
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 20 June 2019 at 9.32am.

PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

In attendance:	Richard Briggs – Chief Executive
	Lance Vervoort - General Manager Community
	David Bryant - General Manager Corporate
	Jen Baird – General Manager City Growth
	Sean Hickey – General Manager Strategy and Communication
	Chris Allen – General Manager Development
	Eeva-Liisa Wright - General Manager Infrastructure Operations
	Cory Lang – Building Control Manager

Governance Staff:	Becca Brooke - Governance Team Leader
	Amy Viggers - Committee Advisor

The meeting was opened with a Karakia from Muna Wharawhara and a reading from the Venerable Paul Weeding.

1. Apologies

Resolved: (Mayor King/Cr Bunting)
That the apologies for absence from Cr Pascoe are accepted.

2. Confirmation of Agenda

Resolved: (Mayor King/Cr Casson)

That the agenda is confirmed noting that there was a late verbal item added as part of item 6 (Chairs Report) concerning Waikato DHB Building Warrant of Fitness. The reason this item needed to be discussed at this meeting as it was is an emerging issue and unable to be delayed due to the public interest in this matter.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

The following members of public spoke to Item 6 (Chair's Report) requesting that the Council declare a climate Emergency: Anna Casey-Cox and Jo Wrigley (representing Go Eco), Timi Barabas, Adam Nachowitz, Joanny Nightingale, Hannah Huggan, Monica Lim, and Bridie Case-Miller.

A petition was presented to the Council requesting a declaration of a climate emergency. If the petition was determined to be valid as per the Councils Standing orders it would be reported back to the Council meeting of 8 August 2019.

5. Confirmation of the Council Open Minutes of 21 May 2019

Resolved: (Mayor King/Cr Macpherson)

That the Council confirm the Open Minutes of the Council Meeting held on 21 May 2019 as a true and correct record.

6. Chair's Report

Mayor Andrew spoke to his Chairs report, noting that there were a number of projects and initiatives implemented this triennium in relation to the environment. Along with staff he responded to questions from Elected Members concerning details of the initiatives and future opportunities in relation to reducing the Councils impact on the climate.

Resolved: (Cr Macpherson/Mayor King)

That the Council:

- a) receives the report; and
- b) requests the CE to provide a report on 'Declaring a Climate Change Emergency', including input from Tangata Whenua to the 8 August 2019 Council meeting.

Cr Mallett Dissenting.

Late Verbal Report – Waikato District Health Board – Building Warrant of Fitness Issues

The Building Control Manager provided Elected Members with a verbal report concerning recent articles on Waikato DHB Buildings Warrant of Fitness (BWOFF) issues. He outlined the BWOFF process and the concerns that had been raised in the media. He noted that it was the building owner's responsible to providing the BWOFF to their local authority and that there were 7 outstanding BWOFF's for WDHB buildings in the Hamilton area. He responded to questions from Elected Members concerning the Council's response to the concerns raised via the media, the legislative requirements and the provisions in place to ensure public are safe with respect to public buildings.

Resolved: (Mayor King/Cr Macpherson)

That the Council receives the report.

The meeting adjourned 11.25am to 11.50am

7. Hamilton Public Transport Youth Concession

The report was taken as read. Staff responded to questions from Elected Members concerning the proposed allocation of funding toward a youth concession, the potential implementation of the concession and how risks of misuse would be mitigated through the new ticketing system.

Resolved: (Mayor King/Cr Macpherson)

That the Council:

- a) supports the phased approach to developing and implementing a youth concession in Hamilton as recommended by the Hamilton Public Transport Joint Committee; and
- b) supports the reallocation of Hamilton City Councils approved local share of \$25,000 to enable a Youth (18 years and under) one-year trial of free bus service travel within Hamilton on weekends and public holidays commencing in July 2019.

Cr Mallett Dissenting.

8. Approval of Development Contributions Policy 2019/20

The General Manager Growth introduced the report, noting this was the final step in a series of decisions relating to the Development Contributions Policy.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council approves the proposed Development Contributions Policy 2019/20, with an operative date of 1 July 2019.

Crs Mallett, Southgate, and Casson Dissenting.

9. Adoption of the 2019/20 Annual Plan

The report was taken as read.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report; and
- b) adopts the 2019/20 Annual Plan.

Cr Mallett Dissenting.

10. Rates Resolution to Set and Assess Rates for 2019/20

The report was taken as read.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report;
- b) sets and assesses the rates for the 2019/20 financial year (1 July 2019 to 30 June 2020) in accordance with the **Rates Resolution for the 2019/20 Financial Year** (as required by the Local Government (Rating) Act 2002) as set out in paragraphs 7 - 66 below; and
- c) as part of this resolution, states the due dates for payments and authorises penalties to be added to unpaid rates, as set out in paragraphs 63 - 66 below.

Cr Mallett Dissenting.

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:
 - the use to which the land is put; and
 - the provision or availability to the land of a service provided; and
 - 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
 - the location of the land
10. The different categories of rateable land are outlined in the table below.
11. This rate covers all of the services of Council.
12. The total revenue sought through the general rate is \$147,146,477.
13. 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	2.5690	33.45%	0.00690286	\$ 49,219,716
	BID Commercial	2.4405	7.00%	0.00655772	\$ 10,302,503
	Other	0.7450	1.50%	0.00200186	\$ 2,205,311
	Residential	1.0000	58.05%	0.00268699	\$ 85,418,947

14. 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, Transitional rate and Hamilton Gardens 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

15. A Uniform Annual General Charge (UAGC) of \$348 per Separately Used or Inhabited Part of a Rating Unit (SUIP) set and assessed on all rateable land in Hamilton.
16. We have determined the level of UAGC in order to distribute the allocation of the general rate at an appropriate level among all ratepayers.
17. The total revenue sought from the UAGC is \$23,077,794.

