



**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER  
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON TUESDAY, 30 JUNE 2009  
COMMENCING AT 12.00 NOON**

---

**TABLE OF CONTENTS**

<b><u>ITEM</u></b>		<b><u>PAGE NO.</u></b>
1	APOLOGIES	1
2	URGENT BUSINESS	1
3	CONFLICTS OF INTEREST	1
4	ADOPTION OF THE LONG TERM COUNCIL COMMUNITY PLAN 2009-2019 INCORPORATING THE ANNUAL PLAN 2009/2010	2
5	RATING MATTERS FOR CONSIDERATION	4
6	PROPOSED REGULATORY FEES AND CHARGES 2009/2010	11

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON TUESDAY, 30 JUNE 2009  
COMMENCING AT 12.00 NOON**

---

**1 APOLOGIES**



**2 URGENT BUSINESS**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Council by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Council may make a decision on a matter determined to be urgent.

**NOTE:** Urgent Business need not be dealt with now and may be delayed until later in the meeting.



**3 CONFLICTS OF INTEREST**

The Council has acknowledged in its Code of Conduct that Elected Members 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. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 **ADOPTION OF THE LONG TERM COUNCIL COMMUNITY PLAN 2009-2019 INCORPORATING THE ANNUAL PLAN 2009/2010**

**GLOSSARY**

Long Term Council Community Plan (LTCCP)  
Auckland Transition Agency (ATA)

**EXECUTIVE SUMMARY**

The purpose of this report is for the Council to adopt the Long Term Council Community Plan (LTCCP) 2009-2019 incorporating the Annual Plan 2009/2010. The Long Term Council Community Plan and Annual Plan Committee received and heard submissions on the draft LTCCP 2009-2019 during May 2009 and has deliberated on the LTCCP 2009-2019 during June 2009. The Long Term Council Community Plan and Annual Plan Committee has recommended the adoption of the final LTCCP 2009-2019 after consideration of submissions and further information.

**RECOMMENDATIONS**

It is recommended that the Council resolve to:

1. **Receive** the Adoption Of The Long Term Council Community Plan 2009-2019 Incorporating The Annual Plan 2009/2010 report.
2. **Approve** that the Long Term Council Community Plan 2009-2019 incorporating the Annual Plan 2009/2010, following consideration of public submissions and other information and as amended by the Long Term Council Community Plan and Annual Plan Committee resolution numbers 994/2009-996/2009, 1016/2009-1022/2009, 1025/2009-1029/2009, 1036/2009-1037/2009, 1040/2009-1041/2009, 1045/2009, 1050/2009-1051/2009, 1053/2009-1055/2009, 1060/2009, 1062/2009-1063/2009, 1065/2009-1067/2009, 1069/2009-1072/2009, 1074/2009-1081/2009 and 1083/2009-1086/2009, be adopted subject to final Audit New Zealand clearance and confirmation from the Auckland Transition Agency.

**BACKGROUND**

1. The Council must prepare every three years a LTCCP. The Council adopted its first LTCCP using the transitional requirements of the Local Government Act 2002 in June 2003. In June 2004, the LTCCP was amended to incorporate the adoption of the Development Contributions and Financial Contributions Policy. The draft LTCCP 2009-2019 has been consulted upon using the Special Consultative Procedure as prescribed in the Local Government Act 2002. The LTCCP must also contain an Audit Report from Audit New Zealand on the extent that the LTCCP complies with the requirements of the Local Government Act 2002, quality of information and assumptions, and the extent to which the forecast information and proposed performance measures will provide an appropriate framework for the meaningful assessment of the actual levels of service provision. The Long Term Council Community Plan and Annual Plan Committee at its meeting held on Tuesday, 16 June 2009 resolved as follows:

*“The Long Term Council Community Plan and Annual Plan Committee resolved to:*

A1-A3

1. *Agree that the draft Long Term Council Community Plan 2009-2019 be amended to reflect the decisions of the Long Term Council Community Plan and Annual Plan Committee, following receipt of submissions, reports and other information during the hearings and deliberations process, along with minor consequential changes to interest, depreciation and development contributions as listed in the schedule, as attached at pages A1 to A3.*

2. *Agree that it be recommended to the Council that the final Long Term Council Community Plan 2009-2019 be adopted after confirmation from the Auckland Transition Agency and audit clearance from Audit New Zealand.”*

1083/2009

2. In addition, the Council is required to pass various resolutions with regards to the setting of rates for 2009/2010. A separate report on this agenda has been prepared for that purpose.

