Neeson left the meeting.

11.55 am Cr Neeson returned to the meeting.

483/2008

MOVED by Cr Cooper, seconded Cr Brady:

That the Council resolved to:

1. **Receive** the State Highways Update report.
2. **Approve** that the Chief Executive Officer sign off the proposed submission to Transit New Zealand on the draft Auckland State Highway Strategy.
3. **Direct** the Chief Executive Officer to request an opportunity to present to the Transit New Zealand Board in relation to the draft Auckland State Highway Strategy.
4. **Approve** the Chief Executive Officer sign off a submission to Transit New Zealand on the State Highway 20 Waterview Connection project based on the advice set out in this State Highways Update report subject to further information received at the Policy and Strategy Committee meeting.
5. **Agree** that the Council's representatives on the State Highway 20 Waterview Connection Reference Group to present the Council's submission on the Waterview Connection project to Transit New Zealand subject to further information received at the Policy and Strategy Committee meeting.
6. **Approve** that the Chief Executive Officer sign off a submission to Transit New Zealand on the Waitemata Harbour Crossing based on the advice set out in this State Highways Update report.
7. **Agree** with the officers' submission to Transit New Zealand on the draft 2007/2008 Land Transport Programme and 10-year Financial Forecast.

8. **Agree** that Councillor Hulse and the Manager Transport Strategy present the Council's submission on the draft 2007/2008 Land Transport Programme and 10-year Financial Forecast to Transit New Zealand.

CARRIED

5 **REPRESENTATIVE ON THE TRUSTEE APPOINTMENT COMMITTEE OF THE AUCKLAND REGIONAL MIGRANT SERVICES TRUST**

This item was dealt with after Item 9: Report from the Long Term Council Community Plan and Annual Plan Committee.

6 **EXTERNAL APPOINTMENTS TO THE NORTHERN STRATEGIC GROWTH AREA (NORSGA) URBAN DEVELOPMENT COMMITTEE AND THE TOWN CENTRES SUBCOMMITTEE**

484/2008

MOVED by Cr Battersby, seconded Cr Clews:

1. That the External Appointments to the Northern Strategic Growth Area (NorSGA) Urban Development Committee and Town Centres Subcommittee report be received.
2. That the Council approve the following nomination to the Northern Strategic Growth Area (NorSGA) Urban Development Committee:
 - Councillor Paul Walbran, Chair of the Regional Strategy and Planning Committee of the Auckland Regional Council.
3. That the Council approve the following nominations to the Town Centres Subcommittee:
 - Councillor Paul Walbran, Chair of the Regional Strategy and Planning Committee of the Auckland Regional Council.
 - Bill Glover, member of the New Lynn Business Association.

CARRIED

7 **WAITAKERE CITY COUNCIL LIABILITY MANAGEMENT AND INVESTMENT POLICY PROPOSED CHANGES - STATEMENT OF PROPOSAL AND SUMMARY OF INFORMATION**

485/2008

MOVED by Cr Clow, seconded Cr Clews:

1. That the Waitakere City Council Liability Management and Investment Policy Proposed Changes - Statement of Proposal and Summary of Information report be received.
2. That the Statement of Proposal and the Summary of Information attached at pages A163 to A166 to the Agenda report be approved for public consultation, following the special consultative process under Section 84 of the Local Government Act 2002.
3. That the hearing of any submissions received around the City Council Liability Management and Investment Policy Proposed Changes - Statement of Proposal and Summary of Information take place in conjunction with hearings into submissions on the draft Annual Plan 2008/2009.

CARRIED

8 WAITAKERE CITY COUNCIL / UNITEC RELATIONSHIP WORKING PARTY

486/2008

MOVED by Cr Clow, seconded Cr Cooper:

That the Council resolved to:

1. **Receive** the Waitakere City Council / Unitec Relationship Working Party report.
2. **Approve** the re-establishment of the Waitakere City Council / Unitec Relationship Working Party.
3. **Approve** the nomination of Councillors Clews and Brady as representatives and Councillor Chan as an alternate representative for the Waitakere City Council / Unitec Relationship Working Party, with the tenure of office being effective until the end of Council's current term or until disestablishment of the group, whichever comes earlier.
4. **Approve** the appointment of Councillor Lawley as Chairman for the Waitakere City Council / Unitec Relationship Working Party, with the tenure of office being effective until the end of Council's current term or until disestablishment of the group, whichever comes earlier.
5. **Direct** the Chief Executive Officer invite the Unitec Institute of Technology to nominate two Council Members (and alternates) for the Waitakere City Council / Unitec Partnering Working Party.

CARRIED

9 REPORT FROM THE LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE

This item was considered following Item 3: Conflicts of Interest.

12.26 pm

The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A MEETING OF THE COUNCIL
HELD ON

DATE:.....

CHAIRMAN:.....