

CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Minutes of a meeting of Council held in the Council Chamber, Ruataniwha Street, Waipawa on **Thursday, 24 June 2010** commenced at **1.31pm (1331 hours)**.

PRESENT: Her Worship the Mayor, P M Giddens
Councillors S Butler, T K Kingston, M R Manning, M A Mullins,
H C Pedersen, T G Story, D N Tennent and M J Waite

IN ATTENDANCE:

J B Freeman	[Chief Executive]
B E Way	[Utilities Manager]
P S McKinley	[Roading Manager]
T R Cook	[Regulatory Services Manager]
K E Brown	[Corporate Services Manager]
H R Kitson	[Executive Assistant]
M Black	[Maori Consultative Committee Representative]

1.0 PRAYER

2.0 APOLOGIES

3.0 DECLARATIONS OF CONFLICTS OF INTEREST

No conflicts of interest were reported.

4.0 CONFIRMATION OF MINUTES

1. MINUTES

RESOLVED:

That the minutes of the meeting of Council held on 13 May 2010, including the Public Excluded minutes, and the Minutes of the Hearing of Submissions to the Annual Plan held on 27 May 2010, as circulated, be confirmed as a true and correct record.

Crs Waite / Mullins
CARRIED

5.0 REPORTS FROM SERVICES COMMITTEE

RESOLVED:

That the minutes of the meeting of the Services Committee held on 3 June 2010 be received.

Crs Butler / Kingston
CARRIED

The Committee referred the following recommendations to Council:

1. RATIONALISATION OF WHANGAEHU ROAD

RESOLVED:

1. That Council initiates the road stopping procedure for the unformed parts of Whangaehu Road shown as Sections 4 & 8 SO425183.
2. That a land swap occurs between Council and the C B McLean Trust.
3. That Council meet the legal costs.
4. That no compensation be paid.

Crs Butler / Story
CARRIED

6.0 MAYORAL REPORT FOR MAY / JUNE 2010

RESOLVED:

That the Mayoral Report for May be received.

Her Worship the Mayor Giddens / Cr Pedersen
CARRIED

7.0 FEES AND CHARGES 2010/2011

Report – Corporate Services Manager

RESOLVED:

That

1. The 2010/2011 Fees and Charges Schedule is adopted.
2. Council give notice pursuant to Section 103 of the Local Government Act 2002 of its intention to prescribe the fees payable for the period 1 July 2010 to 30 June 2011 in respect of certificates, authorities, approvals, consents, and services given or inspections made by the Council under the Local Government Act 2002, the Building Act 2004, the Amusement Devices Regulations 1978, the Dog Control Act 1996, Impounding Act 1955, the Resource Management Act 1991, Health (Registration of Premises) Regulations 1966 and the Central Hawke's Bay District Council Bylaws as set out in the Schedule of Fees and Charges for 2010/2011.

Crs Kingston / Waite
CARRIED

8.0 ADOPTION OF 2010 / 2011 ANNUAL PLAN

Report – Corporate Services Manager

RESOLVED:

That Council adopt the final Central Hawke's Bay District Council Annual Plan 2010/2011, as amended.

REASON:

Council is required to adopt the Annual Plan before 1 July 2010 pursuant to Section 95 of the Local Government Act 2002.

Crs Waite / Kingston
CARRIED

9.0 SETTING OF 2010/2011 RATES

Report – Corporation Services Manager

RESOLVED:

That pursuant to Section 23(1) of the Local Government (Rating) Act 2002, the Central Hawke's Bay District Council resolves to set the rates for the 2010/2011 year, in accordance with the relevant provisions of the Council's Long-Term Council Community Plan 2009/19 and funding impact statement contained in the 2010/2011 Annual Plan, as set out below:

Note:

All amounts are stated exclusive of GST. (GST will increase from 12.5% to 15% from 1 October 2010. GST will be charged at the prevailing rate.)

All section references are references to the Local Government (Rating) Act 2002.

A. Non Targeted Rates

1. General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002 for the purposes of providing all or some of the cost of:

- All regulatory activities, including planning, resource and subdivision consent costs, building control, public health, animal control, emergency management, and bylaws, litter and parking
- Solid waste
- Parks and reserves, public toilets, theatres and halls, cemeteries, and miscellaneous property costs

For the 2010/11 year this rate will be 0.084 cents in the dollar, based on the rateable capital value of all rateable property within the District.

2. District Land Transport Rate

A rate for the Council's land transport facilities set under section 13 of the Local Government (Rating) Act 2002. This rate is set for the purpose of funding the operation and maintenance of the land transport system.