## DECISION MAKING

3. The LTCCP 2009-2019 incorporating the Annual Plan 2009/2010 is currently being updated to reflect all the necessary changes approved by the Long Term Council Community Plan and Annual Plan Committee. The LTCCP 2009-2019 is presently subject to a compliance review process by Audit New Zealand and also requires confirmation from the Auckland Transition Agency (ATA). The final LTCCP 2009-2019 requires an Audit Report to be included from the Council's Statutory Auditor. Audit New Zealand is the Council's appointed auditor and audit clearance is expected to be available at the time of this meeting.
4. The updated LTCCP 2009-2019 will be available at the meeting for adoption. A final printed version will be published in early July 2009. The Long Term Council Community Plan and Annual Plan Committee approved a number of financial adjustments to the draft LTCCP 2009-2019. These adjustments require the financial forecasts relating to Activity Plans, Financial Statements and other related financial disclosures to be updated. In addition, the following policies that form part of the final LTCCP 2009-2019 were recommended for adoption:
  - Revenue and Financing;
  - Development Contributions and Financial Contributions;
  - Rates Remission and Postponement;
  - Remission and Postponement of rates on Maori freehold land;
  - Partnerships with the Private Sector;
  - Liability Management and Investment; and
  - Policy on Significance
5. Other inclusions are the outcomes of submissions, changes made by the Long Term Council Community Council and Annual Plan Committee and minor wording changes reflecting those final decisions. The Local Government Act 2002 requires the LTCCP 2009-2019 to be adopted no later than 30 June 2009. If the Council considers any further significant amendments to the final LTCCP 2009-2019 at this meeting, this may disrupt the issuance of the final Audit Report required to be included in the LTCCP 2009-2019.

## STRATEGIC CONTEXT

6. The LTCCP describes the Council's response to the community outcomes and provides a long term focus for the decisions and activities of the Council. The LTCCP gives expression to the strategic direction of the Council, the Auckland sustainability framework, and provides a basis for accountability to the community. The LTCCP also details a proposed work plan for the Council and how it will manage its revenues, expenses, assets, liabilities, investments and general financial dealings prudently and in a manner that promotes the current and future interests of the community.

## CONSULTATION

7. The draft LTCCP 2009-2019 was publicly consulted on from 31 March 2009 until 1 May 2009. There were 353 submission addressing 1,056 issues. A summary of the draft LTCCP 2009-2019 was circulated throughout the Waitakere City area and this contained information on the key financial matters, Council priorities, and key issues for consultation.

## RESOURCES

8. This report has no resource implications.

## IMPLEMENTATION ISSUES

9. The LTCCP 2009-2019 sets out the Council's work programme for the years 2009-2019. Aspects of that work programme may be subject to approval from the ATA and, where that is required, the ATA will be advised accordingly.

## AUCKLAND COUNCIL TRANSITION ISSUES

10. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 section 31(4)(b) requires ATA approval prior to the Council adopting or amending a LTCCP or to adopt an Annual Plan. Various information packages and responses to questions have been forwarded to the ATA to assist them in their confirmation process. The ATA Board is expected to meet on 29 June 2009 and consider the Council's LTCCP 2009-2019. The final LTCCP 2009-2019 must be adopted by the Council by 30 June 2009.

**Report prepared by:** Andrew Pollock, Director: Finance.



## 5 RATING MATTERS FOR CONSIDERATION

### GLOSSARY

Long Term Council Community Plan 2009-2019	(LTCCP 2009-2019)
Local Government (Rating) Act 2002	(LG(R)A 2002)
Glen Eden Business Improvement District Association	(GEBIDA)

### EXECUTIVE SUMMARY

The purpose of this report is to provide the Council with the necessary rating related recommendations for disclosure in the Long Term Council Community Plan 2009-2019 (LTCCP 2009-2019) and the setting of rates for the 2009/2010 financial period. All of the matters contained in this report have been consulted upon via the draft LTCCP 2009-2019.

