

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE CIVIC CENTRE,
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON FRIDAY,
30 JUNE 2006, COMMENCING AT 1.00 PM.**

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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 Committee by resolution so decides; and
- (ii) the Chairperson 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 Committee 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 ADOPTION OF THE LONG TERM COUNCIL COMMUNITY PLAN 2006 - 2016
INCORPORATING THE ANNUAL PLAN 2006/2007**

PURPOSE OF THE REPORT

The purpose of this report is for the Council to adopt Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007.

BACKGROUND

The Council must prepare every three years a Long Term Council Community Plan. The Council adopted its first Long Term Council Community Plan using the transitional requirements of the local Government Act 2002 in June 2003. In June 2004 the Plan was amended to incorporate the adoption of the Development Contributions and Financial Contributions Policy. The draft Plan for 2006-2016 has been consulted upon using the Special Consultative Procedure as prescribed in the Local Government Act 2002. The Plan must also contain an Audit Report from Audit New Zealand on the extent that the Plan 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 Council at its meeting held on 23 June 2006 resolved the following:

That the draft Long Term Council Community Plan 2006-2016 and draft Annual Plan 2006/2007 following consideration of public submissions, other information and amended as a result of the Long Term Council Community Plan and Annual Plan Special Committee resolutions as evidenced by resolutions 1105/2006-1106/2006, 1108/2006, 1110/2006-1111/2006, 1119/2006-1126/2006, 1129/2006-1132/2006, 1136/2006, 1138/2006, 1143/2006-1146/2006, 1148/2006, 1150/2006, 1152/2006-1153/2006, 1155/2006-1158/2006, 1160/2006, 1163/2006-1168/2006, 1171/2006, 1173/2006-1174/2006, 1176/2006, 1178/2006, 1180/2006, 1182/2006-1195/2006 be updated to reflect the Committee's decisions and any other legal requirements and referred to the meeting scheduled for 30 June 2006 for final adoption upon receipt of the Audit Compliance Report.

1200/2006

ISSUES

The draft Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007 is currently being updated to reflect all the necessary changes approved by the Council. The Plan is presently subject to a compliance review process by Audit New Zealand. The final Plan 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.

A1-A5

The updated Plan will be available at the meeting for adoption. The Council approved a number of financial adjustments to the draft Plan which are attached at pages A1 to A5. These adjustments require the financial forecasts relating to Activity Plans, Council Platforms, Financial Statements and other related financial disclosures to be updated. In addition the following policies that form part of the final Plan were approved:

- 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.

Other inclusions are the outcomes of submissions, changes made by the Council and minor wording changes reflecting those final decisions. The Local Government Act 2002 requires the draft Plan to be adopted no later than 30 June 2006. If the Council considers any further significant amendments to the final Plan at this meeting, this may disrupt the issuance of the final Audit Report required to be included in the Plan.

CONCLUSION

Audit clearance is expected on the final Plan and it is recommended that subject to Audit clearance that the Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007 be adopted.

RECOMMENDATIONS

1. That the adoption of the Long Term Council Community Plan 2006-2106 incorporating the 2006/2007 Annual Plan report be received.
2. That the Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007 as presented at the meeting be adopted subject to final audit clearance.

Report prepared by: Andrew Pollock, Director: Finance.



4 **SETTING OF RATES AND CHARGES FOR THE 2006/2007 FINANCIAL YEAR
(1 JULY 2006 - 30 JUNE 2007)**

PURPOSE OF THE REPORT

The purpose of this report is to present the resolution necessary to set the rates for 2006/2007 financial year in accordance with the Annual Plan 2006/2007.

BACKGROUND

Elsewhere in this agenda the Council is considering the adoption of the Long Term Council Community Plan 2006-2016, incorporating the Annual Plan 2006/2007. Subject to that adoption, the Council is now required to procedurally follow the requirements to set and levy the rates for the 2006/2007 year in accordance with the Local Government (Rating) Act 2002. The Council at its meeting held on 23 June 2006 approved the rating system for the 2006/2007 year.

LEGISLATIVE REQUIREMENTS

The Local Government (Rating) Act 2002 requires Council to set its rates by resolution. It is recommended that the proposed resolution be passed and that each part be resolved in turn.

CONCLUSION

The quantum of rates has been set by the Annual Plan deliberation process. In order to collect the Annual Plan Rate Requirement for 2006/2007, the Council must resolve to set the rates.

RECOMMENDATIONS

1. That the Setting of Rates and Charges for the 2006/2007 Financial Year (1 July 2006 - 30 June 2007) report be received.
2. That each recommendation set out below be resolved in turn:

That the following rates be set for the financial year commencing on 1 July 2006 and ending on 30 June 2007 pursuant to the powers conferred on it by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan and Funding Impact Statement:

(a) General Rate

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 set out in Schedule A attached, and calculated to yield \$54,757,500 inclusive of GST.

(b) Uniform Annual General Charge

A Uniform Annual General Charge set under Section 15 of the Local Government (Rating) Act 2002 of \$600 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 \$41,520,000 inclusive of GST.

(c) Wastewater Rate

Targeted rates for Wastewater set under Section 16 of the Local Government (Rating) Act 2002 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. A fixed charge for wastewater set on a uniform basis of \$350 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 \$20,662,250 inclusive of GST.
- b. Targeted rates for wastewater set differentially on the same basis as the General Rate calculated on the rateable land value of rating units in the Drainage Area of the City, excluding non-rateable properties as set out in Schedule A attached hereto, and calculated to yield \$5,244,251 inclusive of GST.
- c. 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 set out in Schedule A attached hereto and calculated to yield \$249,750 inclusive of GST.

(d) Rural Sewerage Rate

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 \$154 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 septic tank, long drop or grease trap 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 \$684,000 inclusive of GST.

(e) Environment Monitoring Rate

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 \$26 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 \$149,625 inclusive of GST.

(f) Water Supply Rate

A targeted rate described as a Water Supply Charge set and charged according to a scale of charges under Section 19 of the Local Government (Rating) Act 2002 of \$1.48 inclusive of GST per cubic metre of water provided as measured by meter, with a minimum charge of \$17 for each billing period, and calculated to yield \$21,191,625 inclusive of GST.

(g) Due Dates for Payment of Rates

The rates (other than the targeted rates for water supply) for the year from 1 July 2006 to 30 June 2007 will be payable in four instalments on due dates as follows:

Instalment Number	Due Date
1	21 August 2006
2	20 November 2006
3	20 February 2007
4	21 May 2007

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.

(h) Penalties on Unpaid Rates

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 2006/2007 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 2007 (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 2006, no instalment penalty will be payable in respect of the 2006/2007 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 2006. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2006/2007 year (other than the targeted rate for water supply), including any penalties added, that remain unpaid on 30 September 2006.
- (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 2007. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2006/2007 year (other than targeted rates for water supply), including any penalties added, that remain unpaid on 31 March 2007.

(i) Payment of Rates

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.

Report prepared by: John MacKenzie; Group Manager Rates.



PUBLIC EXCLUDED MATTER

5 EVALUATION OF TECHSCAPE LIMITED SALE OPTIONS PROGRESS

This item will be considered in the Confidential Supplement of the agenda, and has been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following part of the proceedings of this meeting, namely, Evaluation of Techscape Limited Sale Options Progress.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the 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:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Evaluation of Techscape Limited Sale Options Progress.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

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 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- *The report contains information which if released could affect the Council's negotiations.*

