
Governing Body

OPEN MINUTES

Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 14 August 2014 at 3.00pm.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Penny Hulse	
Councillors	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Chris Darby	
	Cr Hon Christine Fletcher, QSO	
	Cr Denise Krum	
	Cr Mike Lee	
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	From 3.12pm, Item 11
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

APOLOGIES

Cr Alf Filipaina	For absence
Cr Ross Clow	For absence
Cr Linda Cooper	For absence
Cr Sharon Stewart	For absence

1 Affirmation

There was no affirmation.

2 Apologies

Resolution number GB/2014/77

MOVED by Mayor LCM Brown, seconded by Cr CE Brewer:

That the Governing Body:

- a) **accept the apologies from Crs AM Filipaina, RI Clow, LA Cooper and SL Stewart for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2014/78

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 31 July 2014, including the confidential section, as a true and correct record.**

CARRIED

5 Acknowledgements and Achievements

There were no acknowledgements.

6 Petitions

There were no petitions.

7 Public Input

7.1 Public Input - Mate Marinovich – setting of rates

The Mayor provided Mr Marinovich with the opportunity to speak at Item 11 - Resetting the rates for 2014/2015 under section 119 of the Local Government (Rating) Act 2002.

8 Local Board Input

There was no local board input.

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

There were no notices of motion.

11 Resetting the rates for 2014/2015 under section 119 of the Local Government (Rating) Act 2002

Cr WD Walker entered the meeting at 3.12 pm.

Mr Marinovich (Item 7.1 – Public Input) was invited to speak to the meeting regarding this item after staff provided input.

Clause c) i) was put separately, by division, after the other clauses.

Resolution number GB/2014/79

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) determine, in accordance with section 119 of the Local Government (Rating) Act 2002, that it is desirable to set the 2014/2015 rates again because of an irregularity in setting the rates on 26 June 2014.
- b) accordingly revoke subclauses a(i) to (xiii) of Resolution Number GB/2014/57, setting of the rates for the 2014/2015 financial year, carried at the meeting of the Governing Body held on 26 June 2014.
- c) resolve to set the following rates under the Local Government (Rating) Act 2002 for the 2014/2015 financial year (starting 1 July 2014), in place of the rates in the revoked subclauses:

- ii) that a general rate be set for all rateable land based on the capital value of the land and at different rates in the dollar for different categories of land as set out in the table below:

Category	Rate in the dollar of capital value (\$) (including GST)
Urban business	0.00784620
Franklin urban business	0.00720042
Rural business	0.00707127
Franklin rural business	0.00649007
Urban residential	0.00322889
Rural residential	0.00290600
Farm/lifestyle	0.00258311
Sea-only access	0.00080722
Uninhabitable islands	0.00000000

- iii) that a Waste Management targeted rate be set differentially for different categories of land at different fixed amounts as set out in the table below:

Category	Basis for charging	Amount of rate (\$) (including GST)

Full waste service for land in the district of the former Auckland City Council	Per available service to the rating unit	242.40
Waste service where opt out of refuse service applies for land in the district of the former Auckland City Council	Per available service to the rating unit	80.02
Waste service where opt out of recycling service applies for land in the district of the former Auckland City Council	Per available service to the rating unit	183.21
Waste service where opt out of both the refuse and recycling services apply for land in the district of the former Auckland City Council	Per available service to the rating unit	20.83
Waste service where an additional recycling service applies for land in the district of the former Auckland City Council	Per available service to the rating unit	59.19
Waste service for recycling collection for land in the district of the former Franklin District Council where the service is available	Per separately used or inhabited part of a rating unit (SUIP)	70.96
Waste service for refuse collection for land in the district of the former Franklin District Council where the service is available	Per SUIP	58.62
Waste management for land in the district of the former Manukau City Council where the service is available	Per SUIP	220.68
Waste management for land in the district of the former North Shore City Council where the service is available	Per SUIP	64.05
Waste management for land in the district of the former Papakura District Council where the service is available	Per SUIP	111.19
Waste management for land in the district of the former Rodney District Council where the service is available	Per SUIP	86.93
Waste management for land in the district of the former Waitakere City Council where the service is available	Per SUIP	23.36

[Note - details of the waste service available in the various parts of Auckland can be found in the council's waste management and minimisation plan.]

