

NOTICE OF EXTRAORDINARY MEETING

RODNEY DISTRICT COUNCIL

TO: Penny Webster - Mayor (Chairperson)
Crs Ross Craig
Pat Delich
Michael Goudie
Gaye Harding
John Kirikiri
Dave Parker, QSM
Grahame Powell
Zane Taylor
June Turner
Grev Walker
Wayne Walker
Suzanne Weld

There will be an Extraordinary Meeting of the Rodney District Council in the Council Chamber, Centreway Road, Orewa on Thursday, 24 June 2010, at the conclusion of the Strategy and Community Committee meeting, for the purpose of adopting the Annual Plan and to determine several other matters.

for: CHIEF EXECUTIVE
Rodger Kerr-Newell

OREWA
18 June 2010

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I N D E X

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ITEM NO: 1

APOLOGIES

ITEM NO: 2

REPORT



TO Council
ON 24 June 2010
FROM Morna Macfarlane – Manager: Finance
APPROVED BY Kevin Ramsay – Director: Corporate Services
SIGNATURE

A handwritten signature in black ink, appearing to read "K Ramsay".

SUBJECT ADOPTION OF ANNUAL PLAN 1 JULY TO 31 OCTOBER 2010
FILE REF AB/14/2; AB/14/4

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? Yes
(ii)	Implications in terms of Vision Rodney? Yes, the Annual Plan gives effect to the Council's contribution to achieving the outcomes contained in Vision Rodney.
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? The Annual Plan will set the Council's framework for the next year.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? None
(v)	Is a budget amendment required? The Annual Plan is the budget framework for the next year.

(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required?
	Public consultation is not required.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	The Auckland Transition Agency (ATA) has reviewed the working copy submitted in April 2010 and will approve the Annual Plan following the Council's decision to adopt.

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

Changes to local government in Auckland altered the planning and reporting requirements for 2010/2011 and have impacted the development, presentation and adoption of the Annual Plan.

In summary the impacts were:

- The Council was required to prepare an Annual Plan for the 2010/2011 financial year, but this plan will apply only for the four-month period in which it will continue to exist (1 July 2010 to 31 October 2010).
- The Council must set rates and other revenue mechanisms for the full twelve-month period.
- As the Annual Plan was generally consistent with our ten-year Long Term Council Community Plan (LTCCP), the Council was not required to conduct a special consultative procedure.
- The Council has consulted with the ATA during the preparation of the Annual Plan.
- The ATA must prepare a planning document for the new Auckland Council covering the remaining eight months of 2010/2011. This will be based on the Annual and the ten-year plans of the eight existing councils.

The Council resolved not to trigger an LTCCP amendment and the Annual Plan was prepared to ensure it was consistent with the second year of the LTCCP which the Council had extensively consulted on prior to its adoption in June 2009.

After a series of workshops, the Council, at an extraordinary council meeting on 1 April 2010, resolved to send the working version of the Annual Plan to the ATA. Feedback received indicated that the ATA was satisfied that the working version of the Annual Plan was appropriate.

Further workshops were held in June to update councillors on a number of issues arising since April. This resulted in several minor amendments which were:

- Orewa West Walkway/Cycleway (\$0.9M) – *brought forward*
- Metro Park East Sportsfields (\$0.9M) – *brought forward*
- Orewa Pond Decommissioning (\$5.5M) – *brought forward*
- Kumeu/Huapai/Riverhead Water Supply (\$5.5M) – *deferred*
- Grant to Muriwai Surf Club (\$150,000) – *added*
- Water and Wastewater Property Charges up 3% (for inflation, thereby reducing volumetric charges)

An updated version of the working copy of the Annual Plan for the period 1 July 2010 - 31 October 2010 for approval and adoption will be distributed to councillors under separate cover.

RECOMMENDATION:

That, subject to any changes which the Council may make and any presentation and minor wording changes, the distributed Annual Plan for 2010/2011 be adopted.

ITEM NO: 3

REPORT



TO Council
ON 24 June 2010
FROM David Low – Revenue Manager
APPROVED BY Kevin Ramsay – Director: Corporate Services
SIGNATURE

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SUBJECT RATES: RECOMMENDATION TO SET AND ASSESS RATES 2010/2011
FILE REF RB/1/1; AB/14/2

PURPOSE OF REPORT:

To set and assess the rates for the Rodney District for the 2010/2011 rating year in pursuance of the powers conferred on the Council by the Local Government (Rating) Act 2002.

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? Yes
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan/Annual Plan? In accordance with the 2009 - 2019 Long Term Council Community Plan (LTCCP) and necessary to fund services/projects as per the Plan.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? In accordance with Council rates policy.
(v)	Is a budget amendment required? No

(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required?
	Consultation affected through the Draft Long Term Council Community Plan. No further consultation required.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / approval being sought?)
	No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil (per LTCCP)
Is it currently budgeted for?	Not applicable
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Local Government (Tamaki Makaurau Reorganisation) Act 2009 (LG(TMR)A) provides that each existing local authority (ELA) in the Auckland region is only required to adopt an annual plan for the financial year commencing 1 July 2010 to 31 October 2010. The LG(TMR)A also provides that each ELA must set each rate and any other revenue mechanism provided for in the funding impact statement included in the Annual Plan for the full financial year ending 30 June 2011.

The Rodney District Council (RDC) has adopted its Annual Plan for the four months to 31 October 2010. It now proposes to set and assess the rates described in its rating policy and funding impact statement for the full financial year to 30 June 2011. Based on the four month plan and estimate for the subsequent eight months as provided to the Auckland Transition Agency (ATA).

The rates recommended are in accordance with the relevant provisions of the 1 July – 31 October 2010 Annual Plan.

RECOMMENDATION:

Setting of Rates for 2010/2011

That the Rodney District Council set the following rates for the year commencing 1 July 2010 and ending 30 June 2011 in pursuance of the powers conferred on it by the Local Government (Rating) Act 2002 and the Local Government (Tamaki Makaurau Reorganisation) Act 2009:

Note: The following rates exclude GST. GST will be applied at the prevailing rate.

1. Differential General Rate

A general rate under section 13 of the Local Government (Rating) Act 2002 on all rateable land, based on land value (LV) of the land and at different rates in the dollar of LV for different categories of rateable land, as defined in clause 21 below, as follows:

	Category	Rate Cents in \$ excluding GST
Rodney – District Wide		
1.1	Rural-Commercial and Industrial (Category 2 & 12)	0.45989
1.2	Urban and Towns-Commercial and Industrial (Category 1 & 11)	0.45989
1.3	Urban and Towns- Multi-Units, Motels, Rest Homes, Camps (Category 5, 7, 16 & 18)	0.20046
1.4	Rural / farms (Category 29)	0.11792
1.5	Rural – residential (Category 4 and 15)	0.11792
1.6	Utilities (Category 99)	0.44810
Urban Differential Rating Area – (Map No. DA/R/162)		
1.7	Urban residential (Category 3)	0.11792
“Other” Differential Rating Area (being the whole of the district excluding the urban area.		
1.8	Rural – Rest Homes, Motels , Camps (Category 17)	0.20046
1.9	Coastal Multi - units (Category 22)	0.20046
1.10	Serviced Towns and Unserviced Towns – Ordinary (Category 13 & 14)	0.11792
1.11	Unserviced Towns With Minimal Storm Water (Category 25)	0.11792
1.12	Islands and Sea Access (Category 20)	0.04717

2. Differential Transport Targeted Rate

A targeted rate under section 16 of the Local Government (Rating) Act 2002 on all rateable land except land in the Islands and Sea Access category, based on capital value (CV) and at different rates in the dollar of capital value for different categories of rateable land, as defined in clause 21 below, as follows:

	Category	Rate Cents in \$ excluding GST
Rodney – District Wide		
1.1	Rural-Commercial and Industrial (Category 2 & 12)	0.19940
1.2	Urban and Towns-Commercial and Industrial (Category 1 & 11)	0.19940
1.3	Urban and Towns- Multi-Units, Motels, Rest Homes, Camps (Category 5, 7, 16 & 18)	0.06647
1.4	Rural / farms (Category 29)	0.11631
1.5	Rural – residential (Category 4 and 15)	0.07976
1.6	Utilities (Category 99)	0.09970
Urban Differential Rating Area – (Map No. DA/R/162)		
1.7	Urban residential (Category 3)	0.06647
“Other” Differential Rating Area (being the whole of the district excluding the urban area.		
1.8	Rural – Rest Homes, Motels , Camps (Category 17)	0.06647
1.9	Coastal Multi - units (Category 22)	0.06647
1.10	Serviced Towns and Unserviced Towns – Ordinary (Category 13 & 14)	0.06647
1.11	Unserviced Towns With Minimal Storm Water (Category 25)	0.06647
1.12	Islands and Sea Access (Category 20)	0.00000

Watercare Services Limited and New Zealand Government Defence Force land

Ratepayers, who are exempt from paying rates on either a CV or LV basis, per Schedule 1 Part 1 Clause 16 of the Local Government (Rating) Act 2002 and its amendments, but are required to pay rates as though the rates for the district were calculated on an LV basis shall pay RDC Transport rates on their LV at .0019727 cents in the dollar LV for Watercare Services Limited and .0015782 cents in the dollar LV for New Zealand Government Defence Force.