For the 2010/11 year this rate will be 0.221 cents in the dollar based on the land value of all rateable land in the district.

3. District Uniform Annual General Charge

A rate set under section 15 of the Local Government (Rating) Act 2002 on each separately used or inhabited part of a rating unit within the District. This rate is for the purpose of providing:

- Community leadership, including administration, cost of democracy, community voluntary support grants, and economic development
- A portion of the cost of solid waste
- Libraries and swimming facilities

For the 2010/11 year this rate will be \$248.89.

B. Targeted Rates

Definitions:

"Ruataniwha Urban" and Waipawa Urban are each defined by maps held by the Council.

"Non Residential" is defined by reference to land use codes in the valuation database, being every code other than "residential" or "lifestyle".

"Non Rural" is defined by reference to land use codes in the valuation database, being every code other than farming.

"Separately used or inhabited part of rating unit".

4. Water Supply Operations and Loans Rates

A differential targeted rate set under section 16 of the Local Government (Rating) Act 2002 for water supply operations of a fixed amount per separately used or inhabited part of a rating unit. The purpose of this rate is to fund water supplies for Otane, Takapau, Waipukurau, Waipawa, Kairakau, Pourerere, Porangahau and Te Paerahi.

- *Operations Rate:* The purpose of this rate is to fund the maintenance and operation of water supplies in those parts of the District where these systems are provided.
- *Loans rate:* The purpose of this rate is to fund capital upgrades of water supplies and treatment in those parts of the District where these systems are provided.

This rate is applied as follows:

- (a) a charge of per separately used or inhabited part of a rating unit for Otane, Takapau, Waipukurau, Waipawa, Kairakau, Porangahau, and Te Paerahi Beach connected.
- (b) a half charge per separately used or inhabited part of a rating unit which is serviceable for the above locations.

For this rate:

- "*Connected*" means a rating unit to which water is supplied.
- "*Serviceable*" means a rating unit to which water can be but is not supplied being a property situated within 100 metres of the water supply.

For the 2010/11 year these rates will be:

	Charge	Operations Rate (excl GST)	Loan Rate (excl GST)
a	Connected	\$376.94	\$68.97
b	Serviceable, not connected	\$188.47	\$34.49

A targeted rate under section 19 of the Local Government (Rating) Act 2002, charged per cubic metre of water supplied, over 300 cubic metres per year. This is applied to water users deemed 'Extraordinary' where payment of the Water Operations rate above entitles extraordinary users to the first 300 cubic metres of water without additional charge. The Volume of water used over 300 cubic metres per year is charged at the rate set out in Council's Fees and Charges Schedule.

5. Sewerage Operations and Loans Rates

Two differential targeted rates set under section 16 of the Local Government (Rating) Act 2002 for the Council's sewage disposal function of a fixed amount per separately used or inhabited part of a rating unit in relation to all land in the district to which the Council's sewage disposal service is provided or available.

- *Operations Rate:* The purpose of this rate is to fund the maintenance and operation of sewage collection, treatment and disposal systems in those parts of the District where these systems are provided.
- *Loans rate:* The purpose of this rate is to fund capital upgrades of sewage collection, treatment and disposal systems in those parts of the District where these systems are provided.

These rates are applied as follows:

- (a) a charge per rating unit connected.
- (b) a charge per water closet or urinal within the rating unit, after the first one.
- (c) a charge per rating unit which is serviceable.

For the purposes of these rates:

- "Connected" means the rating unit is connected to a public sewerage system;
- "Serviceable" means the rating unit is not connected to a public sewerage drain but is within 30 metres of such a drain;
- A rating unit used primarily as a residence for one household is treated as not having more than one water closet.
- For commercial accommodation providers, each subsequent water closet or urinal will be rated at 50% of the charge.

For the 2010/11 year these rates will be:

	Charge	Operations Rate (excl GST)	Loan Rate (excl GST)
a	First charge per rating unit connected	\$332.09	\$111.03
b	Additional charge per water closet	\$332.09	\$111.03
c	Serviceable, not connected	\$166.05	\$55.52
d	Additional charge per water closet – commercial accommodation provider	\$166.05	\$55.52

6. Stormwater Operations and Loans Rates

Two targeted rates set under section 16 of the Local Government (Rating) Act 2002 for the purpose of funding operations and maintenance, plus improvements and loan charges on the stormwater drainage as follows:

- Operation rate - A uniform targeted rate on the capital value of all rateable land in the Waipukurau and Waipawa Stormwater Drainage Areas.
For the 2010/11 year this rate will be 0.066 cents in the dollar (excluding GST);
- Loan rate - A uniform targeted rate on the capital value of all rateable land in the Waipukurau and Waipawa Stormwater Drainage Areas.
For the 2010/11 year this rate will be 0.018 cents in the dollar (excluding GST).