### RECOMMENDATIONS

It is recommended that the Council resolve to:

1. **Receive** the Rating Matters For Consideration report.

2. **Agree** that the Council approve for the 2009/2010 year 20% of the total rate requirement, excluding targeted rates for water supply, will be collected from business sector properties pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement and Other Rating Information.
3. **Agree** that the following Rural Sewerage Rate be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
  - A targeted rate described as the Rural Sewerage Charge set as a fixed charge on a uniform basis under section 16 of the Local Government (Rating) Act 2002 of \$148 inclusive of GST set and charged upon 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, upon each on-site waste management system that is scheduled to be pumped out by the Council within the three-yearly cycle, for the purposes of recovering the costs of implementation of the On-site Waste Systems Management Plan, and calculated to yield \$753,750 inclusive of GST.
4. **Agree** that the Environment Monitoring Rate be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
  - A targeted rate described as the Environment Monitoring Charge set as a fixed charge per rating unit on a uniform basis under section 16 of the Local Government (Rating) Act 2002 of \$40 inclusive of GST 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, for the purposes of recovering the costs of monitoring and addressing pollution of watercourses, and calculated to yield \$234,000 inclusive of GST.
5. **Agree** that the Rugby World Cup Levy be introduced for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
  - A targeted rate described as the Rugby World Cup Levy set under section 16 of the Local Government (Rating) Act 2002 on a uniform basis of \$4.50 (based on the recommended Long Term Council Community Plan 2009-2019) inclusive of GST and charged upon each separately used or inhabited part of a rating unit, excluding non-rateable properties, and calculated to yield \$320,625 inclusive of GST.
6. **Agree** that the Water Supply Rate be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
  - A targeted rate described as the Water Supply Charge set and charged according to a scale of charges under section 19 of the Local Government (Rating) Act 2002 of \$1.61 inclusive of GST per cubic metre of water provided as measured by meter and calculated to yield \$24,863,625 inclusive of GST.

7. **Agree** that the Due Dates for Payment of Rates be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:

- (i) The rates (other than the targeted rates for water supply) for the year from 1 July 2009 to 30 June 2010 will be payable in four instalments on due dates as follows:

Instalment Number	Due Date
1	20 August 2009
2	20 November 2009
3	22 February 2010
4	20 May 2010

- (ii) The due date for the targeted rate for water supply shall be the “last 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.

8. **Agree** that the following Penalties on Unpaid Rates be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002, and in accordance with sections 57 and 58 of the Local Government (Rating) Act 2002 and the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:

- (i) A penalty of ten per cent of the amount of rates assessed under each instalment in the 2009/2010 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.
- (ii) Provided that where all rates (other than the targeted rate for water supply) payable to 30 June 2010 (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 2009, no instalment penalty will be payable in respect of the 2009/2010 year.
- (iii) A further penalty calculated on rate arrears (other than the targeted rate for water supply) will be added on the day following 30 September 2009. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2009/2010 year (other than the targeted rate for water supply), including any penalties added, that remain unpaid on 30 September 2009.
- (iv) A further penalty calculated on rate arrears (other than the targeted rate for water supply) will be added on the day following 31 March 2010. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2009/2010 year (other than targeted rates for water supply), including any penalties added, that remain unpaid on 31 March 2010.

9. **Agree** that the Payments of Rates be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
- The rates are payable to the Director: Finance or such other person as may from time to time be appointed by the Council to collect the revenue. Rates will be payable at any of the following places during normal business hours:  
Waitakere Central, Civic Centre - 8.00 am - 5.00 pm  
6 Henderson Valley Road  
or any such place as the Council may from time to time determine.
10. **Agree** that the targeted rate for Residential Sector Wastewater for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it under section 16 of the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement be set on all rateable land in the Drainage Area of the City as defined in the Description of the Differential Rating System, and on non-rateable land in respect of which a wastewater service is provided as follows:
- A fixed charge for wastewater set on a uniform basis of \$419 (based on the recommended Long Term Council Community Plan 2009-2019) inclusive of GST and charged upon 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 calculated to yield \$25,626,459 inclusive of GST.
11. **Agree** that the targeted rate for Business Sector Wastewater for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by be set under section 16 of the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement on all rateable land in the Drainage Area of the City as defined in the Description of the Differential Rating System in respect of which a wastewater service is provided as follows:
- 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 set at a rate of 0.4509 cents in the dollar on the land value, and calculated to yield \$6,022,940 inclusive of GST.
12. **Agree** that the targeted rates for Non-Rateable Sector Wastewater for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it under section 16 of the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement be set on all non-rateable land in the Drainage Area of the City as defined in the Description of the Differential Rating System in respect of which a wastewater service is provided as follows:
- Targeted rates 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 in the table below: Wastewater Targeted Rate – Long Term Council Community Plan 2009-2019 Differential Rates including GST, and calculated to yield \$376,491 inclusive of GST.