3. Differential Stormwater Targeted Rate

A targeted rate under section 16 of the Local Government (Rating) Act 2002 on all rateable land in the categories in the following table, based on the LV of the land and at different rates in the dollar of land value for different categories of rateable land, as defined in clause 21 below, as follows:

	Category	Rate Cents in \$ excluding GST
Rodney – District Wide		
1.1	Rural-Commercial and Industrial (Category 2 & 12)	0.00142
1.2	Urban and Towns-Commercial and Industrial (Category 1 & 11)	0.18996
1.3	Urban and Towns- Multi-Units, Motels, Rest Homes, Camps (Category 5, 7, 16 & 18)	0.09498
1.4	Rural / farms (Category 29)	0.00142
1.5	Rural – residential (Category 4 and 15)	0.00142
1.6	Utilities (Category 99)	0.00142
Urban Differential Rating Area – (Map No. DA/R/162)		
1.7	Urban residential (Category 3)	0.04749
“Other” Differential Rating Area (being the whole of the district excluding the urban area.)		
1.8	Rural – Rest Homes, Motels , Camps (Category 17)	0.00142
1.9	Coastal Multi - units (Category 22)	0.00142
1.10	Serviced Towns and Unserviced Towns – Ordinary (Category 13 & 14)	0.04749
1.11	Unserviced Towns With Minimal Storm Water (Category 25)	0.00142
1.12	Islands and Sea Access (Category 20)	n/a

4. Uniform Annual General Charge

A uniform annual general charge of \$321.73 excluding GST will be charged per separately used or inhabited part of a rating unit in the district.

5. Targeted Rate for Wastewater Utility Property Charge – Urban Area (Map No. DA/R/162)

A uniform annual rate of \$325.13 excluding GST will be charged per separately used or inhabited part of a rating unit, excluding multi units over five units, and a uniform annual rate of \$260.11 excluding GST will be charged per separately used or inhabited part of a rating unit for multi units over five units (excluding the first five units) also excluding rating units or separately used or inhabited parts of a rating unit connected to a pressure wastewater collection (PWC) scheme in an area defined in Chapter 20 – Wastewater Drainage Bylaw of General Bylaw 1998. A uniform annual rate of \$243.84 excluding GST will be charged per separately used or inhabited part of a rating unit connected to a PWC scheme in an area defined in Chapter 20 – Wastewater Drainage Bylaw of General Bylaw 1998 to fund capital works and loan repayments for wastewater works. The rate will be levied on all properties serviced or able to be serviced by the PWCs in the urban area of the district. Properties within a relevant area of benefit and situated within 30 metres of a public wastewater drain are deemed to be able to be serviced if capacity permits.

6. Targeted Rate for Wastewater Utility Property Charge – Other Area (being the whole of the district excluding the urban area)

A uniform annual rate of \$302.69 excluding GST will be charged per separately used or inhabited part of a rating unit, excluding rating units or separately used or inhabited parts of a rating unit connected to a PWC scheme in an area defined in Chapter 20 – Wastewater Drainage Bylaw of General Bylaw 1998. A uniform annual rate of \$227.02 excluding GST will be charged per separately used or inhabited part of a rating unit connected to a PWC scheme in an area defined in Chapter 20 – Wastewater Drainage Bylaw of General Bylaw 1998, to fund capital works and loan repayments for wastewater. The rate will be levied on all properties serviced or able to be serviced by the PWC’s (but excluding the first five units for multi units over five properties), in the ‘Other’ area of the district. Properties within a relevant area of benefit and situated within 30 metres of a public wastewater drain are deemed to be able to be serviced if capacity permits.

7. Wastewater volumetric Charge - Alternative to Targeted Rate for Wastewater Utility Pan Charge – Urban and Other

Instead of a targeted rate for Wastewater Utility Pan Charge, a charge based on the volumetric measure of water consumed, or a standard fee where an alternative water supply is used, will be made to recover wastewater operating charges. Refer to the Schedule of Fees and Charges for details.

8. Uniform Targeted Rate for Civic Leadership

A uniform annual rate of \$86.39 excluding GST will be charged per separately used or inhabited part of a rating unit in the district.

9. Targeted Rate for Leisure Centre – Hibiscus Coast

In the Hibiscus Coast area of benefit (map DA/R/162), a uniform annual rate of \$69.24 excluding GST will be charged per separately used or inhabited part of a rating unit. This rate is set to partly fund the operation of the Whangaparaoa Leisure Centre. This rate does not apply to utilities and the first five units of multi units over five properties.

10. Uniform Targeted Rate for Auckland Regional Amenities and Museums

A uniform annual rate of \$57.44 excluding GST will be charged per separately used or inhabited part of a rating unit in the district. This rate is set to fund levies due under the Auckland Regional Amenities Funding Act 2008 and to the Auckland War Memorial Museum and the Museum of Transport and Technology.

11. Targeted Rate for Water Supply Utility Property Charge – In the areas supplied from Watercare Services Facilities and Waiwera

A uniform annual rate of \$70.06 excluding GST will be charged per separately used or inhabited part of a rating unit, excluding multi units over five properties and a uniform annual rate of \$56.04 excluding GST will be charged per separately used or inhabited part of a rating unit for multi units over five units (excluding the first five units) to fund capital works and loan repayments for water works in the Hibiscus Coast. The rate will be levied on all properties connected to the public water supply in the Hibiscus Coast area of the district.

12. Targeted Rate for Water Supply Utility Property Charge – In the areas supplied from Rodney District Council Facilities

A uniform annual rate of \$208.84 excluding GST will be charged per separately used or inhabited part of a rating unit, to fund capital works and loan repayments for water works in the Rural and Townships area. The rate will be levied on all properties connected to the public water supply in the Rural and Townships area of the district, with the exception that in relation to the Rural and Townships multi units over five units category, this rate will not be applied to the first five units.

13. Water Charge per Kilolitre of water supplied – In the areas supplied from Watercare Services Facilities and Waiwera

All properties connected to the public water supply are metered and operational costs of the system are funded by way of a charge per thousand litres of water supplied to all properties connected in the urban area of the district. The charge per thousand litres is \$1.81 excluding GST for water consumed prior to the September 2010 meter reading and \$1.70 excluding GST for water consumed after the September 2010 meter reading.

14. Water Charge per Kilolitre of water supplied – In the areas supplied from Rodney District Council Facilities

All properties connected to the public water supply are metered and operational costs of the systems are funded by way of a charge per thousand litres of water supplied to all properties connected to the public systems in the 'Other' area of the district. The charge per thousand litres is \$3.04 excluding GST for water consumed prior to the October 2010 meter reading and \$3.07 excluding GST for water consumed after the October 2010 meter reading.

15. Araparera Forestry Rate

A rate on all rateable land based on CV levied on the parts of the district that will benefit from the scheme, being the whole of the Northern ward, excluding all those properties located within the serviced townships of Wellsford (map DA/R/141); Snells Beach/Algies Bay (map DA/R/142); Omaha (map DA/R/144); Warkworth (map DA/R/149); Kawau Island and all other Islands and Sea Access properties and all those properties which have moved from the Western ward to the Northern ward as a result of the Local Government Commission's determination of representation arrangements to apply for the October 2007 elections. \$0.00083 cents in the dollar excluding GST of rateable CV.

