

**MINUTES OF A MEETING OF THE COUNCIL 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

<u>ITEM</u>		<u>PAGE NO.</u>
1	APOLOGIES	2
2	URGENT BUSINESS	2
3	CONFLICTS OF INTEREST	2
	REPORT FROM THE CHAIRMAN OF THE LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE	2
6	PROPOSED REGULATORY FEES AND CHARGES 2009/2010	3
5	RATING MATTERS FOR CONSIDERATION	3
4	ADOPTION OF THE LONG TERM COUNCIL COMMUNITY PLAN 2009-2019 INCORPORATING THE ANNUAL PLAN 2009/2010	8

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

PRESENT:

Mayor RA Harvey, QSO, JP
Deputy Mayor PA Hulse
Councillors DQ Battersby, QSM, JP
BA Brady, JP (from 12.15 pm)
MFP Chan, JP
JM Clews, QSO, JP
RI Clow
LA Cooper, JP
RP Dallow, QPM, JP
WW Flaunty, QSM, JP
JP Lawley, JP
PG Mitchell
VS Neeson, JP

ABSENT:

Councillor MM Jolley

OBSERVERS:

EAG Grimmer, MNZM (Chairman, Henderson Community Board)
GPJ Marshall (Chairman, New Lynn Community Board)
EG Francke (Waitakere Community Board)

IN ATTENDANCE:

Director: Finance
Director: City Services
Director: Community Wellbeing
Director: Public Affairs
Director: Corporate and Business Services
Deputy Director: Strategic Planning
Deputy Director: City Services
Group Manager: Democracy and Support Services
Group Manager: Funds Management
Group Manager: Rates and Financial Transactions
Manager: Government Relations
Infrastructure Funding Manager
Democracy and Governance Manager
Rates Financial Analyst
Project Manager: City Services
Manager: Regulatory Administration
Team Leader - Transport Road Safety
Budget Accountant (Financial Modelling)
LTCCP/Annual Planning Co-ordinator
Annual Plan and LTCCP Co-ordinator
Committee Secretary: C Fernandes

1 APOLOGIES

1114/2009

MOVED by Cr Dallow, seconded Cr Cooper:

That apologies from Cr Corban for absence and Cr Brady for lateness be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

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.

NOTE: The Mayor with the consent of the meeting, approved for the Chairman of the Long Term Council Community Plan and Annual Plan Committee, Cr Clews, to table her report on the Long Term Council Community Plan And Annual Plan Committee.

REPORT FROM THE CHAIRMAN OF THE LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE

1116/2009

MOVED by Cr Clews, seconded Cr Clow:

The Council resolved to:

Receive the Report From The Chairman Of The Long Term Council Community Plan And Annual Plan Committee.

CARRIED

PRECEDENCE OF BUSINESS

1115/2009

MOVED by Cr Clow, seconded Cr Hulse:

That Item 6: Proposed Regulatory Fees and Charges and Item 5: Rating Matters For Consideration be accorded precedence at this time.

CARRIED

6 PROPOSED REGULATORY FEES AND CHARGES 2009/2010

1117/2009

MOVED by Cr Dallow, seconded Cr Chan:

The Council resolved 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.

CARRIED

5 RATING MATTERS FOR CONSIDERATION

12.15 pm Cr Brady entered the meeting.

1118/2009

MOVED by Cr Mitchell, seconded Cr Cooper:

The Council resolved 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.

NOTE: Pursuant to Standing Order 32.12 Cr Lawley requested that her vote against the above motion no. 5 be recorded.

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
	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.

NOTE: Pursuant to Standing Order 32.12 Crs Brady and Lawley requested that their vote against the above motion no. 13 be recorded.

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
	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
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.

CARRIED

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

1119/2009

MOVED by Cr Clews, seconded Cr Clow:

The Council resolved 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.

CARRIED

5 RATING MATTERS FOR CONSIDERATION

This item was considered following Item 6: Proposed Regulatory Fees and Charges 2009/2010.

6 PROPOSED REGULATORY FEES AND CHARGES 2009/2010

This item was considered following Item 7: Report From The Chairman Of The Long Term Council Community Plan And Annual Plan Committee.

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:.....