

ORDINARY MEETING of Council MINUTES

Time: 5:30 p.m.
Date: Wednesday, 26 June 2019
Venue: Meeting Room 1
Mezzanine Floor
Te Rauparaha Arena
17 Parumoana Street
Porirua City

Present

Mayor Mike Tana	Councillor Ross Leggett
Councillor Anita Baker	Councillor Faafoi Seiuli
Councillor John Burke	Councillor Dame Beverley Wakem
Councillor 'Ana Coffey	Councillor Kylie Wihapi
Councillor Mike Duncan	Councillor Dale Williams

In Attendance

Taku Parai	Council's Kaumātua
Wendy Walker	Chief Executive
Roy Baker	General Manager Corporate Services, Chief Financial Officer
Andrew Dalziel	General Manager Customer and Community
Nic Etheridge	General Manager Policy Planning and Regulatory Services
Mike Evans	General Manager City Infrastructure
Steven Perdia	General Manager City Growth and Partnerships
Jerry Wrenn	General Manager People and Capability
Lynlee Baily	Manager Democratic Services

1 MEETING OPENING / KARAKIA

The Mayor opened the meeting and invited Council's Kaumātua to give a karakia.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Moved: Mayor Mike Tana
Seconded: Councillor Mike Duncan

RESOLVED 2019/18

That an apology from Councillor Izzy Ford be received and accepted.

CARRIED**3 PUBLIC FORUM**

The following members of the public addressed the meeting:

Gordon Hudson on the issue of light pollution in Porirua.

Marie Wright and Michelle Lawrenson sought consultation on significant assets in particular the wastewater treatment plant. Presentation was tabled as Attachment 1.

Josh Trlin spoke in support of the Council declaring a climate emergency. He briefly outlined the impacts of climate change. Item tabled as Attachment 2.

Kate Jenson endorsed the petition to declare a climate emergency. She also asked that the Council declare an ecological emergency.

Attachments

- 1 Marie Wright
- 2 Josh Trlin

4 CONFLICT OF INTEREST DECLARATIONS

No conflict of interest declarations were received.

5 NOTIFICATION OF EXTRAORDINARY BUSINESS

No items not on the agenda were received.

6 CONFIRMATION OF MINUTES

Moved: Mayor Mike Tana
Seconded: Councillor Mike Duncan

RESOLVED 2019/19

That the minutes of the Ordinary Council Meeting held on 15 May 2019 be confirmed as a true and complete record.

CARRIED

7 REPORT OF THE MAYOR

The Mayor thanked the public in attendance for participating. He noted that the more information received from the community the better Council's decision making.

8 KAUMĀTUA KORERO

No korero was presented to the Council.

9 PETITIONS

The Mayor presented a petition received from Katy Bell, Matilda Simon and Rosie Bell requesting that the Council set up a compost waste collection.

Councillor Coffey presented a petition received from Hana Pilkinton-Ching and Piapa Hohaia. Hana and Piapa were invited to speak to their petition and requested the Council declare a climate emergency.

Moved: Mayor Mike Tana
Seconded: Councillor 'Ana Coffey

RESOLVED 2019/20

1. That the petitions be received.

CARRIED

10 COMMITTEE RECOMMENDATIONS**10.1 CITY DIRECTION COMMITTEE - 30 MAY 2019****10.1.1 30 APRIL 2019 THREE MONTHLY FINANCE REPORT**

Moved: Councillor 'Ana Coffey
Seconded: Councillor Anita Baker

RESOLVED 2019/21

That the Council:

1. Agree to carry forward \$10.511 million of capital budget from 2018-19 to 2019-20.

CARRIED

10.2 CITY DELIVERY COMMITTEE - 12 JUNE 2019**10.2.1 WATER SUPPLY BYLAW**

Moved: Councillor Anita Baker
Seconded: Councillor John Burke

RESOLVED 2019/22

That the Council:

1. Adopt the proposed Water Supply Bylaw 2019.

CARRIED**10.2.2 PUBLIC PLACES BYLAW**

Moved: Councillor Anita Baker
Seconded: Councillor John burke

RESOLVED 2019/23

That the Council:

1. Adopt the proposed Public Places Bylaw 2019.

CARRIED**11 REPORTS****11.1 ADOPTION OF THE ANNUAL PLAN 2019/20**

The Annual Plan was presented to the Council 2019/20 for adoption.