16. Orewa Business Improvement District Rate

A rate on all rateable land based on capital value levied on all those rating units located in the Orewa Township (map DA/R/199) which are used substantially for commercial and/or industrial activities, or which may be used by right for commercial and/or industrial activities under the current RDC District Plan, but excluding vineyards, plant nurseries, pastoral farms and other similar types of property and properties used solely for residential purposes and excluding properties occupied by the local authority. \$0.08805 cents excluding GST in the dollar of rateable CV.

17. Fairhaven Walk Targeted Rate

A targeted rate applies to the 19 properties in Fairhaven Walk which benefit from the construction of a road that will give access to the properties. The construction of the road and the payment of the rate has been agreed with the association representing the property owners. The rate will apply for 25 years. The rate levy per property for 2010/2011 is \$7,134 excluding GST.

18. Point Wells PWC Financial Assistance Targeted Rate

A uniform annual rate applies to 31 rating units or separately used or inhabited parts of a rating unit connected to a PWC scheme in Point Wells in an area defined in Chapter 20 – Wastewater Drainage Bylaw of General Bylaw 1998, which have had financial assistance to connect to that scheme. The rate varies according to the amount of assistance provided and as shown in the following table:

Total assistance provided	Amount of targeted rate (excluding GST)
\$10,500	\$945.44
\$10,000	\$900.42
\$ 9,500	\$855.40
\$ 9,000	\$810.38
\$ 8,500	\$765.35
\$ 8,000	\$720.33

19. Jackson Crescent Wastewater Connection Financial Assistance Targeted Rate

A uniform annual rate applies to three rating units connected to a Council wastewater collection scheme in Jackson Crescent, Martins Bay which have had financial assistance to connect to that scheme of \$661.09 excluding GST.

20. Glorit Flood Gate Restoration Targeted Rate

A targeted rate for three rating units detailed below to recover the cost of Glorit flood gate restoration. The cost of works together with interest and administration charges are apportioned on area of benefit basis as shown –

Valuation number	Legal description (abbreviated)	Area of benefit in hectares	Amount of targeted rate (excluding GST)
00910-00102	Sec 27 SO 59120	245	\$42,460.58
00910-00502	Lot 5 DP 127940	2	\$ 346.62
00910-00400	Sec 2 SO 69274	17.5	\$ 3,032.90

21. Differential Categories

The Council adopts the following definitions for its differential categories for the 2010/2011 rating year:

21.1 URBAN DIFFERENTIAL AREA

21.1.1 CATEGORY 1: URBAN AREA - URBAN - COMMERCIAL AND INDUSTRIAL

All those properties located within the Hibiscus Coast Urban Area (as shown on Plan No. DA/R/162) which are used substantially for commercial or industrial activities, or may be used as of right for commercial or industrial activities under the current RDC District Plan but excluding vineyards, plant nurseries, pastoral farms and other similar types of property, properties used solely for residential purposes and excluding those properties included in Categories 5 and 7 below. Also excluding the reclaimed land and berths at Gulf Harbour (described as Lots 2 and 3 DP 124672, Lots 1, 3 and 7 DP 126998, Lots 2, 4 and 5 DP 126999 and Lot 6 DP 127000), and properties of organisations which by their existence directly benefit the residents of the district (such properties will be included the Residential category).

21.1.2 CATEGORY 2: URBAN AREA - RURAL - COMMERCIAL AND INDUSTRIAL

All those properties in the Hibiscus Coast Rural Area (as shown on Map DA/R/162) which are used substantially for commercial or industrial activities, or may be used as of right for commercial or industrial activities under the current RDC District Plan but excluding vineyards, plant nurseries, pastoral farms and other similar types of property, properties used solely for residential purposes, and properties of organisations which by their existence directly benefit the residents of the district (such properties will be included the Residential category).

21.1.3 CATEGORY 3: URBAN AREA - URBAN – RESIDENTIAL

The remainder of the properties located within the Hibiscus Coast Urban Area (as shown on Map DA/R/162), i.e. excluding those properties included in Categories 1 and 2 above and 4, 5 and 7 below, but with the proviso relating to properties occupied by the Local Authority as noted below.

21.1.4 CATEGORY 4: URBAN AREA - RURAL – RESIDENTIAL

The remainder of the properties located within the Hibiscus Coast Rural Area (as shown on Map DA/R/162), i.e. excluding those properties included in Categories 1 to 3 above and 5 and 7 below, but with the proviso relating to properties occupied by the Local Authority as noted below.

21.1.5 CATEGORY 5: URBAN AREA - URBAN – THREE - FIVE UNITS, REST HOMES, MOTELS, CAMPS

All those properties located within the Hibiscus Coast Urban Area (as shown on Map DA/R/162) and used either wholly or in part for the purposes of a camping ground, and/or a motel, and/or a rest home (registered under the Old People's Homes Regulations 1987 or the Health and Disability Services (Safety) Act 2001) and/or for multiple unit housing (not less than three nor more than five units - excluding caravans - being not separately assessed for rating purposes), whether or not zoned for commercial or industrial uses and including any private household unit serving as a manager's residence associated with any of the foregoing activities.

21.1.6 CATEGORY 7: URBAN AREA - URBAN - MULTI UNITS IN EXCESS OF FIVE

All those properties located within the Hibiscus Coast Urban Area (as shown on Map DA/R.162) and used or intended to be used either wholly or in part for the purposes of multiple unit housing (in excess of five units - being not separately assessed for rating purposes, whether or not zoned for commercial or industrial purposes. Properties will fall into this group from the time physical development of the site or any part of it commences following the issue of the first Resource Consent for the property pursuant to the provisions of the Resource Management Act 1991. The term 'unit' excludes caravans. It also excludes fully serviced units which shall be rated in the Commercial and Industrial group. The term 'multi unit housing' does not include a motel.

21.2 OTHER DIFFERENTIAL RATING AREA

21.2.1 CATEGORY 11: OTHER AREA - ALL TOWNS - COMMERCIAL AND INDUSTRIAL

All those properties in the townships of the Rural and Townships Area which are used substantially for commercial or industrial activities, or may be used as of right for commercial or industrial activities under the current RDC District Plan, being those properties located within the serviced townships of Wellsford (Map DA/R/141); Snells Beach/Algies Bay (Map DA/R/142); Omaha (Map DA/R/144); Warkworth (Map DA/R/149); and Helensville Township/Resort (Map DA/R/160 and DA/R/161); and those properties located within the townships of Te Hana (Map DA/R/170); Matheson Bay (Map DA/R/171); Leigh (Map DA/R/172); Point Wells (Map DA/R/173); Whangateau and Tramcar Bay (Map DA/R/174); Ti Point (Map DA/R/175); Matakana (Map DA/R/176); Rainbows End (Map DA/R/177); Sandspit (Map DA/R/178); Buckletons Beach (Map DA/R/179); Baddeleys Beach and Campbells Beach (Map DA/R/180); Puhoi (Map DA/R/181); Jamieson Bay and Opahi Bay (Map DA/R/182); Kaukapakapa (Map DA/R/183); Waitoki (Map DA/R/184); Waimauku (Map DA/R/185); Huapai (Map DA/R/186); Kumeu (Map DA/R/187); Riverhead (Map DA/R/188); Muriwai (Map DA/R/189); Kaipara Flats (Map DA/R/192); Martins Bay (Map DA/R/194); Shelly Beach (Map DA/R/198); Mahurangi East (Map DA/R/201), but excluding vineyards, plant nurseries, pastoral farms and other similar types of property, properties used solely for residential purposes and excluding those properties included in Categories 12,13,14,16,17,18, 20 and 22 below and properties of organisations which by their existence directly benefit the residents of the district (such properties will be included the Residential category).

21.2.2 CATEGORY 12: OTHER AREA - RURAL - COMMERCIAL AND INDUSTRIAL

All those properties in the rural part of the Rural and Townships Area which are used substantially for commercial or industrial activities, or may be used as of right for commercial or industrial activities under the current RDC District Plan but excluding vineyards, plant nurseries, pastoral farms and other similar types of property, properties used solely for residential purposes, excluding Special 4 Zone (Dairy Flat) and excluding those properties included in Categories 11 above and 13,14,16,17,18,20 and 22 below and properties of organisations which by their existence directly benefit the residents of the district (such properties will be included the Residential category).

21.2.3 CATEGORY 13: OTHER AREA - SERVICED TOWNS – ORDINARY

All those properties located within the serviced townships of Wellsford (Map DA/R/141); Snells Beach/Algies Bay (Map DA/R/142); Omaha (Map DA/R/144); Warkworth (Map DA/R/149) and Helensville Township/Resort (Maps DA/R/160 and DA/R/161), but excluding those properties included in any of the Categories 11 and 12 above and 14,16,17,18, 20 and 22 below.