- iv) that a City Centre targeted rate be set for all rateable land in the urban business

differential category, as defined for the purposes of the general rate, in the central area, of an amount of \$0.00212431 (including GST) per dollar of the capital value of the rating unit

- v) that Business Improvement District targeted rates be set for all rateable land in the business differential categories, as defined for the purposes of the general rate, within the defined Business Improvement District area, as set out in the table below:

BID area	Fixed amount per rating unit (\$) (including GST)	Rate in the dollar of capital value (\$) (including GST)
Avondale	0.00	0.00163747
Birkenhead	0.00	0.00133723
Blockhouse Bay	0.00	0.00202738
Browns Bay	0.00	0.00080471
Devonport	0.00	0.00106777
Dominion Road	0.00	0.00119963
Ellerslie	0.00	0.00286223
Glen Eden	0.00	0.00136569
Glen Innes	0.00	0.00206629
Greater East Tamaki	195.00	0.00005290
Heart of the City	0.00	0.00068618
Howick	0.00	0.00129886
Hunters Corner	0.00	0.00107430
Karangahape Road	0.00	0.00068245
Kingsland	0.00	0.00070217
Mahunga Drive	0.00	0.00067128
Mairangi Bay	250.00	0.00143581
Mangere Bridge	0.00	0.00259600
Mangere East Village	0.00	0.00085577
Mangere Town	0.00	0.00582687
Manukau Central	0.00	0.00053207
Manurewa	0.00	0.00126504
Milford	0.00	0.00096372
Mt Eden Village	0.00	0.00102965
New Lynn	0.00	0.00070643
Newmarket	0.00	0.00100883
North Harbour	150.00	0.00010814
North West District	0.00	0.00075477
Northcote	0.00	0.00394901
Old Papatoetoe	0.00	0.00165867
Onehunga	0.00	0.00201308
Orewa	0.00	0.00096497
Otahuhu	0.00	0.00120037
Otara	0.00	0.00180986

Panmure	0.00	0.00267974
Papakura	0.00	0.00086038
Parnell	0.00	0.00085113
Ponsonby	0.00	0.00076528
Pukekohe	0.00	0.00069994
Remuera	0.00	0.00170908
Rosebank	0.00	0.00056551
St Heliers	0.00	0.00186618
Takapuna	0.00	0.00059775
Te Atatu	0.00	0.00227402
Torbay	0.00	0.00124048
Uptown	0.00	0.00022269
Waiuku	0.00	0.00129399
Wiri	0.00	0.00046673

- vi) that the Otara-Papatoetoe and Mangere-Otahuhu swimming pool targeted rates be set for all rateable land in the residential differential categories, as defined for the purposes of the general rate, located in the respective Māngere–Ōtāhuhu Local Board and Ōtara-Papatoetoe Local Board areas as set out in the table below:

Local board area	Fixed amount per SUIP (\$) (including GST)
Māngere–Ōtāhuhu	13.77
Ōtara-Papatoetoe	31.34

- vii) that the Riverhaven Drive targeted rate be set on the properties in Riverhaven Drive which benefit from the construction of a road that gives access to the properties, of an amount of \$10,317.02 (including GST) per rating unit
- viii) that the Glorit Flood Gate Restoration targeted rate be set on the three properties detailed below, based on the area of land within the rating unit benefiting from the facility (as assessed by council), of an amount set out in the table below:

Valuation number	Legal description (abbreviated)	Area of benefit (Ha)	Amount of rate (\$) (including GST)
00910-00102	Sec 27 SO 59120	245	40,689.21
00910-00502	Lot 5 DP 127940	2	332.15
00910-00400	Sec 2 SO 69274	17.5	2,906.37

- ix) that the Waitakere Rural Sewerage targeted rate be set for all land in the district of the former Waitakere City Council which has an on-site waste management system and in respect of which the council has available the service of pumping out the system and which is scheduled to take place within the 3-year period commencing 1 July 2014, of an amount of \$181.50 (including GST) for each such service (one per on-site waste management system).
- x) that the Retro-fit Your Home targeted rate be set on land in respect of which the council has provided financial assistance under the Retro-fit your home scheme, at different levels for each year that the ratepayer has started repaying the

financial assistance by this targeted rate, of an amount set out in the table below:

Year of repayment	Rate in the dollar of value outstanding as at 1 July 2014 (\$) (including GST)
1	0.17083531
2	0.18652616
3	0.20681689

- xi) that the Kumeu Huapai Riverhead Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to the Kumeu Huapai Riverhead pressurised wastewater scheme, of an amount based on the extent of that financial assistance and calculated as \$0.12686375 (including GST) of the outstanding balance (dollars) as at 1 July 2014.
- xii) that the Point Wells Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to a pressure wastewater collection system in Point Wells, of an amount per separately used or inhabited part of a rating unit based on the extent of the financial assistance as shown in the following table:
- | Total assistance provided | Amount of fixed rate (\$) (including GST) |
|---------------------------|---|
| \$10,000 | 843.25 |
| \$ 9,500 | 801.08 |
| \$ 9,000 | 758.92 |
| \$ 8,500 | 716.76 |
| \$ 8,000 | 674.60 |
- xiii) that the Jackson Crescent Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to a wastewater collection scheme in the Jackson Crescent, Martins Bay areas, of an amount of \$608.88 (including GST) per rating unit.
- d) to avoid any doubt, confirm the following resolutions made on 26 June 2014:
- i) in 2014/2015 the rates be due in four instalments as set out in the table below:

Instalment	Instalment Due Date
1	29 August 2014
2	26 November 2014
3	26 February 2015
4	27 May 2015

- ii) a penalty of 10 per cent of any portion of any instalment of rates (assessed in 2014/2015) that is not paid by the due date for payment of that instalment be added to the amount of unpaid rates. (The penalty will be added on the day following the due date.)
- iii) a further penalty of 10 percent of any rates assessed in any financial year prior to 1 July 2014 that remain unpaid on 4 July 2014, be added on 5 July 2014.
- iv) a further penalty of 10 percent of any rates to which a penalty has been added under resolution (iii) if those rates are unpaid on 4 January 2015, be added on 5 January 2015

- v) the discount for the early payment of rates be set at 1.1 percent of the 2014/2015 rates if those rates, together with any outstanding prior years' rates and penalties, are paid in full on or before the due date of the first instalment
- vi) the non-business decrease cap at minus three percent for 2014/2015 for the Rates transition management policy.

Note: Resolutions a(xiv) to a(xviii) and (b) made on 26 June 2014 have been renumbered in this report.

CARRIED

Resolution number GB/2014/80

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- c) resolve to set the following rates under the Local Government (Rating) Act 2002 for the 2014/2015 financial year (starting 1 July 2014), in place of the rates in the revoked subclauses:
 - i) that a Uniform Annual General Charge be set, for all rateable land, at \$373.35 (including GST) per separately used or inhabited part of a rating unit

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr CE Brewer	
Mayor LCM Brown	Cr D Quax	
Cr CM Casey	Cr GS Wood	
Cr WB Cashmore		
Cr C Darby		
Cr CE Fletcher		
Deputy Mayor PA Hulse		
Cr DA Krum		
Cr ME Lee		
Cr CM Penrose		
Cr JG Walker		
Cr WD Walker		
Cr J Watson		
Cr MP Webster		

The motion was declared **CARRIED** by 14 votes to 3.

CARRIED

For clarity, the full resolution was as follows:

That the Governing Body:

- a) **determine, in accordance with section 119 of the Local Government (Rating) Act 2002, that it is desirable to set the 2014/2015 rates again because of an irregularity in setting the rates on 26 June 2014.**
- b) **accordingly revoke subclauses a(i) to (xiii) of Resolution Number GB/2014/57, setting of the rates for the 2014/2015 financial year, carried at the meeting of the Governing Body held on 26 June 2014.**
- c) **resolve to set the following rates under the Local Government (Rating) Act 2002 for the 2014/2015 financial year (starting 1 July 2014), in place of the rates in the revoked subclauses:**
 - i) **that a Uniform Annual General Charge be set, for all rateable land, at**

\$373.35 (including GST) per separately used or inhabited part of a rating unit

- ii) that a general rate be set for all rateable land based on the capital value of the land and at different rates in the dollar for different categories of land as set out in the table below:

Category	Rate in the dollar of capital value (\$) (including GST)
Urban business	0.00784620
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Franklin rural business	0.00649007
Urban residential	0.00322889
Rural residential	0.00290600
Farm/lifestyle	0.00258311
Sea-only access	0.00080722
Uninhabitable islands	0.00000000

- iii) that a Waste Management targeted rate be set differentially for different categories of land at different fixed amounts as set out in the table below:

Category	Basis for charging	Amount of rate (\$) (including GST)
Full waste service for land in the district of the former Auckland City Council	Per available service to the rating unit	242.40
Waste service where opt out of refuse service applies for land in the district of the former Auckland City Council	Per available service to the rating unit	80.02
Waste service where opt out of recycling service applies for land in the district of the former Auckland City Council	Per available service to the rating unit	183.21
Waste service where opt out of both the refuse and recycling services apply for land in the district of the former Auckland City Council	Per available service to the rating unit	20.83
Waste service where an additional recycling service applies for land in the district of the former Auckland City Council	Per available service to the rating unit	59.19
Waste service for recycling collection for land in the district of the former Franklin District Council where the service is available	Per separately used or inhabited part of a rating unit (SUIP)	70.96
Waste service for refuse collection for land in the district of the former Franklin District Council where the service is available	Per SUIP	58.62

Waste management for land in the district of the former Manukau City Council where the service is available	Per SUIP	220.68
Waste management for land in the district of the former North Shore City Council where the service is available	Per SUIP	64.05
Waste management for land in the district of the former Papakura District Council where the service is available	Per SUIP	111.19
Waste management for land in the district of the former Rodney District Council where the service is available	Per SUIP	86.93
Waste management for land in the district of the former Waitakere City Council where the service is available	Per SUIP	23.36

[Note - details of the waste service available in the various parts of Auckland can be found in the council's waste management and minimisation plan.]