Moved: Mayor Mike Tana
Seconded: Councillor 'Ana Coffey

RESOLVED 2019/24

That the Council:

1. Receive the report.
2. Note this Annual Plan 2019/20 is an exceptions-based document that includes an overview of any minor changes in costs along with all other information required under Part 2 Schedule 10.
3. Adopt the Annual Plan 2019/20 including the 2019/20 fees and charges.
4. Delegate to the Chief Executive the authority to approve final page numbering and any minor editorial changes to the Annual Plan 2019/20 prior to publication.

CARRIED**11.2 SETTING OF RATES 2019-20 FINANCIAL YEAR**

A report to set the rates for the coming 2019-20 financial year was presented.

Moved: Mayor Mike Tana
Seconded: Councillor Ross Leggett

Secretarial Note: Metered Water Supply Due dates - where referred to as "19" or "20" be amended to "2019" or "2020".

RESOLVED 2019/25

That the Council:

1. Receive the report.
2. In pursuance of the exercise of powers conferred on it by Section 23 of the Local

Government (Rating) Act 2002 and any other empowering provisions, resolves to set the following rates in respect of the 2019-20 financial year:

GENERAL RATES SET DIFFERENTIALLY

Under section 13(2)(b) of the Local Government (Rating) Act 2002, a general rate on every rating unit is assessed on the capital value of all rateable land in the district and on a differential basis, in accordance with the following differentials as identified in Council's Funding Impact Statement:

GROUP	Cents per Dollar of Capital Value (GST inclusive)
Residential	
Group 01	0.40267
Business	
Group 13 - Business	1.33685
Group 15 – Motels	0.62413
Group 16 - Shopping Plazas	1.13954
Rural	
Group 19- Under 50Ha	0.29515
Group 20- 50 Ha & Greater	0.28187
Group 21- Hongoeka Community	0.28187

3. Uniform Annual General Charge

Under section 15(1) (b) of the Local Government (Rating) Act 2002, a uniform annual general charge of \$419.65 (GST inclusive) per separately used or inhabited part of a rating unit. This rate remains unchanged from previous years.

4. Water

A targeted rate for water supply, set under section 19 of the Local Government (Rating) Act 2002, of:

\$2.10 (GST inclusive) per cubic metre of water consumed on any rating unit situated within Scheme 1, 2, and 3, as identified in the Funding Impact Statement, which has been fitted with a water meter.

For rating units not charged for water by meter, a differential targeted rate for water supply, set under section 16(3)(b) and (4)(b) of the Local Government (Rating) Act 2002, of:

\$406.15 (GST inclusive) per separately used or inhabited part of any connected rating unit in the City. This is an increase of \$13.09 against the 2018-19 rate of \$393.06.

\$203.08 (GST inclusive) per separately used or inhabited part of any serviceable rating unit in the City. This is an increase of \$6.55 against the 2018-19 rate of

\$196.53.

5. **Sewage Disposal**

A targeted rate for sewage disposal, set under section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, of:

\$433.82 (GST inclusive) on each water closet or urinal connected directly or through a private drain to a public sewerage drain. This is an increase of \$30.18 against the 2018-19 rate of \$403.64;

Provided that in the case of Residential properties – the condition that all the residential rating units used exclusively or principally as a residence of not more than one household shall be deemed to have not more than one water closet or urinal applies.

6. **Kerbside Recycling**

A targeted rate for the kerbside recycling collection service, set under section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, of:

\$73.27 (GST inclusive) per separately used or inhabited part of a rating unit in the City and rural areas to which the kerbside recycling collection service is provided. This is a decrease of 0.39 cents against the 2018-19 rate of \$73.66.