21.2.4 CATEGORY 14: OTHER AREA - UNSERVICED TOWNS - ORDINARY

All those properties located within the townships of Te Hana (Map DA/R/170); Matheson Bay (Map DA/R/171); Leigh (Map DA/R/172); Point Wells (Map DA/R/173); Whangateau and Tramcar Bay (Map DA/R/174); Ti Point (Map DA/R/175); Matakana (Map DA/R/176); Rainbows End (Map DA/R/177); Sandspit (Map DA/R/178); Buckletons Beach (Map DA/R/179); Baddeleys Beach and Campbells Beach (Map DA/R/180); Puhoi (Map DA/R/181); Jamieson Bay and Opahi Bay (Map DA/R/182); Kaukapakapa (Map DA/R/183); Waitoki (Map DA/R/184); Waimauku (Map DA/R/185); Huapai (Map DA/R/186); Kumeu (Map DA/R/187); Riverhead (Map DA/R/188); Muriwai (Map DA/R/189); Kaipara Flats (Map DA/R/192); Martins Bay (Map DA/R/194); Shelly Beach (Map DA/R/198); not included in Categories 11 to 13 above and 16,17,18, 20 and 22.

21.2.5 CATEGORY 15: OTHER AREA - RURAL RESIDENTIAL

The remainder of the properties in the district, i.e. all those not included in Categories 1-14 above and 16-18 and 22 below but with the proviso relating to properties occupied by the local authority as noted below.

21.2.6 CATEGORY 16: OTHER AREA - ALL TOWNS – THREE - FIVE UNITS, REST HOMES, MOTELS, CAMPS

All those properties in the townships of the Rural and Townships Area used either wholly or in part for the purposes of a camping ground, and/or a motel, and/or a rest home (registered under the Old People's Homes Regulations 1987 or the Health and Disability Services (Safety) Act 2001) and/or for multiple unit housing (not less than three nor more than five units - excluding caravans - being not separately assessed for rating purposes), being those properties located within the serviced townships of Wellsford (Map DA/R/141); Snells Beach/Algies Bay (Map DA/R/142); Omaha (Map DA/R/144); Warkworth (Map DA/R/149); and Helensville Township/Resort (Map DA/R/160 and DA/R/161); and those properties located within the townships of Te Hana (Map DA/R/170); Matheson Bay (Map DA/R/171); Leigh (Map DA/R/172); Point Wells (Map DA/R/173); Whangateau and Tramcar Bay (Map DA/R/174); Ti Point (Map DA/R/175); Matakana (Map DA/R/176); Rainbows End (Map DA/R/177); Sandspit (Map DA/R/178); Buckletons Beach (Map DA/R/179); Baddeleys Beach and Campbells Beach (Map DA/R/180); Puhoi (Map DA/R/181); Jamieson Bay and Opahi Bay (Map DA/R/182); Kaukapakapa (Map DA/R/183); Waitoki (Map DA/R/184); Waimauku (Map DA/R/185); Huapai (Map DA/R/186); Kumeu (Map DA/R/187); Riverhead (Map DA/R/188); Muriwai (Map DA/R/189); Kaipara Flats (Map DA/R/192); Martins Bay (Map DA/R/194); Shelly Beach (Map DA/R/198); Mahurangi East (Map DA/R/201), whether or not zoned for commercial or industrial uses, and including any private household unit serving as a manager's residence associated with any of the foregoing activities, but excluding vineyards, plant nurseries, pastoral farms and other similar types of properties.

21.2.7 CATEGORY 17: OTHER AREA - RURAL – THREE - FIVE UNITS, REST HOMES, MOTELS, CAMPS

All those properties used either wholly or in part for the purposes of a camping ground, and/or a motel, and/or a rest home (registered under the Old People's Homes Regulations 1987 or the Health and Disability Services (Safety) Act 2001) and/or for multiple unit housing (not less than three nor more than five units - excluding caravans - being not separately assessed for rating purposes), whether or not zoned for Commercial or Industrial uses, and including any private household unit serving as a manager's residence associated with any of the foregoing activities, but excluding vineyards, plant nurseries, pastoral farms and other similar types of properties and those properties included in Category 16 above.

21.2.8 CATEGORY 18: OTHER AREA – ALL TOWNS - MULTI UNITS IN EXCESS OF FIVE

All those properties used or intended to be used either wholly or in part for the purposes of multiple unit housing (in excess of five units - being not separately assessed for rating purposes) whether or not zoned for commercial or industrial purposes, but excluding those properties included in Category 7 above and also excluding vineyards, plant nurseries, pastoral farms and other similar types of properties. Properties will fall into this group from the time physical development of the site or any part of it commences following the issue of the first Resource Consent for the property pursuant to the provision of the Resource Management Act 1991. The term 'unit' will exclude caravans. It also excludes fully serviced units which shall be rated in the Commercial and Industrial group. The term 'multi unit housing' does not include a motel.

21.2.9 CATEGORY 20: OTHER AREA - ISLANDS AND SEA ACCESS

All islands including Kawau Island; and all properties which immediately abut the coast and have/rely on the sea as their only means of legal and practical access (other than by air) but excluding properties included in Categories 1 to 18 above and 22 below.

21.2.10 CATEGORY 22: OTHER AREA - COASTAL MULTI UNITS

Those parts of those properties described as Pt Lot 2 DP 38695, Lot 1 DP 48057 Blk 1 Kawau SD (current occupier – Waikauri Bay Reserve Ltd), Pt Allot 8 Parish of Mahurangi (current occupier Scandrett Holdings Ltd); and Pt Allot 8 and Allot 8A Parish of Mahurangi (current occupier – Martins Bay 1999 Ltd); on which multiple baches/houses are located.

21.2.11 CATEGORY 25: UNSERVICED TOWNS WITH MINIMAL STORM WATER

All those properties located within the unserviced township of Mahurangi East (Map DA/R/201).

21.2.12 CATEGORY 29: RURAL / FARMS

All those properties in the district that have four hectares or more used exclusively or almost exclusively for agricultural, horticultural, pastoral, viticultural, aquacultural or forestry purposes.

21.2.13 CATEGORY 99: UTILITIES

Include the land, buildings and assets for which a valuation is issued by Council's Valuation Service Provider in compliance with the Rating Valuations Act 1998 and the Rating Valuation Rules made pursuant to that act, and defined in those rules as having a land use code described as 'Utility Services' or 'Transport'.

22. Fairhaven Walk Rating Units benefiting from special targeted rate funded access road.

DP 20805 Lot number(s)	CT Number	Rate Assessment Number	Street Number	Valuation Assessment Number
107	953/241	2006954	58	31560-14001
108/109	1129/69	1211002	60	31560-14000
110	958/278	1210569	64	31560-18900
112	865/43	1210553	68	31560-19100
113	746/190	1210547	70	31560-19200
114	825/297	2001847	72	31560-19500
115	41D/231	1210531	74	31560-19300
127	1000/105	2006955	20	31560-16601
128	1091/263	2006956	22	31560-16602
129	1000/186	1210997	24	31560-17200
130	954/31	1210981	26	31560-17300
131	926/5	1210975	28	31560-17400
133	924/65	2006957	32	31560-17600
138	9A/599	1210953	42	31560-17800
139/140	994/56	1210947	44	31560-18000
141	9A/600	1210931	48	31560-18100
142	919/80	1210925	50	31560-18200
143	950/159	1210919	52	31560-18300
144	921/13	1210903	54	31560-18400
145	919/76	1210892	56	31560-18500

23. Due Dates For Payment of Rates

The rates (other than the targeted rates for water supply) will be payable in four instalments on due dates as follows:

Instalment Number	Due Date
1	20 August 2010
2	20 November 2010
3	20 February 2011
4	20 May 2011

The targeted rates for water supply will be payable on the due dates set out in the water rates invoice, which will be a date one month after the date of the invoice.

24. Penalties

That pursuant to sections 57 and 58 of the Local Government (Rating) Act 2002:

- 24.1** A penalty of ten per cent of the amount of all rates assessed in the 2010/2011 financial year (other than targeted rates for water consumption as measured by meter) that are unpaid after the due date for each instalment may be added on the day following the due date.

