

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON FRIDAY, 25 JUNE 2010, COMMENCING AT 12.04 PM**

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AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON FRIDAY, 25 JUNE 2010, COMMENCING AT 12.04 PM**

PRESENT:

Deputy Mayor	PA	Hulse (presiding)
Councillors	DQ	Battersby, QSM, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	MM	Jolley, JP
	JP	Lawley, JP
	PG	Mitchell

OBSERVERS:

W Paki (Chairman, Te Taumata Runanga)
EAG Grimmer (Chairman, Henderson Community Board)
GPJ Marshall (Chairman, New Lynn Community Board)
JG Riddell (Chairman, Massey Community Board)

IN ATTENDANCE:

Chief Executive Officer
Director: Corporate and Business Services
Director: Finance
Director: Community Wellbeing
Acting Director: City Services
Associate Director: Finance
Deputy Director: Finance
Group Manager: Rates
Acting Manager: Public Affairs
Events and Special Projects Manager
Rates Financial Analyst
CCC Advisor
Acting Democracy and Governance Manager
Executive Assistant to Deputy Mayor
Annual Plan and LTCCP Coordinator
Committee Secretary: E Joyce

ADJOURNMENT

851/2010

MOVED by Cr Hulse, seconded Cr Clews:

That the meeting stand adjourned until 12.20 pm

CARRIED

12.04 am The meeting adjourned.

12.20 pm The meeting reconvened.

1 **APOLOGIES**

852/2010

MOVED by Cr Clow, seconded Cr Jolley:

That apologies from Mayor Bob Harvey and Crs Brady, Cooper, Flaunty and Neeson for absence be received and sustained.

CARRIED

2 **URGENT BUSINESS**

853/2010

MOVED by Cr Hulse, seconded Cr Battersby:

The Council resolved to:

Agree that the issue of a quorum at the meeting of the Infrastructure and Works Committee to be held on Monday, 28 June 2010 and Tuesday, 29 June 2010 be considered as Urgent Business due to the requirement to ensure a quorum is present at the meeting and that this be considered after Item 5: Adoption of the Annual Plan 2010/2011.

CARRIED

3 **CONFLICTS OF INTEREST**

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.

4 **RATING MATTERS FOR CONSIDERATION**

854/2010

MOVED by Cr Clow, seconded Cr Clews:

The Council resolved to:

1. **Receive** the Rating Matters For Consideration report.
2. **Agree** that the Council approve that for the 2010/2011 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 Annual Plan 2010/2011 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 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 \$127.27 plus GST at the prevailing rate 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 \$560,000 plus GST at the prevailing rate”.

4. **Agree** that the Environment Monitoring Rate be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 \$35.53 plus GST at the prevailing rate 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 \$208,000 plus GST at the prevailing rate.”

5. **Agree** that the Rugby World Cup Levy be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 \$11.73 plus GST at the prevailing rate and charged upon each separately used or inhabited part of a rating unit, excluding non-rateable properties, and calculated to yield \$850,000 plus GST at the prevailing rate.”

6. **Agree** that the Water Supply Rate be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 \$1.51 plus GST at the prevailing rate per cubic metre of water provided as measured by meter and calculated to yield \$23,230,000 plus GST at the prevailing rate.”

7. **Agree** that the due dates for payment of rates (other than the targeted rates for water supply) set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 will, for the year from 1 July 2010 to 30 June 2011, be payable in four instalments on due dates as follows and in accordance with the relevant provisions of the Annual Plan 2010/2011 and Funding Impact Statement:

Instalment Number	Due Date
1	20 August 2010
2	22 November 2010
3	21 February 2011
4	20 May 2011

8. **Agree** 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 in accordance with the relevant provisions of the Annual Plan 2010/2011 and Funding Impact Statement.

9. **Agree** that the following penalties on unpaid rates be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 and Funding Impact Statement:

“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 2010/2011 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 2011 (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 2010, no instalment penalty will be payable in respect of the 2010/2011 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 2010. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2010/2011 year (other than the targeted rate for water supply), including any penalties added, that remain unpaid on 30 September 2010.

(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 2011. This further penalty will be ten percent of the amount of rates assessed in any prior financial year to the 2010/2011 year (other than targeted rates for water supply), including any penalties added, that remain unpaid on 31 March 2011.”

10. **Agree** that the payments of rates be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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.”*

11. **Agree** that the targeted rate for Residential Sector Wastewater for the financial year commencing on 1 July 2010 and ending on 30 June 2011 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 Annual Plan 2010/2011 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 \$382.08 plus GST at the prevailing rate 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 \$23,596,478 plus GST at the prevailing rate.”

12. **Agree** that the targeted rate for Business Sector Wastewater for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by be set under section 16 of the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 \$0.4013 plus GST at the prevailing rate cents in the dollar on the land value, and calculated to yield \$5,358,970 plus GST at the prevailing rate.”

13. **Agree** that the targeted rates for Non-Rateable Sector Wastewater for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council under section 16 of the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 – Annual Plan 2010/2011 Differential Rates plus GST at the prevailing rate, and calculated to yield \$344,552 plus GST at the prevailing rate.”

Wastewater Targeted Rate – Annual Plan 2010/2011 Differential Rates plus GST at the prevailing rate	
	Cents in \$
Non-Rateable Step 1	0.1808
Non-Rateable Step 2	0.1356
Non-Rateable Step 3	0.0904

14. **Agree** that the following Uniform Annual General Charge be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 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 2010/2011 and Funding Impact Statement:

“A Uniform Annual General Charge set under Section 15 of the Local Government (Rating) Act 2002 of \$666.67 plus GST at the prevailing rate on all rateable land being set and charged upon each separately used or inhabited part of a rating unit, and calculated to yield \$48,307,517 plus GST at the prevailing rate.”

