
Council Kaunihera OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber and Audio-Visual Link , Municipal Building, Garden Place, Hamilton on Thursday 29 June 2023 at 9.30am.

PRESENT

Chairperson	Mayor Paula Southgate
Heamana	
Deputy Chairperson	Deputy Mayor Angela O’Leary
Heamana Tuarua	
Members:	Cr Maxine van Oosten Cr Ewan Wilson Cr Mark Donovan Cr Andrew Bydder Cr Sarah Thomson Cr Emma Pike Cr Anna Casey-Cox (Via Audio-visual Link)

In Attendance:	Lance Vervoort – Chief Executive Sean Murray – General Manager Venues, Tourism & Events David Bryant - General Manager, People and Organisational Performance Blair Bowcott - General Manager Growth Chris Allen - General Manager Development, Development Eeva-Liisa Wright – General Manager infrastructure Operations Sean Hickey - Executive Director Future Fit Julie Clausen - General Manager Strategy and Communication Andrew Parsons - Executive Director - Strategic Infrastructure Stephen Halliwell - Water Reform Financial Advisor, City Development James Clark - Unit Manager - Strategy and Planning, Strategy
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Governance Staff:	Amy Viggers – Governance Lead Nicholas Hawtin and Arnold Andrews – Governance Advisor
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Tame Pokaia opened the meeting with a karakia.

1. Apologies – Tono aroha

Resolved: (Mayor Southgate/Cr Wilson)

That the apologies for absence from Cr Huaki, Cr Taylor, Cr Hamilton, Cr Hutt and Cr Tauariki (Council Business), for partial attendance from Cr Donovan and Cr van Oosten, and lateness from Cr Naidoo-Rauf are accepted.

2. Confirmation of Agenda – *Whakatau raarangi take*

Resolved: (Mayor Southgate/Cr van Oosten)

That the agenda is confirmed noting the following:

- a) late attachment 1 (Draft 2023-24 Annual Plan) for Item 6 (Adoption of the 2023-24 Annual Plan) is accepted. It was circulated to members under a separate cover to enable the most up to date information to be provided; and
- b) the late report Item 9 (Water Services Entities Report Amendment Bill – Submission Report) is accepted. It was circulated to members under a separate cover following the announcement from central government that the submission period was to close on 5 July 2023.

3. Declarations of Interest – *Tauaakii whaipaaanga*

No members of the Council declared a Conflict of Interest.

4. Public Forum – *Aatea korero*

John McDonald-Wharry spoke to Item 9 (Water Services Entities Report Amendment Bill – Submission Report) noting his view on the Council's Submission. They responded to questions on their views of the submission and were directed to further information that may be of interest to them.

5. Confirmation of the Council Annual Plan Open Unconfirmed Minutes - 1 June 2023

Resolved: (Deputy Mayor O'Leary/Mayor Southgate)

That the Council confirm the Open Minutes of the Council Annual Plan Hearings Meeting held on 1 June 2023 as a true and correct record.

6. Adoption of the 2023-24 Annual Plan

The Unit Manager of Strategy and Planning introduced the report and highlighted several editorial corrections. Staff responded to questions from Elected Members concerning how the Annual Plan would be communicated to the public.

Resolved: (Mayor Southgate/Deputy Mayor O'Leary)

That the Council

- a) receives the report; and
- b) adopts the Annual Plan document, subject to the inclusion of further Te Reo translations and minor typographical corrections.

7. Rates Resolution to Set and Assess Rates for 2023/24

The Water Reform Financial Advisor introduced the report and highlighted to the rates resolution and the adoption process.

Resolved: (Mayor Southgate/Deputy Mayor O'Leary)

That the Council:

- a) receives the report;
- b) approves to set and assesses the rates for the 2023/24 financial year (1 July 2023 to 30 June 2024) in accordance with the **Rates Resolution for the 2023/24 Financial Year** (as required by the Local Government (Rating) Act 2002) as set out in paragraphs 7 - 60 below; and
- c) approves the due dates for payments and authorises penalties to be added to unpaid rates, as set out in paragraphs 56 - 60 below.