Provided that:

- (a) where the ratepayer has signed an approved direct debit payment plan and payments are received in accordance with that plan, no penalty will be added in respect of 2010/2011 rates.

- 24.2** A penalty of ten per cent of the amount of all rates assessed in any prior financial year (other than targeted rates for water consumption as measured by meter) that are unpaid after the due date for the first instalment (20 August 2010) will be added on the day following the due date for the first instalment.

- 24.3** A penalty of ten per cent of the amount of all rates assessed in any financial year (other than targeted rates for water consumption as measured by meter) to which a penalty was added

pursuant to the previous resolution (clause 24.2) and which remain unpaid six months after that penalty was added will be added on the day following expiry of that six month period.

Notes: The amount of unpaid rates to which any penalty is added includes:

- (a) any additional charges previously added to the amount of unpaid rates under section 132 of the Rating Powers Act 1988; and
- (b) any penalties previously added to unpaid rates under section 58 of the Local Government (Rating) Act 2002.

25. Payment of Rates

That rates shall be payable at any of the following places:

- by mail to RDC, using the pre-paid return envelope provided.
- in person at-
 - any branch of the Bank of New Zealand in Rodney District
 - District Council Office, Centreway Road, Orewa
 - Warkworth Service Centre, Baxter Street, Warkworth
 - Huapai Service Centre, State Highway 16, Huapai
 - Helensville Service Centre, Commercial Road, Helensville.
 - Whangaparaoa Service Centre, Whangaparaoa Library, Whangaparaoa Town Centre
- by pre-arranged direct debit, weekly, fortnightly, monthly, quarterly or annually.
- by telephone/internet banking
- online with Visa or Mastercard at www.Rodney.govt.nz. (The bank charges a convenience fee for this service).

26. Discount for early payment of rates

26.1 That the Council allow a discount of five per cent where a ratepayer pays the year's rates in full before the end of the due date for the first instalment of the year, except for water rates.

26.2 That the Council allow a discount of five per cent for water rates where a ratepayer pays the full amount due before the end of the due date for payment.

27. Rating Information Database

The forgoing rates are based on valuations and factors contained in the Council's Rating Information Database (RID). The Council delegates authority to the Team Leader: Rates Technical, or the Group Manager: Financial Services to determine all factors to be entered on the RID including the authority to determine the differential rating category of properties.

The Council further delegates authority to the Director: Corporate Services or the Manager: Revenue to determine objections which are made to the RID pursuant to Section 29 of the Local Government (Rating) Act 2002.

ITEM NO: 4

REPORT



TO Council
ON 24 June 2010
FROM Lynne Booth – Manager: Business Services
APPROVED BY Kevin Ramsay – Director: Corporate Services
SIGNATURE

A handwritten signature in black ink, appearing to read "K Ramsay", written over a horizontal line.

SUBJECT APPROVAL OF CHANGES TO FEES AND CHARGES FOR 2010/2011
FILE REF AB/14/2; AB/14/4

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? Not applicable
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? Minor changes only that do not require consultation.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? None
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No

(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

All fees and charges have been reviewed in conjunction with the preparation of the 2010/2011 Annual Plan. It is proposed that the majority of fees and charges remain as approved in the last adopted Long Term Council Community Plan.

The attached schedule (**Appendix 1**) contains only the proposed changes to the Fees and Charges Schedule. If approved by Council these changes will then be incorporated into the full schedule which will be published on the Rodney District Council web site.

RECOMMENDATION:

That the proposed changes to the Fees and Charges Schedule, attached as Appendix 1 to the agenda report, be approved.

APPENDIX 1

Changes to Fees and Charges for Rodney District Council activities effective 1 July 2010 or later.

All fees and charges include GST and are subject to change during the year.

6. DOG CONTROL	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
Other		
Replacement dog tag fee	\$0.00	\$3

12. WASTEWATER SERVICES – VOLUMETRIC CHARGES

Note:

As outlined in the Long Term Community Council Plan the 'pan charge' for wastewater services has been replaced with a volumetric charge based on the volume of water, as measured by your water meter, that goes into your property. Properties with no water meter or dual supply will pay a fixed fee. These charges will be invoiced separately every six months and not included in your rates invoice.

Army Bay Wastewater System

(Hibiscus Coast including Waiwera)

Metered properties	Current fees/charges (include GST @ 12.5%)	Fees/Charges Billing Period 1st Apr 10 - 30 Sep 10 (GST @ 15%)*	Fees/Charges Billing Period 1st Oct 10 - 31 Mar 11 (GST @ 15%)
Residential and commercial based on 80% of metered water volume, where no additional/alternative to the public water supply exists.	\$1.91/Kilolitre	\$1.96/Kilolitre	\$1.99/Kilolitre
Fixed Fees - Metered properties with other water supplies/Non Metered Properties			
Residential - 1 pan x rate (per separately used or inhabited part of rating unit)	\$137.25	\$140.30	\$143.14
Commercial - number of pans x rate	\$137.25 x # pans	\$140.30 x # pans	\$143.14 x # pans
Multi units - number of pans x rate	\$102.94 x # pans	\$105.23 x # pans	\$107.36 x # pans

Urban Pressurised Wastewater Collection Systems

Metered properties	Current fees/charges (include GST @ 12.5%)	Fees/Charges Billing Period 1st Apr 10 - 30 Sep 10 (GST @ 15%)*	Fees/Charges Billing Period 1st Oct 10 - 31 Mar 11 (GST @ 15%)
Residential and commercial based on 80% of metered water volume, where no additional/alternative to the public water supply exists.	\$1.43/Kilolitre	\$1.47/Kilolitre	\$1.49/Kilolitre
Fixed Fees - Metered properties with other water supplies/Non Metered Properties			
Residential - 1 pan x rate (per separately used or inhabited part of rating unit)	\$102.94	\$105.23	\$107.36
Commercial/Multi units - number of pans x rate	\$102.94 x # pans	\$105.23 x # pans	\$107.36 x # pans

Other RDC Wastewater Systems			
Metered properties	Current fees/charges (include GST @ 12.5%)	Fees/Charges Billing Period 1st May 10 - 31Oct. 10 (GST @ 15%)*	Fees/Charges Billing Period 1st Nov 10 - 30 Apr 11 (GST @ 15%)
Residential and commercial based on 80% of metered water volume, where no additional/alternative to the public water supply exists.	\$3.94/Kilolitre	\$4.03/Kilolitre	\$4.65/Kilolitre
Fixed Fees - Metered properties with other water supplies/Non Metered Properties			
Residential - 1 pan x rate (per separately used or inhabited part of rating unit)	\$254.81	\$260.48	\$302.57
Commercial - number of pans x rate	\$254.81 x # pans	\$260.48 x # pans	\$302.57 x # pans
Multi units - number of pans x rate	\$191.11 x # pans	\$195.36 x # pans	\$226.92 x # pans
Other - RDC Pressurised Wastewater Collection Systems			
Metered properties			
Residential and commercial based on 80% of metered water volume, where no additional/alternative to the public water supply exists.	\$2.95/Kilolitre	\$3.02/Kilolitre	\$3.48/Kilolitre
Fixed Fees - Metered properties with other water supplies/Non Metered Properties			
Residential - 1 pan x rate (per separately used or inhabited part of rating unit)	\$191.11	\$195.36	\$226.92
Commercial/Multi units - number of pans x rate	\$191.11 x # pans	\$195.36 x # pans	\$226.92 x # pans
All metered properties			
High volume water in/low volume wastewater out – Commercial/Industrial	Individual Assessment (Audit requested - fee paid by customer)		
Properties with more than one water meter, with a combination of low and high use	Individual Assessment		
NOTES:			
These charges are in addition to the wastewater utility property charge included in the rate assessment.			
* The fees/charges excluding GST remain the same for the first billing period and then increase from the 1st of October 2010 for Hibiscus Coast (including Waiwera) and the 1st of November 2010 for 'Other'. Any fees/charges invoiced before the 30 September 2010 (including special readings), will be charged GST at 12.5%.			

13. TRADE WASTE CHARGES	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
These numbers would be applied to the formula as outlined in the Trade Waste Bylaw 2004		
Category A Trade Waste customers A flow and/or load based charge relevant to the particular customer.	Flow \$1.90/m3 (for the discharge period).	Flow \$2.19/m3 (for the discharge period).
	Chemical Oxygen Demand (COD): \$0.86/kg (for the period discharged).	Chemical Oxygen Demand (COD): \$1.15/kg (for the period discharged).
	Suspended Solids (SS): \$0.29/kg (for the period discharged).	Suspended Solids (SS): \$0.38/kg (for the period discharged).
	Total Kjeldahl Nitrogen (TKN): \$1.48/kg (for the period discharged).	Total Kjeldahl Nitrogen (TKN): \$1.60/kg (for the period discharged).