The Waipukurau and Waipawa Stormwater Drainage Areas are defined by reference to stormwater drainage area plans held by the Council.

7. Kerbside Recycling Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's collection of household recyclables for Waipukurau and Waipawa on each separately used or inhabited part of a rating unit to which the Council is prepared to provide the service.

For the 2010/11 year this rate will be \$51.96 (excluding GST).

8. Refuse Collection Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the collection of household and commercial refuse for Otane, Onga Onga, Takapau, Tikokino, Waipukurau, Waipawa, Porangahau, Te Paerahi, Blackhead Beach, Kairakau, Mangakuri and Purerere Beach on each separately used or inhabited part of a rating unit to which the Council is prepared to provide the service.

For the 2010/11 year this rate will be \$41.73 (excluding GST).

9. Economic Development Rate

A uniform targeted rate set under section 16 of the Local Government (Rating) Act 2002 to assist in the funding of Economic Development Activities within the district on each separately used or inhabited part of a rating unit that is Non Residential and Non Rural.

For the 2010/11 year this rate will be \$83.61 (excluding GST).

10. Waipawa Ward Loans Rate

A differential targeted rate set under section 16 of the Local Government (Rating) Act 2002 based on the land value within the Waipawa Urban ward for the purpose of paying historical loan charges that the Waipawa Ward of the District was responsible for, prior to local body amalgamation and the creation of the Central Hawke's Bay District on 1 November 1989.

For the 2010/11 year this rate will be 0.024 cents in the dollar (excluding GST).

11. Ruataniwha Ward Rate for Waipukurau and Waipawa Mainstreet upgrades

A uniform targeted rate on all rateable land in the Ruataniwha Ward Urban set under section 16 of the Local Government (Rating) Act 2002 for the purposes of funding the Main Street Waipukurau and Waipawa improvements undertaken between 2003 and 2005.

For the 2010/11 year this rate will be \$26.81 (excluding GST).

12. Te Aute Drainage Rate

Te Aute Drainage rates are set on all rateable area of all rateable property within the designated area subject to a graduated scale for the purpose of funding the operations, loan charges and the repayment of loans of the Te Aute Drainage Scheme Area. Each hectare of land in each property is classified according to the susceptibility of that hectare to flooding as follows:

A (100 points), B (80 points), C (15 points), F (3 points), and G (0 points).

The total number of points is 73614. The total amount of funding required each year determines how much each of these points are worth. In this way, the total amount required is apportioned on a pro rata basis using the weightings on each hectare.

The total amount of funding required for 2010/2011 is \$35,000.

The Te Aute Drainage Scheme area is defined by reference to the classification list establishing the graduated scale.

Valuation Number	Hectares in each classification				Total Points	Amount
	A (100pts)	B (80pts)	C (15pts)	F (3pts)		
1092000300	0	11.3	8.15	31.63	1121.00	\$532.98
1092000800	0	32.83	74.69	23.42	3817.00	\$1814.80
1092000900	0	0	0.83	2.15	19.00	\$9.03
1092001001	77.96	16.65	11.94	17.95	9361.00	\$4450.72
1092001100	78.22	0	25.28	101.17	8505.00	\$4043.73
1092001200	0	2.88	18.35	18.86	562.00	\$267.20
1092001201	0	20.25	19.15	12.31	1944.00	\$924.28
1092001400	0	0	0	14.16	42.00	\$19.96
1092001600	0	0	0	10.12	30.00	\$14.26
1092001700	38.74	51.06	36.24	45.12	8638.00	\$4106.96
1092002100	188.81	0	0	23.93	18953.00	\$9011.26
1092002200	84.02	4.14	1.16	6.45	8770.00	\$4169.72
1092002300	41.02	5.2	20.43	22.8	4893.00	\$2326.39
1092002900	0	0	0	0.81	2.00	\$0.95
1092003400	0	0	8.02	6.6	140.00	\$66.56
1092005800	0	18.63	0	4.93	1505.00	\$715.56
1092006100	0	65.81	0	15.84	5312.00	\$2525.64
Total	508.77	228.75	224.24	358.25	73614.00	\$35000.00

Separately Used or Inhabited Parts of a Rating Unit

Definition – for the purposes of the Uniform Annual Charge and the targeted rates above, a separately used or inhabited part of a rating unit is defined as –

Any part of a rating unit that is, or is able to be, separately used or inhabited by the owner or by any other person or body having the right to use or inhabit that part by virtue of a tenancy, lease, licence or other agreement.

