



AGENDA

ORDINARY MEETING OF THE NELSON CITY COUNCIL

Thursday 25 June 2009

Commencing at 9.00am

Council Chamber

Floor 2A, Civic House,

Trafalgar Street

Nelson

Membership:

His Worship the Mayor K Marshall (Chairperson)

Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A Miccio,
A McAlpine, P Rainey, R Reese (Deputy Mayor), D Shaw, and G Thomas

B U S I N E S S

As set out below

Ordinary Meeting of the Council
25 June 2009

791529

Refer to
Page No.

APOLOGIES

OPENING PRAYER

1.0 CONFIRMATION OF MINUTES

1-9

28 May 2009

Recommendation

THAT the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 28 May 2009, be confirmed as a true and correct record.

2.0 STATUS REPORT – JUNE 2009

10-13

Recommendation

THAT the Council Status Report for June 2009 be received.

3.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES AND WORKING PARTIES

3.1 Regional Transport Committee – 17 June 2009

The Committee met to finalise the Regional Land Transport Programme on Wednesday 17 June. The minutes of that meeting together with the programme and accompanying report will be circulated prior to the meeting.

3.2 Infrastructure – 15 June 2009

14-20

Recommendation

THAT the minutes of the meeting of the Infrastructure Committee, held on Monday 15 June 2009, be received and the following recommendations be adopted:-

STATE HIGHWAY 6 ATAWHAI DRIVE SPEED LIMIT

THAT the New Zealand Transport Agency be advised that the Nelson City Council continues to support the speed limit reduction to 80km/h along SH6 between Allisdair Street and the bridge over the Maitai river;

AND THAT the New Zealand Transport Agency investigate methods to reduce the speed environment between Allisdair Street and the bridge over the Maitai river with a view to enabling a lower speed limit to be imposed;

AND THAT this investigation be included in the Regional Land Transport Programme for prioritisation.

REGIONAL LAND TRANSPORT STRATEGY

THAT the amended Regional Land Transport Strategy circulated with report number 782495 be adopted;

AND THAT when the Climate Change Action Plan is reviewed the Council consider what specific actions it will take, the emission reductions these actions will achieve, and revisit the targets to ensure they more closely match what is proposed.

PARKING AND VEHICLE CONTROL BYLAW 2004, NO. 207-AMENDMENTS TO SCHEDULE

THAT the following alterations be made to the Schedules of Bylaw No 207, Parking and Vehicle Control - 2004 all as per the Attachments to Report 779864;

- i) *Schedule 4 – Special Parking Areas – Loading Zone*
- ii) *Schedule 9 – No Stopping*
- iii) *Schedule 14 - Give Way sign*

AND THAT future reports on amendments to this bylaw be placed on the agenda for the ordinary Council meeting.

3.3 Community Services – 18 June 2009 21-27

Recommendation

THAT the minutes of the meeting of the Community Services Committee, held on Thursday 18 June 2009, be received.

3.4 Environment – 18 June 2009 28-31

Recommendation

THAT the minutes of the meeting of the Environment Committee, held on Thursday 18 June 2009, be received.

4.0 VODAFONE – NEW TELECOMMUNICATIONS FACILITY AT WAKAPUAKA 32-46

Document No 786214, dated 2 June 2009

The report was considered by the Infrastructure Committee which agreed that the matter should lie on the table pending further investigation. That investigation has been completed and it is appropriate that a decision now be made.

5.0 PROPOSED REGIONAL ENVIRONMENTAL AWARDS 47-50

Document No 784336, dated 25 May 2009

6.0 GOVERNANCE FINANCE REPORT FOR THE 10 MONTHS ENDED 30 APRIL 2009 51-110

Document No 789739, dated 9 June 2009

7.0 PROPOSED BYLAW NO 219 – NUMBERING OF BUILDING 111-115

Document No 789071, dated 8 June 2009

8.0 SUTER TRUST BOARD: DRAFT STRATEGIC PLAN AND STATEMENT OF INTENT 2009/10

116-152

Document No 791440, dated 15 June 2009

9.0 APPOINTMENT OF THREE COUNCILLORS TO SERVE ON NELSON TASMAN REGIONAL PEST MANAGEMENT COMMITTEE

There is a need to activate the Nelson Tasman Regional Pest Management Committee to review the status of Argentine and Darwin Ants. Accordingly three Councillors have to be appointed to represent the Nelson City Council.

Recommendation

***THAT** Councillors _____, _____ and _____ be appointed to the Nelson Tasman Regional Pest Management Committee.*

10.0 ADOPTION OF THE LONG TERM COUNCIL COMMUNITY PLAN 2009-2019

Recommendation

***THAT** the Long Term Council Community Plan 2009-19 be adopted in accordance with Sections 93 and 94 of the Local Government Act 2002.*

11.0 SETTING OF THE RATES FOR THE 2009/10 FINANCIAL YEAR

The Nelson City Council has adopted its Community 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 2009 and ending on 30 June 2010. All figures are GST inclusive:*

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

<i>General Rate</i>	<i>\$22,623,151</i>
<i>Uniform Annual General Charge</i>	<i>\$5,656,063</i>
<i>Separate General Charge</i>	<i>\$3,778,201</i>
<i>Waste Water Charge</i>	<i>\$5,649,672</i>
<i>Water Charge</i>	<i><u>\$10,109,228</u></i>
<i>Rates and Charges</i>	<i>\$47,816,315</i>
<i>Goods and Services Tax</i>	<i><u>\$5,977,039</u></i>
<i>Total Rates and Charges</i>	<i><u>\$53,793,354</u></i>