15. CARPARKING	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
SANDSPIT	24 hours or any part thereof	24 hours or any part thereof
	[Discounted amount for Kawau Island residents / ratepayers]	[No change for Kawau Island residents/ ratepayers]
Car (or trailer)	\$10 [\$7]	\$20.00 first day Consecutive days parking at \$15 per day thereafter
Car with trailer	\$13 [\$10]	\$25.00
Truck/Bus	\$17 [\$15]	\$25.00
Motorcycle	\$8 [\$5]	\$10.00
CONCESSION TICKETS - (Half year tickets are available only for the winter period between and excluding Easter and Labour Weekend.)		
* Car only (12 month period)	\$300 [\$260]	\$350.00
** Car with trailer (12 month period)	\$350 [\$330]	\$375.00
Hard Stands There is no half year option for hard stands		
*** Trailer & boat only. Hard stand full year	\$760 [\$725]	\$785.00
*** Trailer & boat with car or tractor. Hard stand full year.	\$900 [\$865]	\$950.00
* , ** , *** Conditions apply		

17. LIBRARIES	Current fees/charges (include GST @ 12.5%)	Changes 2010/11 as at 1 October 2010 (include GST @ 15%)
Books - Overdue fines per day		
Adult	\$0.20	\$0.50
Child	\$0.10	\$0.00
DVDs		
Fees per issue period	\$5.00	\$2.00
Overdue fines per day	\$1.00	\$0.50
Music CDs		
Fees per issue period	\$2.00	\$2.00
Overdue fines per day	\$0.30	\$0.50
Games		
Fees per issue period	\$4.00	\$5.00
Overdue fines per day	\$1.00	\$1.00
Bestseller		
Fees per issue period	\$5.00	\$5.00
Overdue fines per day	\$1.00	\$1.00

19. HOLIDAY PARKS	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
Orewa Beach Top 10 Holiday Park		
	Adult [Child (3-14 years)]	Adult [Child (3-14 years)]
Standard cabin (includes TV, fridge)*		
Nightly charge	\$52.00 including 2 people	\$54.00 including 2 people
	\$16.00 per additional person	\$17.00 per additional person
	\$37.00 single per person off peak	\$39.00 single per person off peak
Tourist flats (self-contained, includes linen)*		
Peak	\$98.00 1 or 2 people	\$100.00 1 or 2 people
	\$16.00 per additional person	\$17.00 per additional person
Off peak	\$88.00 1 or 2 people	\$90.00 1 or 2 people
	\$16.00 per additional person	\$17.00 per additional person
Kitchen cabins*		
Nightly Charge	\$67.00 1 or 2 people	\$69.00 1 or 2 people
	\$16.00 per additional person	\$17.00 per additional person
Kitchen cabins with toilet*		
Nightly Charge	\$73.00 1 or 2 people	\$75.00 1 or 2 people
	\$16.00 per additional person	\$17.00 per additional person
Annual concession (1 October - 30 September)**		
Regular Site	\$3,200.00	\$3,450.00
Beachfront Site	\$4,200.00	\$4,450.00
Annual Back Row Site (1 October 30 September)**		
Caravan parking site	\$1500.00 plus nightly occupancy rate	\$1,750.00 plus nightly occupancy rate

Whangateau Holiday Park	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
	Adult [Child (3-14 years)]	Adult [Child (3-14 years)]
Standard cabin (per person per night) (includes TV, fridge)*		
Backpacker sharing, per person	\$17.00	\$18.00
Self contained		
Nightly charge**		\$100 [\$15]
Minimum nightly charge		\$70.00
Extra adult		\$35.00
Park Motel		
Nightly charge**		\$130.00
Onsite caravan (per person per night) (includes TV, fridge)*		
Backpacker sharing, per person	\$17.00	\$18.00
Annual Site (1 October 30 September)***		
Waterfront Site	\$3,500.00	\$3,750.00
Regular Site (including Sites 1 & 2)	\$3,000.00	\$3,250.00
** A minimum two nights stay may apply		*** Special conditions apply

Martins Bay Holiday Park	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
	Adult [Child (3-14 years)]	Adult [Child (3-14 years)]
Powered caravan/campervan/tent site (per person per night)*		
Family cabin (includes TV, fridge)*		
Nightly Charge	\$65.00 1 or 2 people [\$10.00 (all seasons)]	\$70.00 1 or 2 people [\$15.00 (all seasons)]
		\$45.00 single person off peak
Beach-front tourist flat*		
Nightly Charge	\$115.00 1 or 2 people [\$15.00 (all seasons)]	\$120.00 1 or 2 people [\$15.00 (all seasons)]
Hilltop tourist flat*		
Nightly Charge	\$90.00 1 or 2 people [\$15.00 (all seasons)]	\$100.00 1 or 2 people [\$15.00 (all seasons)]
Standard Cabins		
		\$66.00 1 or 2 people [\$10.00 (all seasons)]
		\$15.00 per additional person
		\$51.00 single person off peak
Ensuite cabin		
		\$90.00 1 or 2 people [\$15.00 (all seasons)]
		\$20.00 per additional person
Annual Site (1 October - 30 September)***		
Regular & Plateau Site	\$3,300.00	\$3,450.00
Plateau front & one row back beach site	\$3,700.00	\$3,850.00
Beachfront site	\$4,600.00	\$4,750.00
Permanent material awning	\$700.00	\$350.00
* Minimum fee of two adults per site/cabin for the peak period. Peak period is Friday 12.00 noon before Labour Weekend to Easter Monday 10.00am		
** A minimum two nights stay may apply		
*** Special conditions apply		

23. MOORINGS	Current fees/charges (include GST @ 12.5%)	Charges effective 1 July (inc 12/5%GST)
Pile Mooring Annual Licence Fee	\$350.00	\$400
Commercial Mooring Annual Fee	\$450.00	\$650
Dingy Locker	\$56.00	\$75

ITEM NO: 5

REPORT



TO Council
ON 24 June 2010
FROM Peter Vari – Manager: District Planning
APPROVED BY Warren MacLennan – Assistant Chief Executive
SIGNATURE

A handwritten signature in black ink that reads "Warren MacLennan".

SUBJECT GENERAL BYLAW 1998 - AMENDMENT TO CHAPTER 22 - TEMPORARY SIGNS FOR THE OCTOBER 2010 AUCKLAND COUNCIL TRIENNIAL LOCAL GOVERNMENT ELECTIONS

FILE REF BC/1/4

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? None
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? None
(iv)	Implications in terms of other Council Strategic documents or Council Policy? None
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? None required by legislation.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Yes
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil
Is it currently budgeted for?	Yes
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The triennial local government elections for the Auckland Council will take place on 9 October 2010. Election candidate signage is an important part of the canvassing process. Chapter 22 -Temporary Signs of General Bylaw 1998 manages these signs to ensure there are no adverse effects to public health or safety or damage or misuse of Council assets.

For the October 2010 elections, signs can be expected in the current Rodney District from candidates for Mayor, for the Auckland Council, the Rodney Local Board, the Hibiscus and Bays Local Board, the District Health Board and possibly local licensing trusts. It is likely that a great deal of public interest will be generated by the impending election to the new Auckland Council.

In order to manage the differing electoral boundaries from those existing and provide an equal footing in respect to signs for all candidates for office in the election, the Government has legislated to require each territorial council in the Auckland region to pass or amend an Election Signs Bylaw before 1 July 2010.

The Council is required to 'give effect to' rules for election signage for the Auckland Council elections as set out in Schedule 3 to an amendment to the Local Government (Tamaki Makarau Reorganisation) Act 2009 (attached as **Appendix 1**).

Where Chapter 22 -Temporary Signs is silent or inconsistent on any Schedule 3 requirement, the bylaw is to be amended to rectify this.

Existing bylaw clauses which are contrary to those in Schedule 3 are revoked for the two month election canvassing period from 9 August – 8 October 2010.

Roadside signs

With the exception of the following, no signs of any sort are permitted on public Council land, including road verges. There are 12 designated roadside sites under the control of the Council across the district where election signs may be displayed within the prescribed period before the election.