**Wastewater Targeted Rate - Long Term Council Community Plan 2009-2019  
Differential Rates including GST**

	<b>Wastewater Targeted rate</b>
	Cents in \$
Non-Rateable Step 1	0.1976
Non-Rateable Step 2	0.1482
Non-Rateable Step 3	0.0988

13. **Agree** that the following Uniform Annual General Charge be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
- A Uniform Annual General Charge set under section 15 of the Local Government (Rating) Act 2002 of \$720 (based on the recommended Long Term Council Community Plan 2009-2019) inclusive of GST on all rateable land being set and charged upon each separately used or inhabited part of a rating unit, and calculated to yield \$51,653,880 inclusive of GST.
14. **Agree** that the following General Rate be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement:
- A General Rate set under section 13 of the Local Government (Rating) Act 2002 on all rateable land, calculated on the rateable land value of rating units and levied differentially on the different 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 in the table below: General Rate – Long Term Council Community Plan 2009-2019 Differential Rates including GST , and calculated to yield \$66,875,083 inclusive of GST.

**General Rate - Long Term Council Community Plan 2009-2019 Differential Rates including GST**

	<b>General Rate</b>
	Cents in \$
Residential Step 1	0.2876
Residential Step 2	0.2155
Residential Step 3	0.1436
Multi-Unit 2 Step 1	0.2876
Multi-Unit 2 Step 2	0.2155
Multi-Unit 2 Step 3	0.1436
Multi-Unit 3 Step 1	0.2876
Multi-Unit 3 Step 2	0.2155
Multi-Unit 3 Step 3	0.1436
Multi-Unit 4 Step 1	0.2876
Multi-Unit 4 Step 2	0.2155
Multi-Unit 5-9 Step 1	0.2876
Multi-Unit 5-9 Step 2	0.2155

	General Rate
Multi-Unit 10-39 Step 1	0.2876
Multi-Unit 10-39 Step 2	0.2155
Multi-Unit 40+ Step 1	0.2876
Multi-Unit 40+ Step 2	0.2155
Business Sector	1.5648
Other Categories Step 1	0.14380
Other Categories Step 2	0.10775
Other Categories Step 3	0.07180

15. **Agree** that the targeted rate for the Te Atatu Business Improvement District Association be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to section 16 of the Local Government (Rating) Act 2002 on business sector properties on the same basis as the General Rate as defined in the Description of the Differential Rating System and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement as follows:
- A targeted rate for Te Atatu Business Improvement District Association 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 Te Atatu Peninsula town centre, excluding non-rateable properties, and set at the rate of 0.3999 cents in the dollar on the land value, and calculated to yield \$78,750 inclusive of GST.
16. **Agree** that the targeted rate for the Glen Eden Business Improvement District Association be set for the financial year commencing on 1 July 2009 and ending on 30 June 2010 pursuant to section 16 of the Local Government (Rating) Act 2002 on business sector properties on the same basis as the General Rate as defined in the Description of the Differential Rating System and in accordance with the relevant provisions of the Long Term Council Community Plan 2009-2019 and Funding Impact Statement as follows:
- A targeted rate for Glen Eden Business Improvement District Association 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 Glen Eden town centre, excluding non-rateable properties, and set at the rate of 0.3286 cents in the dollar on the land value, and calculated to yield \$50,625 inclusive of GST.
17. **Agree** that the Council collect the rate requirement pursuant to the Auckland Regional Amenities Funding Act 2008, in the same manner as it currently does for the Museum of Transport and Technology and Auckland War Memorial Museum, by including it in the general rate while also noting on the rates bill a break down of these component parts.
18. **Agree** that no changes be made to the Remission and Postponement Policies, and that the current policies be included in the Long Term Council Community Plan 2009-2019.