GENERAL RATE

7. A general rate is set and assessed on the capital value of all rateable land in Hamilton.
8. General rates are set on a differential basis. The rating categories are defined in the Funding Impact Statement.
9. The differential bases are:
 - i. the use to which the land is put; and
 - ii. the provision or availability to the land of a service provided; and
 - iii. the activities that are permitted, controlled, or discretionary for the area in which the land is situated, and the rules to which the land is subject under the operative district plan; and
 - iv. the location of the land
10. This rate covers all of the services of Council.
11. The total revenue sought through the general rate is \$233,985,005.
12. The general rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL GENERAL RATES	RATE IN THE DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
General Rate	Commercial	2.9765	34.25%	0.00746607	\$80,136,600
	BID Commercial	2.8277	6.77%	0.00709277	\$15,839,481
	Other	0.7400	1.78%	0.00185619	\$4,165,589
	Residential	1.0000	57.20%	0.00250836	\$133,843,335

13. Land described in Part 2 Schedule 1 of the Local Government (Rating) Act 2002 (broadly speaking, land owned or used by societies for arts or sports) will be assessed at 50% of the residential rate (General rate, UAGC and Government compliance rate) that applies to the land. This general rate revenue is included within the Residential category shown in the table above and within the targeted rates revenue where applicable.

UNIFORM ANNUAL GENERAL CHARGE

14. A Uniform Annual General Charge (UAGC) of \$643 per Separately Used or Inhabited Part of a Rating Unit (SUIP) is set and assessed on all rateable land in Hamilton.
15. The total revenue sought from the UAGC is \$46,220,448.

TARGETED RATES

16. Government compliance rate
17. This rate is set and assessed on the capital value of all rateable land in the city.
18. This rate is set on a differential basis on the categories of land identified below. The differential bases are the use to which the land is put, the provision or availability to the land of a service provided, the activities permitted, controlled, or discretionary for the area in which the land is situated and the rules to which the land is subject under the operative district plan, and in the case of the BID Commercial differential, the location of the land.
19. This rate provides funding to the Wastewater Treatment and Disposal, Wastewater Collection, Water Treatment and Storage, Water Distribution, Stormwater Network, and City Planning activities.
20. The total revenue sought is \$12,677,122.

21. This rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL GOVERNMENT COMPLIANCE RATES	RATE IN THE DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
Government compliance rate	Commercial	2.9765	34.25%	0.00040451	\$4,341,783
	BID Commercial	2.8277	6.77%	0.00038428	\$858,169
	Other	0.7400	1.78%	0.00010057	\$225,695
	Residential	1.0000	57.20%	0.00013590	\$7,251,475

22. Land described in Part 2 Schedule 1 of the Local Government (Rating) Act 2002 (broadly speaking, land owned or used by societies for arts or sports) will be assessed at 50% of the residential rate that applies to the land. This Government compliance rate revenue for these rating units is included within the Residential category shown in the table above.

23. Metered water rate

24. The rate is set and assessed for metered and restricted flow water supply to all metered rating units (as defined by Hamilton City Council's Water Supply Bylaw 2013).

25. The rate is:

- i. a fixed amount based on the nature of the connection as follows:
 - I. \$468 for all metered rating units (except those receiving a restricted flow supply);
 - II. \$417.60 for those rating units receiving a restricted flow supply.
- ii. a charge per unit of water consumed or supplied on every metered connection in accordance with the following scale:
 - I. All metered rating units (except those receiving a restricted supply) - \$1.95 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter;
 - II. those rating units receiving a restricted flow supply - \$1.74 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter.

26. The rates contribute to the funding of the Water Distribution and Water Treatment and Storage activities.

27. The total revenue sought is \$10,499,763.

28. Commercial and Other category non-metered water rate

29. The rate is set and assessed on non-metered Commercial and Other category (as defined for the general rate) properties which are connected to the water network, but not provided with a metered connection. The rate is \$468 per rating unit.

30. The rates contribute to the funding of the Water Distribution and Water Treatment and Storage activities.

31. The total revenue sought is \$275,652.

32. Business Improvement District (BID) rates

33. This rate is set and assessed on all rating units defined within the BID Commercial general rate category and comprises both a fixed amount per SUIP and a rate in the dollar based on the capital value.

34. The Business Improvement District (BID) and Central City rating areas map is shown in Schedule 1 of the Rating Policy. The components of this rate are:

- I. BID fixed rate: a fixed amount of \$240 per SUIP of a commercial rating unit within the defined area; and*
 - II. BID capital value rate: a rate per dollar of capital value required to meet the total revenue, after allowing for the total revenue raised by the BID fixed rate. The rate is \$0.00003279 per dollar of capital value.*
- 35. The rate provides funding to the City Planning activity.*
- 36. The total revenue sought is \$388,879.*
- 37. Central city rate*
- 38. The rate is set on all rating units defined within the BID Commercial general rate category and is set as a fixed amount per SUIP.*
- 39. The Business Improvement District (BID) and Central City rating areas map is shown in Schedule 1 of the Rating Policy.*
- 40. The rate is a fixed amount of \$126 per SUIP.*
- 41. The rate provides funding to the Transportation Network activity.*
- 42. The total revenue sought is \$166,750.*
- 43. Service use water rate*
- 44. The rate is set and assessed on properties defined as Service Use Category (see Funding Impact Statement) and which are connected to our water network but are not provided with a metered connection.*
- 45. The rate is a fixed amount of \$468 per SUIP.*
- 46. The rate provides funding towards the Water Distribution and Water Treatment and Storage activities.*
- 47. The total revenue sought is \$67,392.*
- Service use refuse rate*
- 48. The rate is set and assessed on properties defined as Service Use Category (see Funding Impact Statement) and which are provided with refuse collection service.*
- 49. The rate is a fixed amount of \$196 per SUIP.*
- 50. The rate provides funding towards the Refuse Collection activity.*
- 51. The total revenue sought is \$31,948.*
- 52. Service use wastewater rate*
- 53. The rate is set and assessed on properties defined as Service Use Category (see Funding Impact Statement) and which are connected to the wastewater network. This rate comprises two components. These are:*
 - i. a rate per dollar of land value set at \$0.00070573; and*
 - ii. a rate per dollar of capital value set at \$0.00029674.*
- 54. The rate provides funding towards the Wastewater Collection and Wastewater Treatment and Disposal activities.*
- 55. The total revenue sought is \$1,772,551.*

DUE DATES FOR PAYMENT OF RATES

56. Rates (other than for metered water) are payable in four equal instalments.

57. The due dates for rates for the period 1 July 2023 to 30 June 2024 are as follows:

Instalment 1	Instalment 2	Instalment 3	Instalment 4
31 August 2023	23 November 2023	22 February 2024	23 May 2024

58. DUE DATES FOR PAYMENT OF METERED WATER RATES

59. The due dates for metered water rates for the period 1 July 2023 to 30 June 2024 are as follows:

Month of Invoice	Invoice Due Date	Month of Invoice	Invoice Due Date
July 2023	20 August 2023	January 2024	20 February 2024
August 2023	20 September 2023	February 2024	20 March 2024
September 2023	20 October 2023	March 2024	20 April 2024
October 2023	20 November 2023	April 2024	20 May 2024
November 2023	20 December 2023	May 2024	20 June 2024
December 2023	20 January 2024	June 2024	20 July 2024

PENALTIES

60. Pursuant to Section 57 and 58 of the Local Government (Rating) Act 2002, the Council authorises the following penalties:

a) A penalty of 10% of the amount due and unpaid on the due date to be added on the day after the due date.

The dates on which penalties will be added are 1 September 2023, 24 November 2023, 23 February 2024 and 24 May 2024.

b) A penalty of 10% of the amount of any rates assessed in any previous year which remain unpaid on 6 July 2023 to be added on 7 July 2023.

c) A penalty of 10% of the amount of any rates assessed in any previous year for which a penalty has been added under paragraph (b) and which remain unpaid on 7 January 2024 to be added on 8 January 2024.

d) A penalty of 10% of the amount unpaid for water-by-meter rates charged to be added on the day after the due date.

e) These dates are 21 July 2023, 21 August 2023, 21 September 2023, 21 October 2023, 21 November 2023, 21 December 2023, 21 January 2024, 21 February 2024, 21 March 2024, 21 April 2024, 21 May 2024 and 21 June 2024.

END OF 2023/24 RATES RESOLUTION**9. Water Services Entities Report Amendment Bill – Submission Report**

The Executive Director Strategic Infrastructure introduced the report and highlighted the process of the submission. Staff responded to questions from Elected Members in regards to the submission process and the timeline for the submission and its impact on staff wellbeing. It was agreed that the following matters/topics be updated in the submission: economies of scale,

alignment with high growth Councils requirements, firmness of language and effect on policy change, and the disruption caused to Councils Annual/Long-Term planning.

Resolved: (Deputy Mayor O’Leary/Mayor Southgate)

That the Council:

- a) receives the report;
- b) delegates the Mayor and the Deputy Mayor, to work with staff to collect and collate Elected Member feedback and finalise the Council’s submission (Attachment 1) to the Governance and Administration Select Committee on the Water Services Entities Amendment Bill;
- c) notes a draft of the submission will be circulated to Elected Members for feedback;
- d) approves the Mayor to authorise and sign the Council’s final submissions in consultation with the Deputy Mayor; and
- e) delegates the Mayor and Deputy Mayor as the Council representatives for any select committee hearing on the Bill.

8. Resolution to Exclude the Public

Resolved: (Cr Donovan/Mayor Southgate)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Council Annual Plan Public Excluded Minutes - 1 June 2023	<ul style="list-style-type: none">) Good reason to withhold information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987 	Section 48(1)(a)

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 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

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| Item C1. | to prevent the disclosure or use of official information for improper gain or improper advantage | Section 7 (2) (j) |
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The meeting moved into a public excluded session at 10:40am.

The meeting was declared closed at 10:43am.