



## Council | Kaunihera

### Minutes

Record of a meeting of Upper Hutt City Council held in The Rotary Lounge, Upper Hutt Central Library, 844 Fergusson Drive, Upper Hutt and via audio-visual link (Zoom) on Wednesday 28 June 2023 at 4.30 pm

**Present:** His Worship the Mayor W N Guppy (Chair), Deputy Mayor H Swales, Cr D M Bentley, Cr M Carey, Cr C B G Carson, Cr J B Griffiths, Cr A W Hammond, Cr E Holderness, Cr H Newell, Cr T M Ultra, and Cr D V Wheeler

#### Public Business

##### 1. Apologies

There were no apologies.

##### 2. Declarations of Interest

There were no declarations of interest.

##### 3. Public Forum

There were no public speakers.

##### 4. Maidstone Park Trust Management Agreement

The Director Community Services answered questions from elected members relating to the appointment process for trustees, the management fee and funding of the Trust, and the Anchor Sports Priority Rules.

The Director Finance, Risk and Digital Solutions answered a member's question relating to the Definition and interpretation of the Default Interest Rate, management fee and forecasting ratings for the 2023-2024 Annual Plan.

General Counsel responded to a question from a member about the deed of lease.

Cr Carey with the support of Deputy Mayor Swales, proposed the following administrative function be added to the Management Agreement.

Point 17.4.19 Make available the facility to support Civil Defence Emergency Management response activities including but not limited to welfare, emergency shelter or community hub activities, and that they participate with Council Civil Defence Emergency Management planning and readiness activities as appropriate.

All members supported the addition of the proposed administrative function.

**MOVED: Deputy Mayor Swales / Councillor Carey**

***That Council:***

***(i) notes and receives the report titled Maidstone Park Trust Management Agreement,***

- (ii) *approves the Maidstone Park Trust Management Agreement, appended as Attachment 1 to the report,*
- (iii) *authorises the Chief Executive to sign the Maidstone Park Trust Management Agreement, and,*
- (iv) *authorises officers to include the amendment requested at the meeting, and to correct any minor typographical and formatting errors that may be identified in the Maidstone Park Trust Management Agreement.”*

**MOTION CARRIED: C 230401**

## **5. Adoption of Standing Committee Minutes and Recommendations**

a) Unconfirmed minutes and recommendations from the Policy Committee meeting held on 19 June 2023.

**MOVED: Councillor Newell / Deputy Mayor Swales**

*“That Council receives the record of the Policy Committee meeting held on 19 June 2023 as a true and correct record of the meeting.”*

**MOTION CARRIED: C 230402**

## **6. Adoption of Development and Financial Contributions Policy**

The Director Asset Management and Operations answered a question from a member relating to the development contribution charges for Area 4 and Area 5 of the Catchments Map.

**MOVED: Councillor Wheeler / Councillor Ultra**

*“That Council,*

- (i) receives and notes the report titled Adoption of Development and Financial Contributions Policy, and,*
- (ii) adopts the Development and Financial Contributions Policy.”*

**MOTION CARRIED: C 230403**

## **7. Adoption of the Schedule of Fees and Charges 2023-2024**

The Director Asset Management and Operations answered questions from members relating to Land Transport overweight permit fees, Solid Waste – recycling litter infringement fees and skateboarding impounding fees

**MOVED: Councillor Griffiths / Councillor Holderness**

*“That Council:*

- (i) receives the report entitled Adoption of the Schedule of Fees and Charges for 2023 2024;*
- (ii) adopts the Schedule of Fees and Charges 2023-2024 noting two administration amendments from directorates in the final Schedule of Fees and Charges 2023-2024, and,*
- (iii) reviews the supporting document, Schedule of Fees and Charges booklet 1 July 2023 – 30 June 2024, Attachment 1.”*

MOTION CARRIED: C 230404

**8. Adoption of the Annual Plan**

The Director Finance, Risk and Digital Solutions answered members' questions relating to funding of the waste minimisation activity group, other expenses for rates remissions relating to sports clubs and other non-profit bodies and that economic development related rates remissions were contained within the economic development activity in the Annual Plan 2023-2024 document.

