



AGENDA

ORDINARY MEETING OF THE NELSON CITY COUNCIL

Thursday 17 June 2010

Commencing at 9.00am

Council Chamber

Civic House

Trafalgar Street

Nelson

Membership:

Councillor P Rainey (Chairperson), His Worship the Mayor K Marshall, Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A Miccio, A McAlpine, R Reese (Deputy Mayor), D Shaw and G Thomas

B U S I N E S S

As set out below

933154

Nelson City Council
17 June 2010

Refer to
Page No.

APOLOGIES

OPENING PRAYER

1.0 PUBLIC FORUM

1.1 Mr Gerry Renshaw

Mr Gerry Renshaw will speak about putting the issue of the Performing Arts and Conference Centre to a public vote at the upcoming elections.

2.0 CONFIRMATION OF MINUTES – 3 June 2010

1-12

Document number 934081

Recommendation

THAT the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 3 June 2010, be confirmed as a true and correct record.

3.0 SETTING OF THE RATES FOR THE 2010/11 FINANCIAL YEAR

The Nelson City Council has adopted its Annual Plan and has made the necessary changes to its proposed rating policy as a result of submissions received during the special consultative procedure and now has to set and assess the rates described in its rating policy. The following resolution is required to be passed:

THAT the Nelson City Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2010 and ending on 30 June 2011. All figures are GST inclusive at the composite rate of 14.375, which is 12.5% for Instalment 1 and 15% for Instalments 2 to 4. For ratepayers who pay the total annual rates prior to 1 October 2010 the GST rate applicable will be 12.5%:

The revenue approved below will be raised by the following rates:

General Rate	\$23,915,828
Uniform Annual General Charge	\$6,101,353
Separate General Charge	\$4,009,097
Waste Water Charge	\$6,649,410
Water Charge	\$10,468,256
Rates and Charges	\$51,143,944
Goods and Services Tax (at the prevailing rates)	\$7,351,942
Total Rates and Charges	\$58,495,886

(1) General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:

- a rate of 0.49475 cents in the dollar of land value on every rating unit in the "residential" category**
- a rate of 0.54423 cents in the dollar of land value on every rating unit in the "part non-rateable" category**
- a rate of 0.54423 cents in the dollar of land value on every rating unit in the "multi residential" category**
- a rate of 1.14288 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone" category**
- a rate of 0.98110 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone subject to 25% residential & 75% commercial" category**
- a rate of 0.81882 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone subject to 50% residential & 50% commercial" category**
- a rate of 0.65703 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone subject to 75% residential & 25% commercial" category**
- a rate of 1.68216 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone" category**
- a rate of 1.38531 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone subject to 25% residential & 75% commercial" category**
- a rate of 1.08846 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone subject to 50% residential & 50% commercial" category**

- *a rate of 0.79161 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone subject to 75% residential & 25% commercial" category*
- *a rate of 0.32159 cents in the dollar of land value on every rating unit in the "rural" category*
- *a rate of 0.44528 cents in the dollar of land value on every rating unit in the "small holding" category*

(2) Uniform Annual General Charge

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$325.80 per separately used or habitable portion of a rating unit, (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).

(3) Separate General Charge - Stormwater

A targeted rate under section 16 of the Local Government (Rating Act) 2002 of:

- *\$233.60 per rating unit, (excluding rural category, small holding category east of Gentle Annie, residential properties east of Gentle Annie saddle, Saxton's Island and properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).*
- *\$116.80 per rating unit for the small holding category excluding small holdings east of Gentle Annie.*

(4) Waste Water Charge

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- *\$384.80 per separately used or habitable portion of a residential rating unit, (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units), that is connected either directly or through a private drain to a public waste water drain*
- *For non-residential rating units, a single waste water charge of \$384.80 per separately used or habitable portion of a rating unit that is connected either directly or through a private drain to a public waste water drain and a "trade" waste charge will be levied*

(5) Water Supply Charges

A targeted rate for water supply under Section 19 of the Local Government (Rating) Act 2002 for the period from 1 July 2010 to 30 September 2010, of:

- **A minimum annual charge** **\$177.83**
- **Price of water:**
 - 0 – 10,000 cu.m/year** **\$1.763 per m³**
 - 10,001 – 100,000 cu.m/year** **\$1.563 per m³**
 - > 100,000 cu.m/year** **\$1.233 per m³**
- **Summer irrigation** **\$1.663 per m³**

A targeted rate for water supply under Section 19 of the Local Government (Rating) Act 2002 for the period from 1 October 2010 to 30 June 2011, of:

- **A minimum annual charge** **\$181.78**
- **Price of water:**
 - 0 – 10,000 cu.m/year** **\$1.802 per m³**
 - 10,001 – 100,000 cu.m/year** **\$1.598 per m³**
 - > 100,000 cu.m/year** **\$1.260 per m³**
- **Summer irrigation** **\$1.700 per m³**

These rates have been adjusted for the increased GST.

(6) Clean Heat Warm Homes

A targeted rate per separately used or habitable portion of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002, of:

- **Loan assistance range** **\$1,400 to \$1,599** **\$142.33**
- **Loan assistance range** **\$1,600 to \$1,799** **\$162.67**
- **Loan assistance range** **\$1,800 to \$1,999** **\$183.00**
- **Loan assistance range** **\$2,000 to \$2,199** **\$203.33**
- **Loan assistance range** **\$2,200 to \$2,399** **\$223.67**
- **Loan assistance range** **\$2,400 to \$2,599** **\$244.00**
- **Loan assistance range** **\$2,600 to \$2,799** **\$264.33**
- **Loan assistance range** **\$2,800 to \$2,999** **\$284.67**
- **Loan assistance range** **\$3,000 to \$3,199** **\$305.00**
- **Loan assistance range** **\$3,200 to \$3,399** **\$325.33**
- **Loan assistance range** **\$3,400 to \$3,599** **\$345.67**

• <i>Loan assistance range</i>	<i>\$3,600 to \$3,799</i>	<i>\$366.00</i>
• <i>Loan assistance range</i>	<i>\$3,800 to \$3,999</i>	<i>\$386.33</i>
• <i>Loan assistance range</i>	<i>\$4,000 to \$4,199</i>	<i>\$406.67</i>
• <i>Loan assistance range</i>	<i>\$4,200 to \$4,399</i>	<i>\$427.00</i>
• <i>Loan assistance range</i>	<i>\$4,400 to \$4,599</i>	<i>\$447.33</i>
• <i>Loan assistance range</i>	<i>\$4,600 to \$4,799</i>	<i>\$467.67</i>
• <i>Loan assistance range</i>	<i>\$4,800 to \$4,999</i>	<i>\$488.00</i>

(7) Solar Hot Water Systems

A targeted rate per separately used or habitable portion of a rating unit that has been provided with financial assistance to install a solar hot water system under Section 16 of the Local Government (Rating) Act 2002, of:

- ***0.14964 (including GST), multiplied by the Net Cost of the Work adjusted for increased GST.***

(8) Postponement Application Charge

A targeted rate for rates postponement application charges under Section 16 of the Local Government (Rating) Act 2002, of \$400.00 per rating unit that commenced rates postponement during the 2009/10 rating year.

(9) Postponement Interest Charge

A targeted rate for rates postponement interest charges under Section 16 of the Local Government (Rating) Act 2002 per rating unit based on the 2010/11 rates levied and any outstanding balance from previous rating years, of:

- | | |
|---------------------------------|----------------|
| • <i>Interest charge</i> | <i>6.75%pa</i> |
| • <i>Reserve fund</i> | <i>0.25%pa</i> |
| • <i>Scheme application fee</i> | <i>1.00%pa</i> |

Differential Categories

The Nelson City Council adopts the following as its definition for its differential categories for the 2010/11 financial year:

(1) General Rate

- ***Residential – all rating units that are used primarily for residential purposes***
- ***Multi Residential – all rating units that contain more than one residential dwelling that are capable of being used primarily for residential purposes***

- **Commercial** – any rating unit which is used primarily for commercial use. Properties that have a portion of residential use shall have a reduced commercial differential
- **Commercial Inner City Zone** – any rating unit which is used primarily for commercial use that is located within the Inner City Zone. Properties that have a portion of residential use shall have a reduced inner city commercial differential
- **Rural** – any rating unit having an area greater than 15 hectares which is used primarily for dairy, fattening and grazing, quarries, forestry or horticultural use and is recorded as rural on the District Valuation Roll
- **Small Holding** – any rating unit which is primarily used as a small holding and having an area greater than 5,000m² but is less than 15 hectares and is recorded as a small holding on the District Valuation Roll.