Examples of separately used or inhabited parts of a rating unit include

- For residential rating units, each self contained household unit is considered a separately used or inhabited part. Each situation is assessed on its merits, but factors considered in determining whether an area is self contained would include the provision of independent facilities such as cooking/kitchen or bathroom., and its own separate entrance
- Residential properties, where a separate area is used for the purpose of operating a business, such as a medical or dental practice. The business area is considered a separately used or inhabited part.

These examples are not considered inclusive of all situations.

Due Dates for Payment

There will be four rates instalments of equal amounts rounded. Each rates instalment will be due on the following dates:

Instalment Number	Due Date	Date Penalty Added
1	1 July 2010	20 August 2010
2	1 October 2010	19 November 2010
3	1 January 2011	18 February 2011
4	1 April 2011	20 May 2011

REASON

To enable Council to obtain rates revenue for the 2010/2011 year.

Crs Mullins / Manning
CARRIED

10.0 RATES PENALTIES

Report – Corporate Services Manager

RESOLVED:

That Council adopt the following penalty charges on unpaid rates:

1. Pursuant to Section 58(1)(a) of the Local Government (Rating) Act 2002, an additional charge of 10% will be added to all rates remaining unpaid for each instalment after the last day of payment, shown below:

Instalment number	Due Date	Last day of payment without additional charge	Additional charges added
1	1 July 2010	20 August 2010	21 August 2010
2	1 October 2010	19 November 2010	20 November 2010
3	1 January 2011	18 February 2011	19 February 2011
4	1 April 2011	20 May 2011	21 May 2011

2. Pursuant to Section 58(1)(b) of the Local Government (Rating) Act 2002, a further additional charge of 10% will be added on 1 July 2010 to the amount of rates levied in previous financial years and remaining unpaid as at 30 June 2010.

REASON

In order to apply a disincentive for late payment of rates instalments which represent Council's main revenue source and to satisfy the requirements of Section 58(1) of the Local Government (Rating) Act 2002.

Crs Manning / Butler
CARRIED

11.0 GREEN RUBBISH BAG COLLECTION

Report – Utilities Manager

RESOLVED:

That Council restricts kerbside collection to yellow bags only, with effect from 1 July 2010:

Crs Kingston / Butler
CARRIED

12.0 PROGRESS REPORT CONSENT DELIVERY FOR SEWAGE SYSTEM

Report – Chief Executive

RESOLVED:

That the report on the progress of consent delivery of sewage systems as at 24 June 2010, be noted.

Crs Kingston / Pedersen
CARRIED

13.0 DELEGATIONS

Proposed Subdivisions

	Name	Address	Type	Number of Additional Lots Proposed
•	G F Holt	770 Elsthorpe Road, Otane	Rural	4
•	A Johnson	128 & 130 Mt Herbert Road, Waipukurau	Residential	0

Variation of Land Use Consent

•	Highlands of Waipawa	1305 State Highway 2, Waipawa	Rural
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Network Utility

•	Arc Innovations	Hardy Road, Blackburn	Rural
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Certificate of Compliance - Telecommunications

•	Arc Innovations	Various	Rural
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•	Arc Innovations	207 Pukeora Scenic Road, Waipukurau	Rural
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Determination of Existing Use Rights

•	Arc Innovations	X CHB Roads	Rural
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Land Use Consent – Building over 10 metres High

•	Hatuma Lime Company	711 Tikokino Road, Waipawa	Rural
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RESOLVED:

That Council note the actions of the officers.

Crs Story / Waite
CARRIED

14.0 USE OF COMMON SEAL

10/06	15 June 2010	Relocation Bond - St Petroc Trust, 12 Dee Street, Otane
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RESOLVED:

That the schedule for the use of the Common Seal be received.

Crs Pedersen / Manning
CARRIED

15.0 DATE OF NEXT MEETING

RESOLVED:

That the next meeting of the Central Hawke's Bay District Council be held on Thursday 5 August 2010.

Crs Kingston / Story
CARRIED

Her Worship the Mayor requested that a thank you be passed on to staff for the work putting together the Annual Plan 2010/2011 and the letters to submitters.

16.0 TIME OF CLOSURE

There being no further business the meeting closed at 14.30 hours.

Confirmed this 5th day of August 2010

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CHAIRMAN