- iv) that a City Centre targeted rate be set for all rateable land in the urban business differential category, as defined for the purposes of the general rate, in the central area, of an amount of \$0.00212431 (including GST) per dollar of the capital value of the rating unit
- v) that Business Improvement District targeted rates be set for all rateable land in the business differential categories, as defined for the purposes of the general rate, within the defined Business Improvement District area, as set out in the table below:

BID area	Fixed amount per rating unit (\$) (including GST)	Rate in the dollar of capital value (\$) (including GST)
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- vi) that the Otara-Papatoetoe and Mangere-Otahuhu swimming pool targeted rates be set for all rateable land in the residential differential categories, as defined for the purposes of the general rate, located in the respective Māngere–Ōtāhuhu Local Board and Ōtara-Papatoetoe Local Board areas as set out in the table below:

Local board area	Fixed amount per SUIP (\$) (including GST)
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- vii) that the Riverhaven Drive targeted rate be set on the properties in

Riverhaven Drive which benefit from the construction of a road that gives access to the properties, of an amount of \$10,317.02 (including GST) per rating unit

- viii) that the Glorit Flood Gate Restoration targeted rate be set on the three properties detailed below, based on the area of land within the rating unit benefiting from the facility (as assessed by council), of an amount set out in the table below:

Valuation number	Legal description (abbreviated)	Area of benefit (Ha)	Amount of rate (\$) (including GST)
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- ix) that the Waitakere Rural Sewerage targeted rate be set for all land in the district of the former Waitakere City Council which has an on-site waste management system and in respect of which the council has available the service of pumping out the system and which is scheduled to take place within the 3-year period commencing 1 July 2014, of an amount of \$181.50 (including GST) for each such service (one per on-site waste management system).
- x) that the Retro-fit Your Home targeted rate be set on land in respect of which the council has provided financial assistance under the Retro-fit your home scheme, at different levels for each year that the ratepayer has started repaying the financial assistance by this targeted rate, of an amount set out in the table below:

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1	0.17083531
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3	0.20681689

- xi) that the Kumeu Huapai Riverhead Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to the Kumeu Huapai Riverhead pressurised wastewater scheme, of an amount based on the extent of that financial assistance and calculated as \$0.12686375 (including GST) of the outstanding balance (dollars) as at 1 July 2014.
- xii) that the Point Wells Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to a pressure wastewater collection system in Point Wells, of an amount per separately used or inhabited part of a rating unit based on the extent of the financial assistance as shown in the following table:

Total assistance provided	Amount of fixed rate (\$) (including GST)
\$10,000	843.25
\$ 9,500	801.08
\$ 9,000	758.92
\$ 8,500	716.76

\$ 8,000	674.60
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- xiii) that the Jackson Crescent Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to a wastewater collection scheme in the Jackson Crescent, Martins Bay areas, of an amount of \$608.88 (including GST) per rating unit.
- d) to avoid any doubt, confirm the following resolutions made on 26 June 2014:
- i) in 2014/2015 the rates be due in four instalments as set out in the table below:
- | Instalment | Instalment Due Date |
|------------|---------------------|
| 1 | 29 August 2014 |
| 2 | 26 November 2014 |
| 3 | 26 February 2015 |
| 4 | 27 May 2015 |
- ii) a penalty of 10 per cent of any portion of any instalment of rates (assessed in 2014/2015) that is not paid by the due date for payment of that instalment be added to the amount of unpaid rates. (The penalty will be added on the day following the due date.)
- iii) a further penalty of 10 percent of any rates assessed in any financial year prior to 1 July 2014 that remain unpaid on 4 July 2014, be added on 5 July 2014.
- iv) a further penalty of 10 percent of any rates to which a penalty has been added under resolution (iii) if those rates are unpaid on 4 January 2015, be added on 5 January 2015
- v) the discount for the early payment of rates be set at 1.1 percent of the 2014/2015 rates if those rates, together with any outstanding prior years' rates and penalties, are paid in full on or before the due date of the first instalment
- vi) the non-business decrease cap at minus three percent for 2014/2015 for the Rates transition management policy.

Note: Resolutions a(xiv) to a(xviii) and (b) made on 26 June 2014 were renumbered in the agenda report.

CARRIED

12 Adoption of amendment to the Local Boards Funding Policy: Recommendation from the Budget Committee

Resolution number GB/2014/81

MOVED by Cr MP Webster, seconded by Cr WB Cashmore:

That the Governing Body:

- a) adopt the amendment to the Local Boards Funding Policy.

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

3.18 pm

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

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE GOVERNING BODY HELD
ON

DATE:.....

CHAIRPERSON:.....