These and specific rules applicable to signs on these sites are required to be described in a schedule to the proposed amended Chapter 22 - Temporary Signs bylaw (Schedule 1).

Bylaw-making legislation

The amending Government legislation also states that sections 155 and 156 of the Local Government Act 2002 (the Act) do not apply. There is therefore no requirement for the Council to consider the appropriateness of the bylaw, issue a Statement of Proposal or enter into any consultation. Nor does the Council have to determine the proposed bylaw is not inconsistent with the NZ Bill of Rights Act 1990. It must however, consider the basis for and the extent of its decisions on proposed bylaw changes.

No further bylaw making process is required other than consideration of this report at this meeting and it is recommended that Chapter 22 -Temporary Signs be confirmed as amended.

RECOMMENDATION:

- (a) That the report on proposed amendments to Chapter 22 - Temporary Signs of General Bylaw 1998, for the purpose of the triennial local government elections for Auckland Council on 9 October 2010, be received.**
- (b) That the Council confirm that:**
 - (i) Options have been considered and the proposed use of the bylaw as amended is a reasonably practical option for achieving the objective of the decision.**
 - (ii) In its judgement made under section 79 of the Local Government Act 2001 and in view of the requirements of section 29D of the Local Government (Tamaki Makarau Reorganisation) Act 2009, it has complied with all the requirements in respect of both of these Acts.**
 - (iii) This report and Minutes of the Council's decisions will provide sufficient record of the manner in which the Council has complied with all other requirements of the Local Government Act 2002.**
- (c) That Chapter 22 Temporary Signs of the Rodney District General Bylaw 1998 be amended:**
 - (i) As shown in Appendix 1 to this Agenda item, Clauses deleted are shown by ~~strikethrough~~ and addition by underlining.**
 - (ii) By the addition of Schedule 1, which sets out the list of local authority designated sites in public places under the control of the Council where election signs may be erected.**
- (d) That the amended Chapter 22 - Temporary Signs of General Bylaw 1998 be publicly notified under section 157 of the Act and become operative on 1 July 2010.**

1.0 Purpose and Background

The triennial local government elections for the Auckland Council will take place on 9 October 2010. Election candidate signage is an important part of the canvassing process. Chapter 22 - Temporary Signs of General Bylaw 1998 manages these signs to ensure there are no adverse effects to public health or safety or damage or misuse of Council assets.

In the current area of the Rodney District, candidate signs can be expected from those standing for Mayor, Auckland Council, Rodney Local Board, Hibiscus and Bays Local Board, the District Health Board and possibly local Licensing Trusts.

In order to manage the differing electoral boundaries from those existing, the Government has legislated to require each territorial Council in the Auckland region to pass or amend an Election Signs Bylaw before 1 July 2010.

Standard bylaw sign rules will also ensure an equal footing for all candidates canvassing by sign throughout the region.

2.0 Government election signs legislation

Clause 29D in the Local Government (Tamaki Makarau Reorganisation) Act 2009 provides for the election signs obligations of the existing local authorities in relation to the October 2010 triennial elections, it states:

(1) For the purposes of preparing for the October 2010 triennial general elections for the Auckland Council, each existing local authority that is a territorial authority must, no later than 1 July 2010, —

(a) make a bylaw, or amend an existing bylaw,—

- *(i) to give effect, within its district, to the rules and requirements set out in Schedule 3 (which relates to signs); and*
- *(ii) that identifies all the land owned by the existing local authority on which signs may be erected in accordance with the bylaw; and*

(b) revoke any existing bylaw or part of any bylaw that is inconsistent with the rules and requirements set out in that schedule.

(2) Sections 155 and 156 of the Local Government Act 2002 do not apply to the making, amending, or revoking of a bylaw under this section.

3.0 Schedule of election sign requirements and variations from the existing Chapter 22 - Temporary Signs

Appendix 1 to this report sets out the matters in relation to election signs which must be given effect to, if not already present, in a bylaw by the Council.

The following matters from the temporary legislative requirements are inconsistent with or omitted from Chapter 22 - Temporary Signs as it currently stands:

- i. signs on Council designated public sites or private land may be up to three metres (1.8 metres) and do not require a building consent up to that height (signs over 1.8 metres require a building consent);
- ii. election signs may be displayed for two months before the day of the election (30 days);
- iii. candidates must provide the electoral officer with the person responsible for establishing and maintaining candidates signs (new clause);
- iv. the electoral officer may make this information available to the Council (new clause).

All other bylaw requirements in Chapter 22 - Temporary Signs remain unchanged and in force.

3.1 Council designated temporary sign sites in public places

Election signs in Rodney are not permitted in any public place under the control of the Council except on 12 designated public sites under the control of the Council. These sites are managed at no cost to users to ensure fair exposure for all candidates.

The legislation requires that each of these sites must be identified in the proposed amendments to Chapter 22 - Temporary Signs.

These sites are listed in Schedule 1 to Chapter 22 - Temporary Signs which is **Appendix 2** of this report. Also included are the conditions to be complied with on Council designated sites.

4.0 Relevant bylaw making legislation

Effect of waiving sections 155 and 156 of the Act

The Council is directed by the Local Government (Tamaki Makarau Reorganisation) Act 2009 to provide for fair management of signs region wide for the October 2010 election. This direction includes waiving public consultation and the requirements to determine whether a bylaw is the correct means to solve a problem and if the proposed bylaw is the best solution. It also removes the requirement for the Council to be satisfied that the proposed bylaw is not inconsistent with the Bill of Rights Act 1990.

The effect of this waiving is to remove the need for the Council to consult publicly in any way. Nor is it necessary to publish a Statement of Proposal or Summary of Information. However the requirements under sections 76 - 81 of the Act still remain and must be observed if the bylaw is to be robust.

Section 79 enables the Council in its discretion to make judgements on how it complies with the decision making requirements of the Act. It must still make sure iwi are informed and have the opportunity to make comment on decisions to be made.

Other bylaw making requirements

Sections 145 and 146 of the Act provide the general bylaw making powers for territorial authorities for the purposes of:

- (a) protecting the public from nuisance;
- (b) protecting, promoting and maintaining public health and safety; and
- (c) minimising the potential for offensive behaviour in public places.

The proposed amendments properly fall within these parameters.

4.1 Consistency with other plans and policies (Section 80 obligations)

The proposed amended Chapter 22 - Temporary Signs Bylaw is in keeping with District Plan principles of signs control and will improve powers of the Council to manage election signs and ensure fairness, public safety and the protection of assets.

4.2 Liaison with Maori (Section 81 obligations)

This report has been made available to Nga Rima o Ngati Whatua o Kaipara.

5.0 Issues

5.1 Definition of 'road'

The Land Transport Act 1998 definition of 'road' is inter alia '*any public place to which the public has access as of right*'. In respect of the Council jurisdiction this is qualified by '*under the control of the Council*'.

If the broad definition of 'road' is taken then the 12 Council designated public temporary sign sites, all of which are on road reserve, may not be used for election signs.

Whilst the bylaw amending Government legislation in its Schedule 3 does not define 'road' it does say:

Prohibited sites for signs

A sign must not be erected on any footpath, traffic island, or road [except if the sign is on connected to a legally parked motor vehicle within the meaning of section 2[1] of the Land Transport Act 1998].'

The Council's Chief Legal Officer, Rob Goldsbury (and other Councils' Legal Officers and the Auckland Transition Agency's legal adviser) gives the opinion that a narrow definition of 'road' can be taken which includes the carriageway but not the adjoining road reserve. They

suggest that if this were not the intention of the legislation why mention '*footpath*' and '*traffic island*'?

The Schedule of Council designated sign sites in the amended bylaw makes clear that these sites are not located on the carriageway, footpath or traffic island parts of any road.

6.0 Options

Option 1

Not to amend Chapter 22 - Temporary Signs and leave the current bylaw election sign rules in place for the coming Auckland Council election. This would cause confusion amongst candidates and the public where electoral boundaries differ from those existing now. It would also be unfair on candidates who would have only 30 days to canvass by sign in Rodney whereas others would have two months. It would also bring Rodney into disrepute with the Government and Audit NZ Office. This option is not recommended.

Option 2

Consider the legislative requirements and amend Chapter 22 -Temporary Signs to facilitate standardisation of election signs region wide and the means for candidates to canvass for office by way of sign. This is the favoured option.