Due Dates for Payment of Rates

The above rates (excluding water charges) are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable in four instalments on the following dates:

<u>Instalment Number</u>	<u>Instalment Date</u>	<u>Penalty Date</u>
Instalment 1	1 August 2010	27 August 2010
Instalment 2	1 November 2010	26 November 2010
Instalment 3	1 February 2011	25 February 2011
Instalment 4	1 May 2011	27 May 2011

Due Dates for Payment of Water Rates

Residential water rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable on the following dates:

<u>Billing Month</u>	<u>Penalty Date</u>
July 2010	20 September 2010
August 2010	20 September 2010
September 2010	20 October 2010
October 2010	20 December 2010
November 2010	20 December 2010
December 2010	20 January 2011
January 2011	20 March 2011
February 2011	20 March 2011

March 2011	20 April 2011
April 2011	20 June 2011
May 2011	20 June 2011
June 2011	20 July 2011

Special (final) water rates will be due and payable 14 days from the date of the special (final) water reading.

Commercial water rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson on the 20th of the month following the date shown on the water invoice.

Penalty on Rates

Pursuant to Sections 57 & 58 of the Local Government (Rating) Act 2002, the council delegates authority to the Chief Financial Officer to apply the following penalties on unpaid rates (including water accounts) at their discretion:

- a first additional charge of 10% of the amount of each rate instalment remaining unpaid on the penalty date as shown on each rate instalment notice***
- a second additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 31st December 2010***
- a further additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 30 June 2011***
- The above penalties will not be charged where Council has agreed to a program for payment of outstanding rates.***

Penalty Remission

In accordance with Council's rate remission policy, the council will approve the remission of the penalty levied on instalment one due to late payment provided the total annual rates are paid in full by 26 November 2010. If full payment of the annual rates is not paid by 26 November 2010 the penalties relating to the four instalments outlined above will apply.

Discount on Rates

Pursuant to Section 55 of the Local Government (Rating) Act 2002, the Council will allow a discount of 2.0 percent of the total rates (excluding water charges) where a ratepayer pays the year's rates in full on or before the penalty date for instalment one being 27 August 2010.

Payment of Rates

The rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday to Friday. Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then proportionately across all current year rates due.

4.0 CHAIRPERSONS REPORT

- 4.1 Council photograph (2007 – 2010) - discussion on date (1 July), venue and time**

5.0 REPORTS POLICY

- 5.1 Council Submission on the Local Government Act 2002 Amendment Bill 13-55**

Document number 935133

6.0 REPORTS PRIORITY

- 6.1 Iwi Memorandum of Understanding 56-62**

Document number 936947

7.0 REPORTS FROM COMMITTEES

- 7.1 Youth Council – 27 April 2010 63-67**

Document number 922894

Recommendation

THAT the minutes of the meeting of the Youth Council, held on 27 April 2010 be received.

7.2 Founders Heritage Park Committee – 28 April 2010

68-71

Document number 919523

Recommendation

THAT the minutes of the meeting of the Founders Heritage Park Committee, held on 28 April 2010 be received.

7.3 Audit Risk and Finance Committee – 16 June 2010

It is likely that there will be a recommendation to Council from the Audit Risk and Finance Committee from the report Treasury Policy – Liability Management Policy. Audit Risk and Finance Committee Agenda 16 June 2010, item 4.0 refers

8.0 PUBLIC EXCLUDED BUSINESS

8.1 Exclusion of the Public

Recommendation

THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of this part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

- i) Nelson City Council Public Excluded Minutes – 3 June 2010***
- ii) Memorandum of Understanding – Wakatū Incorporated***
- iii) Founders Heritage Park Public Excluded Minutes – 3 February 2010***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect information where the making available of the information would unreasonably prejudice the commercial position of the person who is the subject of the information"; or

To protect the privacy of natural persons.

8.2 Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note: Lunch will be provided at 12.30pm