(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 0.49983 cents in the dollar of land value on every rating unit in the “residential” category*
- a rate of 0.54982 cents in the dollar of land value on every rating unit in the “part non-rateable” category*
- a rate of 0.54982 cents in the dollar of land value on every rating unit in the “multi residential” category*

- a rate of 1.16461 cents in the dollar of land value on every rating unit in the “commercial outside the inner city zone” category
- a rate of 0.99867 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 0.83222 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 0.66628 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 1.74942 cents in the dollar of land value on every rating unit in the “commercial inside the inner city zone” category
- a rate of 1.43702 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 1.12463 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 0.81223 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 0.44985 cents in the dollar of land value on every rating unit in the “urban farmland” category
- a rate of 0.32489 cents in the dollar of land value on every rating unit in the “rural” category
- a rate of 0.44985 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 \$302.00 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 \$220.40 per rating unit, (excluding rural and small holding categories and residential properties east of Gentle Annie saddle and properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).

(4) Waste Water Charge

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

- \$326.50 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 \$326.50 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, of:

- A minimum annual charge \$173.46
- Price of water:

0 – 10,000 cu.m/year	\$1.745 per m ³
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|----------------------------|----------------------------|
| 10,001 – 100,000 cu.m/year | \$1.683 per m ³ |
| > 100,000 cu.m/year | \$1.621 per m ³ |
| • Summer irrigation | \$1.279 per m ³ |

(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 | \$140.00 |
| • Loan assistance range | \$1,600 to \$1,799 | \$160.00 |
| • Loan assistance range | \$1,800 to \$1,999 | \$180.00 |
| • Loan assistance range | \$2,000 to \$2,199 | \$200.00 |
| • Loan assistance range | \$2,200 to \$2,399 | \$220.00 |
| • Loan assistance range | \$2,400 to \$2,599 | \$240.00 |
| • Loan assistance range | \$2,600 to \$2,799 | \$260.00 |
| • Loan assistance range | \$2,800 to \$2,999 | \$280.00 |
| • Loan assistance range | \$3,000 to \$3,199 | \$300.00 |
| • Loan assistance range | \$3,200 to \$3,399 | \$320.00 |
| • Loan assistance range | \$3,400 to \$3,599 | \$340.00 |
| • Loan assistance range | \$3,600 to \$3,799 | \$360.00 |
| • Loan assistance range | \$3,800 to \$3,999 | \$380.00 |
| • Loan assistance range | \$4,000 to \$4,199 | \$400.00 |
| • Loan assistance range | \$4,200 to \$4,399 | \$420.00 |
| • Loan assistance range | \$4,400 to \$4,599 | \$440.00 |
| • Loan assistance range | \$4,600 to \$4,799 | \$460.00 |
| • Loan assistance range | \$4,800 to \$4,999 | \$480.00 |

(7) 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 2008/09 rating year.

(8) 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 2009/10 rates levied and any outstanding balance from previous rating years, of:

- | | |
|--------------------------|---------|
| • Interest charge | 6.75%pa |
| • Reserve fund | 0.25%pa |
| • Scheme application fee | 1.00%pa |

Differential Categories

The Nelson City Council adopts the following as its definition for its differential categories for the 2009/10 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 which is used primarily for dairy, fattening & grazing, quarries & forestry & 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 and is recorded as a small holding on the District Valuation Roll
- *Urban Farmland* – any rating unit which is used primarily for farming or tomato growing within the old City boundary

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><i>Instalment Number</i></u>	<u><i>Instalment Date</i></u>	<u><i>Penalty Date</i></u>
<i>Instalment 1</i>	<i>1 August 2009</i>	<i>27 August 2009</i>
<i>Instalment 2</i>	<i>1 November 2009</i>	<i>27 November 2009</i>
<i>Instalment 3</i>	<i>1 February 2010</i>	<i>26 February 2010</i>
<i>Instalment 4</i>	<i>1 May 2010</i>	<i>27 May 2010</i>

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><i>Billing Month</i></u>	<u><i>Penalty Date</i></u>
<i>July 2009</i>	<i>20 September 2009</i>
<i>August 2009</i>	<i>20 September 2009</i>
<i>September 2009</i>	<i>20 October 2009</i>
<i>October 2009</i>	<i>20 December 2009</i>
<i>November 2009</i>	<i>20 December 2009</i>
<i>December 2009</i>	<i>20 January 2010</i>
<i>January 2010</i>	<i>20 March 2010</i>
<i>February 2010</i>	<i>20 March 2010</i>
<i>March 2010</i>	<i>20 April 2010</i>
<i>April 2010</i>	<i>20 June 2010</i>
<i>May 2010</i>	<i>20 June 2010</i>
<i>June 2010</i>	<i>20 July 2010</i>

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 2009*
- *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 2010*
- *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 27 November 2009. If full payment of the annual rates is not paid by 27 November 2009 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 installment one being 27 August 2009.

Payment of Rates

The rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.00am 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.

12.0 PUBLIC EXCLUDED BUSINESS

12.1 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) ***Minutes of part of the meeting of the Nelson City Council, Public Excluded Business – 28 May 2009.***

Reasons:

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

To protect the privacy of natural persons.

- (ii) ***Council Public Excluded Status Report – June 2009***

Reasons:

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

To protect the privacy of natural persons.

- (iii) ***Minutes of part of the Infrastructure Committee, Public Excluded Business – 15 June 2009***

Reasons:

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

To protect the privacy of natural persons.

- (iv) ***Minutes of part of the Community Services Committee, Public Excluded Business – 18 June 2009***

Reasons:

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

To protect the privacy of natural persons.

(v) ***Opera in the Park- Sponsorship***

Reason:

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

12.2 Re-admittance of the Public

Recommendation

THAT the public be re-admitted to the meeting.