## BACKGROUND

1. Changes to the rating system must be included in the LTCCP 2009-2019. To meet the timetable for adoption of the LTCCP 2009-2019, recommendations are being made to Council regarding the Rating Policy to be included.

2. Each year, with changes to budgets and other factors, the Council needs to review how it wishes to utilise the tools adopted under the Rating Policy. The Council also needs to make provision for inclusion in the LTCCP 2009-2019 for any other changes to the Rating Policy that it might wish to adopt.
3. At its meeting held on Thursday, 11 June 2009, the Long Term Council Community Plan and Annual Plan Committee resolved as follows

*“The Long Term Council Community Plan and Annual Plan Committee resolved to:*

2. **Approve** that no change be made to the method of rating business sector on the basis of the current business differential.”

1025/2009

4. The Long Term Council Community Plan and Annual Plan Committee at its meeting held on Tuesday, 16 June 2009 made recommendations to Council regarding rating matters for the 2009/2010 financial period. Those rating matters are addressed in this report.

## **DECISION MAKING**

### **Issues**

#### **Changes to Recommended Budgets 2009/2010**

5. The total rate requirement (excluding GST and Water Supply) included in the draft LTCCP 2009-2019 was \$137.695 million. The total rate requirement (excluding GST and Water Supply) that was used in the preparation of the report on Rating Matters for Consideration presented to the Long Term Council Community Plan and Annual Plan Committee on 16 June 2009 was \$137.555 million.
6. The Long Term Council Community Plan and Annual Plan Committee in the finalisation of the 2009/2010 rate requirement made some further minor changes. This included a reduction in the amount required for the Wastewater Targeted Rates.
7. To ensure that Council continues to comply with the Local Government (Rating) Act 2002 (LG(R)A 2002) and the proposed Revenue and Financing Policy it has been necessary to alter the rates in the recommendations contained in this report from those contained in the draft LTCCP 2009-2019 and the report on Rating Matters for Consideration that was presented to the Long Term Council Community Plan and Annual Plan Committee on 16 June 2009.
8. The Long Term Council Community Plan and Annual Plan Committee made changes to the recommended budget requirements on 16 June 2009. These were not able to be modelled in time for the recommendations regarding rates. The Committee subsequently passed resolutions agreeing to 1) recommend a level of Uniform Annual General Charge to be set at a rate equivalent to or near 29.5% of the total rate requirement and 2) that a level for the Wastewater Targeted Rates be remodelled for Council to reflect the adjusted budget requirements.

#### **Consideration of Community Views**

9. Consultation has taken place in the proposal to adopt the Glen Eden Business Improvement District Association (GEBIDA) Targeted Rate. In keeping with Council Policy on Business Improvement District Associations, a vote is held by the GEBIDA regarding the introduction of a targeted rate for funding the GEBIDA's costs.

10. The Auckland Regional Amenities Funding Act 2008 was recently adopted and as such has gone through public consultation in the forming of this legislation.

#### Options Identified

11. In order for Council to assess rates for the 2009/2010 financial period, section 23 of the LG(R)A 2002 requires the Council to set the rates by resolution. The resolutions necessary for Council to set the rates for the 2009/2010 financial period are included in the recommendations in this report.
12. Failure of Council to adopt the necessary resolutions in a timely manner may severely compromise Council's ability to assess and collect the rates for the 2009/2010 financial period.

#### STRATEGIC CONTEXT

13. Rates must be set in accordance with the provisions of the LG(R)A 2002 and the Local Government Act 2002. Any changes to the rating system must be adopted as part of the LTCCP 2009-2019 process.