In response to a question from a member the Director Asset Management Operations confirmed the statement about Beechwood Lane Bridge on page 12 of the Annual Plan 2023-2024, will be amended to correctly reflect the current situation, that the Howe Bridge will remain in situ during the restoration and will read '...while the Howe Bridge is being restored'.

Deputy Mayor Swales with the support of Councillor Bentley asked to incorporate a note within the economic development activity of the Annual Plan 2023-2024 to identify the commercial rates remissions.

**MOVED: Deputy Mayor Swales / Councillor Bentley**

*"That Council includes a note to identify the amount of commercial rates remissions within the economic development activity of the Annual Plan 2023-2024."*

MOTION CARRIED: C 230405

**MOVED: Councillor Carson / Mayor Guppy**

*"That Council,*

- (i) receives and notes the report titled Adoption of the Annual Plan 2023-2024,*
- (ii) adopts the Annual Plan 2023-2024, appended as Attachment 1 to the report, and,*
- (iii) in adopting the Annual Plan 2023-2024, authorise officers to include amendments requested at the meeting and correct any typographical, arithmetic, or formatting errors that may be identified."*

In accordance with Standing Order 19.6 *Request to have votes recorded*, Deputy Mayor Swales and Councillor Bentley requested that their dissenting votes be recorded against this matter.

For: Mayor Guppy and Councillors Carey, Carson, Griffiths, Hammond, Holderness, Newell, Ultra, and Wheeler (9 votes)

Against: Deputy Mayor Swales and Councillor Bentley (2 votes)

MOTION CARRIED: C 230406

**9. Setting of Annual Rates and Uniform Annual Charges 2023-2024**

**MOVED: Mayor Guppy / Councillor Holderness**

*"That Council,*

- (i) receives the report entitled Setting of Annual Rates and Uniform Annual Charges 2023-2024 (the report), and,*
- (ii) pursuant to sections 23, 24 and 57 of the Local Government (Rating) Act 2002, resolves to set the rates, due dates, and penalties for unpaid rates for rating units in*

the city of Upper Hutt for the rating year 1 July 2023 to 30 June 2024 as described in points 1 to 8 below:

### 1. General rate

A general rate set under section 13(2)(b) of the LGRA, on the capital value of rating units in the City, assessed on a differential basis as follows (all rates inclusive of GST at the prevailing rate at the time of supply):

- (i) A rate of 0.2122 cents in the dollar of capital value on every rating unit in the standard rating category as defined in the Funding Impact Statement;
- (ii) A rate of 0.1910 cents in the dollar of capital value on every rating unit in the residential high value rating category as defined in the Funding Impact Statement;
- (iii) A rate of 0.1592 cents in the dollar of capital value on every rating unit in the rural rating category as defined in the Funding Impact Statement;
- (iv) A rate of 0.6154 cents in the dollar of capital value on every rating unit in the business rating category as defined in the Funding Impact Statement;
- (v) A rate of 0.6154 cents in the dollar of capital value on every rating unit in the utilities (and three waters) category as defined in the Funding Impact Statement;
- (vi) A rate of 0.6154 cents in the dollar of capital value on every rating unit in the corrections facility category as defined in the Funding Impact Statement.

### 2. Water supply rate

A targeted rate for water supply, set under sections 16(3)(b) and 16(4)(b) of the LGRA, assessed on a differential basis as follows:

- (i) \$377.30 (inclusive of GST at the prevailing rate at the time of supply) on each separately used or inhabited part of a rating unit to which water is supplied ("a serviced property"); or
- (ii) \$188.65 (inclusive of GST at the prevailing rate at the time of supply) on every rating unit that can be but is not supplied with water ("a serviceable property").

### 3. Water Fire Protection rate

A targeted rate for water supply for fire protection purposes, set under sections 16(3)(b) and 16(4)(b) of the LGRA, on capital value, assessed on a differential basis as follows (all rates inclusive of GST at the prevailing rate at the time of supply):

- (i) 0.01593 cents in the dollar of capital value on each rating unit which is connected to the water supply ("serviced property"); and
- (ii) 0.00797 cents in the dollar of capital value on every rating unit that can be but is not supplied with water and is situated within 100 metres of any part of the waterworks ("serviceable property").