TARGETED RATES

18. Transitional Rate
19. The transitional rate is set and assessed on the land value of all rateable land in Hamilton.
20. The transitional rates are set on a differential basis. The rating categories are defined in the Rating Policy.
21. The differential bases are:
 - the use to which the land is put; and
 - the provision or availability to the land of a service provided; and
 - the area of the land; and
 - the location of the land.
22. The total revenue sought through the Transitional rate is \$47,236,129.
23. The different categories of rateable land are outlined in the table below.

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL TRANSITIONAL RATES	RATE IN THE DOLLAR OF LAND VALUE (GST INCL)	RATES REVENUE (GST INCL)
Transitional Rate	Commercial	3.1418	25.69%	0.00518032	\$12,134,203
	BID Commercial	2.9847	6.56%	0.00492131	\$3,098,134
	Residential	1.0000	64.43%	0.00164884	\$30,433,483
	Multi-unit Residential	1.5289	2.15%	0.00252083	\$1,017,181
	Rural Residential	0.7416	0.05%	0.00122283	\$24,359
	Rural Small	0.4614	0.76%	0.00076075	\$357,435
	Rural Large	0.2503	0.36%	0.00041266	\$171,334

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

26. The rate is:
 - i. a fixed amount based on the nature of the connection as follows:
 - \$453.60 for all metered rating units (except those receiving a restricted flow supply);
 - \$352.80 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:
 - All metered rating units (except those receiving a restricted supply) - \$1.89 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter;
 - those rating units receiving a restricted flow supply - \$1.47 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter.
27. The rates contribute to the funding of the Water Distribution and Water Treatment and Storage activities.
28. The total revenue sought is \$9,255,379.
29. Commercial and Other Category Non-Metered Water Rate
30. The rate is set and assessed on non-metered Commercial and Other category properties which are connected to the water network, but not provided with a metered connection. The rate is \$453.60 per rating unit.
31. The rates contribute to the funding of the Water Distribution and Water Treatment and Storage activities.
32. The total revenue sought is \$273,521.
33. Business Improvement District (BID) Rates
34. 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.
35. 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 \$0.00002327 per dollar of capital value.
36. The rate provides funding to the Tourism and Events activity.
37. The total revenue sought is \$348,853.
38. Central City Rate
39. 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.
40. The Business Improvement District (BID) and Central City rating areas map is shown in Schedule 1 of the Rating Policy.
41. The rate is a fixed amount of \$128 per SUIP.

42. The rate provides funding to the Transport Network activity.
43. The total revenue sought is \$166,750.
44. Hamilton Gardens Rate
45. The rate is set and assessed as a fixed amount on all rating units.
46. The rate is set at \$12.65 per SUIP.
47. The rate contributes funding to develop and maintain themed gardens and infrastructure as part of the Hamilton Gardens activity.
48. The total revenue sought is \$838,891.
49. Service Use Water Rate
50. 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.
51. The rate is a fixed amount of \$453.60 per SUIP.
52. The rate provides funding towards the Water Distribution and Water Treatment and Storage activities.
53. The total revenue sought is \$56,700.
54. Service Use Refuse Rate
55. 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.
56. The rate is a fixed amount of \$152 per SUIP.
57. The rate provides funding towards the Refuse Collection activity.
58. The total revenue sought is \$20,216.
59. Service Use Wastewater Rate
60. 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 \$0.00114208; and
 - ii. a rate per dollar of capital value set at \$0.00033046.
61. The rate provides funding towards the Wastewater Collection and Wastewater Treatment and Disposal activities.
62. The total revenue sought is \$1,391,634.

DUE DATES FOR PAYMENT OF RATES

63. The due dates for rates for the period 1 July 2019 to 30 June 2020 are as follows:

Area	Instalment 1	Instalment 2	Instalment 3	Instalment 4
East*	29 August 2019	21 November 2019	27 February 2020	21 May 2020
West*	5 September 2019	28 November 2019	5 March 2020	28 May 2020

*East denotes rating units that are east of the Waikato river and West denotes rating units that are West of the Waikato river.

64. DUE DATES FOR PAYMENT OF METERED WATER RATES

65. The due dates for metered water rates for the period 1 July 2019 to 30 June 2020 are as follows:

Month of Invoice	Invoice Due Date
July 2019	20 August 2019
August 2019	20 September 2019
September 2019	20 October 2019
October 2019	20 November 2019
November 2019	20 December 2019
December 2019	20 January 2020

Month of Invoice	Invoice Due Date
January 2020	20 February 2020
February 2020	20 March 2020
March 2020	20 April 2020
April 2020	20 May 2020
May 2020	20 June 2020
June 2020	20 July 2020

PENALTIES

66. 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.

For the East area, these dates are 29 August 2019, 21 November 2019, 27 February 2020 and 21 May 2020.

For the West area, these dates are 5 September 2019, 28 November 2019, 5 March 2020 and 28 May 2020.

- b) A penalty of 10% of the amount of any rates assessed in any previous year which remain unpaid on 1 July 2019 to be added on 2 July 2019.
- 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 3 January 2020 to be added on 4 January 2020.
- 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.

These dates are 21 July 2019, 21 August 2019, 21 September 2019, 21 October 2019, 21 November 2019, 21 December 2019, 21 January 2020, 21 February 2020, 21 March 2020, 21 April 2020, 21 May 2020 and 21 June 2020.

END OF 2019/20 RATES RESOLUTION

The meeting was declared closed at 12.38pm.