15. **Agree** that the following General Rate be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 pursuant to the powers conferred on the Council by the Local Government (Rating) Act 2002 and in accordance with the relevant provisions of the Annual Plan 2010/2011 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 – Annual Plan 2010/2011 Differential Rates plus GST at the prevailing rate , and calculated to yield \$58,488,216 plus GST at the prevailing rate”.

General Rate – Annual Plan 2010/2011 Differential Rates plus GST at the prevailing rate	
	Cents in \$
Residential Step 1	0.2703
Residential Step 2	0.2029
Residential Step 3	0.1352
Multi-Unit 2 Step 1	0.2703
Multi-Unit 2 Step 2	0.2029
Multi-Unit 2 Step 3	0.1352
Multi-Unit 3 Step 1	0.2703
Multi-Unit 3 Step 2	0.2029
Multi-Unit 3 Step 3	0.1352
Multi-Unit 4 Step 1	0.2703
Multi-Unit 4 Step 2	0.2029
Multi-Unit 5-9 Step 1	0.2703
Multi-Unit 5-9 Step 2	0.2029
Multi-Unit 10-39 Step 1	0.2703
Multi-Unit 10-39 Step 2	0.2029
Multi-Unit 40+ Step 1	0.2703
Multi-Unit 40+ Step 2	0.2029
Business Sector	1.4859
Other Categories Step 1	0.13515
Other Categories Step 2	0.10145
Other Categories Step 3	0.06760

16. **Agree** that the targeted rate for the Te Atatu Business Improvement District Association be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 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 Annual Plan 2010/2011 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 0.3910 plus GST at the prevailing rate cents in the dollar on the land value, and calculated to yield \$77,000 plus GST at the prevailing rate.”

17. **Agree** that the targeted rate for the Glen Eden Business Improvement District Association be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 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 Annual Plan 2010/2011 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 0.5249 plus GST at the prevailing rate cents in the dollar on the land value, and calculated to yield \$45,000 plus GST at the prevailing rate.”

18. **Agree** that the targeted rate for the New Lynn Business Improvement District Association be set for the financial year commencing on 1 July 2010 and ending on 30 June 2011 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 Annual Plan 2010/2011 and Funding Impact Statement as follows:

“A targeted rate for New Lynn 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 New Lynn town centre, excluding non-rateable properties, and set at the rate of 0.1345 plus GST at the prevailing rate cents in the dollar on the land value, and calculated to yield \$100,000 plus GST at the prevailing rate”.

19. **Agree** that no changes be made to the Remission and Postponement Policies.

CARRIED

5 ADOPTION OF THE ANNUAL PLAN 2010/2011

855/2010

MOVED by Cr Clews , seconded Cr Jolley:

The Council resolved to:

Receive the Adoption of the Annual Plan 2010/2011 report.

CARRIED

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

856/2010

MOVED by Cr Clews, seconded Cr Clow:

The Council resolved to:

1. **Receive** the report from the Chairman of the Long Term Council Community Plan and Annual Plan Committee.
2. **Approve**, subject to resolution 5 below, the Annual Plan 2010/2011 following consideration of budget changes to year two of the Long Term Council Community Plan 2009-2019 by the Long Term Council Community Plan and Annual Plan Committee resolution numbers 187/2010, 194/2010, 196/2010, 197/2010, 198/2010, 200/2010, 209/2010, 211/2010, 323/2010, 324/2010, 329/2010, 332/2010, 343/2010, 344/2010, 345/2010, 444/2010, 445/2010, 447/2010, 449/2010, 450/2010, 451/2010, 454/2010, 477/2010, 478/2010, 479/2010, 492/2010, 493/2010, 494/2010, 495/2010, 811/2010, 812/2010, 814/2010, 816/2010, 846/2010, 847/2010 and 848/2010.
3. **Approve**, subject to resolution 5 below, the adoption of the Annual Plan 2010/2011, noting that it is not inconsistent with year two of the Long Term Council Community Plan 2009-2019.
4. **Agree** that a subcommittee comprising the Deputy Mayor, the Chairman of the Long Term Council Community Plan and Annual Plan Committee and the Chairman of the Finance and Operational Performance Committee be authorised to make editorial adjustments and/or minor budget amendments (if appropriate) to the final Annual Plan 2010/2011.
5. **Note** that resolutions 2 and 3 are subject to confirmation by the Auckland Transition Agency.
6. **Agree** that Council thanks all those involved, both officers and elected members, who have worked so diligently to prepare the Annual Plan 2010/2011, the final annual plan of Waitakere, which therefore highlights the key projects and work programmes required to ensure the sustainable future growth of west Auckland by assisting the new Auckland Council to understand the needs of this community when it assumes responsibility for future planning.
7. **Agree** to acknowledge the commitment of all Council officers and elected members who have worked on the previous Long Term Council Community Plans and Annual Plans throughout the years of Waitakere City Council, 1989-2010.

CARRIED

857/2010

MOVED by Cr Jolley, seconded Cr Corban:

The Council resolved to:

Agree that the Massey, Henderson, Waitakere and New Lynn Community Boards thank all Council officers, Councillors and the Chairman of Long Term Council Community Plan and Annual Plan Committee, Cr Clews, for their support and inclusion of the Community Boards Chairmen through the Long Term Council Community Plan and Annual Plan process over many years.

CARRIED

2A **QUORUM AT INFRASTRUCTURE AND WORKS COMMITTEE**

858/2010

MOVED by Cr Battersby, seconded Cr Mitchell:

The Council resolved to:

Agree that the quorum for the Infrastructure and Works Committee meeting scheduled to be held on Monday, 28 June 2010 and Tuesday, 29 June 2010 be set at three Members.

CARRIED

1.07 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:.....