### 4. Stormwater rate

A targeted rate for stormwater drainage and flood protection services, set under sections 16(3)(b) and 16(4)(b) of the LGRA, on the capital value of rating units in those parts of the City located within the Upper Hutt Urban Drainage District, assessed on a differential basis as follows (all rates inclusive of GST at the prevailing rate at the time of supply):

- (i) 0.02129 cents in the dollar of capital value on every rating unit in the business category as defined in the Funding Impact Statement;
- (ii) 0.01521 cents in the dollar of capital value on every other rating unit subject to this targeted rate.

### 5. Wastewater rate

A targeted rate for wastewater disposal, set under sections 16 (3)(b) and 16(4)(a) of the LGRA, based on the number of water closets (pans) or urinals connected to a public sewage drain, as follows:

- (i) **\$413.20 (inclusive of GST at the prevailing rate at the time of supply) for the first pan or urinal and for every second pan or urinal thereafter. If there is an odd number of pans the assessment is rounded down.**

**Note 4 to Schedule 3 of the Local Government (Rating) Act 2002 applies so that a rating unit used primarily as a residence for one household is deemed to have not more than one pan or urinal.**

#### **6. Rates on Defence land**

**The rates described in this report comply with section 22 of the LGRA, which requires that rates set under s13(2) (general rates) or s16 (targeted rates) of the LGRA not result in land owned or used by the Crown as an air force base, army camp, naval establishment, or other defence area being assessed for an amount of rates that exceeds the amount that would have been assessed if the rates for the district had been calculated on the land value only.**

#### **7. Dates that rates are payable**

**That the Council agrees all property rates be payable in four equal instalments due on the due date stated for the relevant instalment, as follows:**

<b>Instalment</b>	<b>Due Date</b>	<b>Penalty Date</b>
<b>Instalment One</b>	<b>1 September 2023</b>	<b>2 September 2023</b>
<b>Instalment Two</b>	<b>1 December 2023</b>	<b>2 December 2023</b>
<b>Instalment Three</b>	<b>1 March 2024</b>	<b>2 March 2024</b>
<b>Instalment Four</b>	<b>1 June 2024</b>	<b>4 June 2024</b>

**All payments made will be receipted against the earliest outstanding rate amounts in accordance with authorised accounting procedures.**

#### **8. Penalties**

**That the Council apply the following penalties on unpaid rates in accordance with sections 57 and 58 of the Local Government (Rating) Act 2022:**

- (i) **A penalty of 10 percent of the amount of each instalment for the 2023-2024 year which remains unpaid after the relevant due date listed in 9 will be added on the relevant penalty date for the instalment stated in paragraph 9 above (section 58(1)(a)),**
- (ii) **A further penalty of 10 percent of the amount of rates set for any previous financial year that is unpaid 5 working days after the date of this resolution. The penalty will be added on 6 July 2023 (Section 58(1)(b)). This is to align with the later date of either Greater Wellington Regional Council or Upper Hutt City Councils rates resolution,**
- (iii) **(iii) A further penalty of 10 percent on rates to which a penalty has been added under paragraph 10(ii) if the rates are unpaid six [6] months after the penalty in paragraph 10(ii) was added. The penalty will be added on 8 January 2024 (Section 58(1)(c))."**

In accordance with Standing Order 19.6 Request to have votes recorded, Deputy Mayor Swales and Councillor Bentley requested that their dissenting votes be recorded against this matter.

**For:** Mayor Guppy and Councillors Carey, Carson, Griffiths, Hammond, Holderness, Newell, Ultra, and Wheeler (9 votes)

**Against:** Deputy Mayor Swales and Councillor Bentley (2 votes)

**MOTION CARRIED: C 230407**

The Mayor closed the meeting at 5.03 pm.

Mayor Mr W N Guppy  
Chair