7.0 Conclusion

The rules in Chapter 22 - Temporary Signs manage temporary signs visible from public places including New Zealand Transport Agency motorways and state highways. They are there to protect public safety and Council assets.

For the purposes of consistency and fairness the Government, as a temporary measure, has legislated to standardise the signs rules for the Auckland Council Election in October 2010. It is unusual for Councils' democratic bylaw making powers under the Act to be overridden; however the Auckland local government reorganisation is unique and for regional consistency and fairness these changes are acceptable.

It is recommended that the amendments to Chapter 22 - Temporary Signs of General Bylaw 1998 be made at the 24 June meeting.

APPENDIX 1

APPENDIX 2

REPORT



TO Council
 ON 24 June 2010
 FROM Peter Vari – Manager: District Planning
 APPROVED BY Warren Maclennan – Assistant Chief Executive
 SIGNATURE

SUBJECT **MAKING CHAPTER 14 OF RODNEY DISTRICT PLAN AND A RESIDENTIAL REZONING OPERATIVE**
 FILE REF TP/14/12

PURPOSE OF REPORT:

This report seeks to have the Council exercise its powers under clauses 16, 17 and 20 of the First Schedule to the Resource Management Act 1991 (RMA) to make *Chapter 14 – Scheduled Activities* of the Proposed District Plan 2000, and a residential rezoning operative.

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? Will simplify the use of Rodney District Plans. Another step towards making the District Plan fully operative.
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? Statutory process with full public involvement has occurred and the final stage will be public notification of decision to make operative.

(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Yes
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

In January and September 2009 parts of the Proposed District Plan 2000 were approved and became operative. It is now possible to make an additional chapter fully operative (Chapter 14 – Scheduled Activities) as all outstanding appeals relating to this chapter have been resolved.

In addition, a site specific residential rezoning in Orewa West is ready to be made operative.

Making another chapter operative will continue to give much greater clarity to planners, decision makers and the public when assessing the provisions of the plan(s) against a resource consent or plan change. In future, as the remaining appeals are resolved, the remaining chapters of the Proposed District Plan 2000 can be made operative to ultimately result in the District Plan 2000 fully replacing the 1993 District Plan.

RECOMMENDATION:

- (a) **That in accordance with Clauses 16B and 17 of the First Schedule to the Resource Management Act 1991:**
 - (i) **The following parts of the Rodney District Plan 2000 – Operative in Part, being parts that have had all submissions and appeals relating to them disposed of:**
 - **Chapter 14 Scheduled Activities**
 - **Rezoning to Residential M (Medium Intensity) Lots 1-2 DP 204866, Lot 1 DP 204868, Section 1 SO69481, Section 2 SO69481 and Lots 1-3 DP 170969 as shown on Planning Maps 71 and 74, attached as Appendix 2 to the agenda report, be approved.**
 - (ii) **Approval of the parts of the Rodney District Plan 2000 – Operative in Part listed in (i) above, be given effect to by affixing the seal of the Council to those parts pursuant to Clause 17(3) of the First Schedule to the Resource Management Act 1991.**
 - (b) **That the chapter and residential rezoning listed in (a)(i) above become operative on 9 July 2010 in accordance with Clause 20 of the First Schedule to the Resource Management Act 1991 and that the required public notice be given accordingly.**
-

1.0 Background

The Rodney District Plan 2000 became operative in part on 30 January 2009 and further chapters became operative in September 2009.

At that time the following chapters were still subject to appeals to the Environment Court and therefore were not operative;

Chapter 3	Definitions
Chapter 4	Overview
Chapter 7	Rural
Chapter 9	Business
Chapter 13	Future Development and Structure Plans
Chapter 14	Scheduled Activities
Chapter 21	Transportation and Access

Since that time, the successful resolution to a number of appeals has occurred and accordingly, *Chapter 14 – Scheduled Activities* and a residential rezoning in Orewa West can now be approved and made operative in terms of the Resource Management Act.

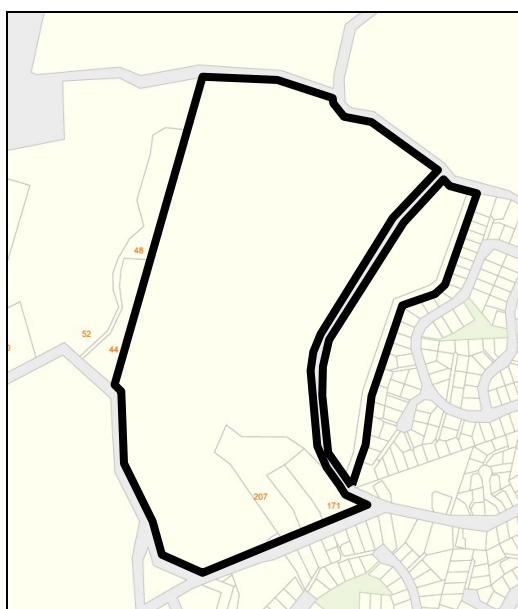
1.1 Chapter 14 – Scheduled Activities

The provisions of *Chapter 14 – Scheduled Activities* were originally challenged by appeals to the Environment Court. All of the appeals have been resolved by consent orders, in so far as they affect Chapter 14. It is therefore now appropriate to approve Chapter 14 and make it operative. *Chapter 14 – Scheduled Activities*. A copy of Chapter 14 (**Appendix 1**) will be available in the councillors' workroom.

1.2 Residential rezoning – Orewa West

On 4 March 2010 the Council notified a decision on submissions seeking to rezone land Residential M (Medium Intensity) off Sunnyheights Road, Orewa (See **Appendix 2**). As well as rezoning the land, the decision added two Restricted Activities to the land. No appeals were received to the decision. The rezoning of the land can therefore be made operative. The Restricted Activities applying to the sites will become operative as they are part of Chapter 14 outlined in section 1.1 above.

The residential rezoning affects Lots 1-2 DP 204866, Lot 1 DP 204868, Section 1 SO69481, Section 2 SO69481 and Lots 1-3 DP 170969 (as shown on Map 1 below).



Map 1: Sites for which Residential Medium Intensity zoning to be made operative

2.0 Conclusion

To simplify the use of the District Plan it is considered that it is an appropriate time to adopt *Chapter 14 – Scheduled Activities* and a residential rezoning in Orewa West and formally make them operative.

APPENDIX 1

APPENDIX 2

ITEM NO: 7

REPORT



TO Council
ON 24 June 2010
FROM Mark Johannsen – Group Manager: Property Services
APPROVED BY Murray Noone – Director: Infrastructure
SIGNATURE

A handwritten signature in black ink, appearing to be "Murray Noone", written over a horizontal line.

SUBJECT HIGHAM ROAD, SOUTH HEAD HEARING SUBCOMMITTEE
FILE REF RL/171/33

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? Not applicable
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	To be advised in a subsequent report.
Is it currently budgeted for?	To be advised in a subsequent report.
Funding source of capital costs	To be advised in a subsequent report.
Ongoing operational cost implications	To be advised in a subsequent report.
Is it currently budgeted for?	To be advised in a subsequent report.
Funding & rating impact (whether resulting from capital expenditure or arising directly)	To be advised in a subsequent report.

SUMMARY:

Objections relating to the proposed closure of Higham Road, South Head closed on 2 June 2010. The Council should now arrange the hearing of these objections.

RECOMMENDATION:

- (a) That a subcommittee of the Infrastructure and Environment Committee, comprising Councillors Delich, Turner, Craig and Kirikiri, with Councillor Parker as alternate, be established to hear objections relating to the proposed closure of Higham Road, South Head.
- (b) That a chairperson of the subcommittee be elected at the subcommittee's first meeting.
- (c) That, subsequent to the hearing of the objections, the subcommittee make a recommendation to the Council for its decision.
- (d) That the subcommittee be disestablished once its recommendation is made to the Council.

1.0 Background

The proposal for the possible closure of Higham Road at South Head has been publicly advertised and the objection period closed on 2 June 2010.

It is now incumbent on the Council to hear these objections. It is proposed that a subcommittee of four councillors (one from each ward) hears the objections and makes a recommendation to the Council.

It is suggested that the subcommittee comprises of the following councillors:

Pat Delich
June Turner
Ross Craig
John Kirikiri
Dave Parker (Alternate)

Once the subcommittee is determined it can decide the dates for the hearing process and the timetable for reporting back to the Council.