#### CONSULTATION

14. The recommendations covered in this report have been included for consultation in the draft LTCCP 2009-2019.

#### RESOURCES

15. This report has no resource implications.

#### IMPLEMENTATION ISSUES

16. There are no implementation issues identified for this report.

#### AUCKLAND COUNCIL TRANSITION ISSUES

17. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

**Report prepared by:** John Mackenzie, Group Manager: Rates and Financial Transactions and Aaron Matich, Financial Analyst: Rates.



## 6 PROPOSED REGULATORY FEES AND CHARGES 2009/2010

### EXECUTIVE SUMMARY

A4-A20

The purpose of this report is to present the 2009/2010 proposed regulatory fees and charges as approved by the Long Term Council Community Plan and Annual Plan Committee and seek final approval for adoption of the proposed fees and charges for implementation on 1 July 2009 as attached at pages A4 to A20.

It is considered that the proposed fees and charges are in accordance with the Revenue and Financing Policy and seek to recover 'Actual and Reasonable' costs in line with prevailing statute.

### **RECOMMENDATIONS**

It is recommended that the Council resolve to:

1. **Receive** the Proposed Regulatory Fees And Charges 2009/2010 report as approved by the Long Term Council Community Plan and Annual Plan Committee on Tuesday, 16 June 2009.
2. **Approve** the Proposed Regulatory Fees and Charges 2009/2010 for implementation on 1 July 2009.

### **BACKGROUND**

1. This report was originally forwarded to the Planning and Regulatory Committee at the request of the Long Term Council Community Plan and Annual Plan Committee at its meeting held on Tuesday, 24 February 2009 where it was resolved as follows:

*"The Long Term Council Community Plan and Annual Plan Committee resolved to:*

***Receive** the Proposed Regulatory Fees and Charges 2009/2010 report and that a report on consent charges be taken to Planning and Regulatory Committee covering issues raised at Long Term Council Community Plan and Annual Plan Committee meeting."*

189/2009

2. At its meeting on Tuesday, 10 March 2009, the Planning and Regulatory Committee resolved as follows:

*"The Planning and Regulatory Committee resolved to:*

2. ***Agree** to recommend to Council at the meeting scheduled to be held on 18 March 2009, that the Proposed Regulatory Fees and Charges 2009/2010, for public consultation be approved, with the following amendments:*

- *Fencing of Swimming Pools Act 1987:*
  - (i) *Special Exemption Applications Pursuant To Section 6 or Clause 11 of the Scheduled to the Act (Plus any Committee Hearing Costs). This fee is non-refundable and must be paid prior to hearing.*
  - (ii) *Inspections (Related to newly approved pool building consents).*
  - (iii) *Re-inspections (As a result of non-compliance matters)."*

347/2009

*"The Planning and Regulatory Committee resolved to:*

***Agree** to remove the option for waiver of the \$252.00 fee for special exemption applications under the Fencing of Swimming Pools Act 1987."*

348/2009

3. At its meeting on Wednesday, 18 March 2009, the Council resolved as follows:

*“The Council resolved to:*

*Agree that the Proposed Regulatory Fees and Charges 2009/2010 (as attached at pages A45 to A61 to the Agenda report), for public consultation, be approved, with the following amendments:*

- *Fencing of Swimming Pools Act 1987:*
  - (i) *Special Exemption Applications Pursuant To Section 6 or Clause 11 of the Scheduled to the Act (Plus any Committee Hearing Costs).*
  - (ii) *Inspections (Related to newly approved pool building consents)*
  - (iii) *Re-inspections (As a result of non-compliance matters).*
  - (iv) *Registration of existing but unregistered pools.”*

375/2009

4. At its meeting held on Tuesday, 16 June 2009, the Long Term Council Community Plan and Annual Plan Committee resolved as follows:

*“The Long Term Council Community Plan and Annual Plan Committee resolved to:*

1. **Receive** the Proposed Regulatory Fees and Charges 2009/2010 report.
2. **Approve** the Proposed Regulatory Fees and Charges 2009/2010 for inclusion in the final Long Term Council Community Plan as consulted upon.
3. **Agree** to recommend that the Council approve the Regulatory Fees and Charges 2009/2010 for implementation on 1 July 2009.”

1069/2009

## **AUCKLAND COUNCIL TRANSITION ISSUES**

5. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

**Report prepared by:** Tracey Tamakehu, Manager: Regulatory Administration.