7. **City Development Rate**

A targeted rate for City Development and Marketing, set under section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, of:

0.06161 cents (GST inclusive) in the dollar of capital value on all rating units in the following differential groups: Group 13- Business, Group 15 –Motels and Group 16- Shopping Plazas. This is an increase of 0.026 cents against the 2018-19 rate of 0.03584.

8. **Pumped Pressure Sewerage and Water Reticulation for Pauatahanui Village**

A targeted rate for Pumped Pressure Sewerage and Water Reticulation for Pauatahanui Village, set under section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002.

The charge is calculated based on 50% of the total capital cost that relates to the construction of the Pumped Pressure Sewerage and Water Reticulation for Pauatahanui Village and will be a fixed charge of \$779.31 (GST inclusive) per annum for 25 years for every unit able to be connected or serviced by the scheme. This rate remains unchanged from previous years.

9. **DUE DATES AND ADDITIONAL CHARGES ON RATES**

Instalment Penalty

Under section 24 of the Local Government (Rating) Act 2002 the instalment due dates are set out in the table below. Under section 57 and 58(1)(a) of the Local Government (Rating) Act 2002, a 10% penalty will be added to any portion of the current instalment that remains unpaid after the due date as shown in the table below.

Instalment	Due Date	Penalty Date
1	20 August 2019	21 August 2019
2	19 November 2019	20 November 2019
3	18 February 2020	19 February 2020
4	19 May 2020	20 May 2020

10. **Additional Arrears Penalty**

Under section 57 and 58(1)(b) of the Local Government (Rating) Act 2002, an additional 10% penalty will be added on 21 August 2019 to any rates remaining unpaid at 5 July 2019 from previous financial years.

11. **Provided that:**

Where rates are being paid by regular and reoccurring automatic payments, direct debits or other means agreed¹ by Council sufficient to pay all rates by 30 June 2019, instalment penalties will not be added if current years rates are unpaid at the time of adding instalment penalties due to the timing of the regular payments; or

Where a rate account is in arrears and an arrangement to pay the rates over time has been made with and to the satisfaction of Council, and the rates are being paid by regular and reoccurring automatic payments, direct debits or other means agreed by Council, instalment and arrears penalties will not be added if rates are unpaid at the time of adding instalment and arrears penalties.

Where rates are owing for the first instalment for any rating unit, penalties will not be added for that instalment subject to the full year's rates being paid by the last day for payment without penalty of the second instalment.

Council reserves the right to determine what regular and reoccurring payments are and what a satisfactory payment arrangement is.

12. **Metered Water Supply - Due Dates**

Water invoices will be issued separately and will be payable on or before the "Due Dates". Special (final) readings will be due and payable immediately.

Due dates for metered accounts with the exception of residential and hospitals²

Area	Water meets read during	Due date	Penalty date
CBD Kenepuru Titahi Bay/ Takapuwahia	August 2019	20 September 2019	23 September 2019
	October 2019	20 November 2019	22 November 2019
	December 2019	21 January 2020	23 January 2020
	February 2020	20 March 2020	23 March 2020
	April 2020	20 May 2020	22 May 2020
Porirua East Mana/ Camborne Plimmerton/ Pukerua Bay	June 2020	20 July 2020	22 July 2020
	September 2019	21 October 2019	23 October 2019
	November 2019	20 December 2019	23 December 2019
	January 2020	20 February 2020	24 February 2020
	March 2020	20 April 2020	22 April 2020

¹ A suitable agreement exists between council and the Ratepayer. In the absence of a suitable arrangement, penalties will be charged as set out in the resolution

² Invoice issued monthly for hospitals and six-monthly (June and December) for residential. These will be payable on or before the 20th of the month

Whitby/ Papakowhai	May 2020 July 2020	22 June 2020 20 August 2020	24 June 2020 24 August 2020
-----------------------	-----------------------	--------------------------------	--------------------------------

Under section 57 and 58(1) of the Local Government (Rating) Act 2002, a 10% penalty will be added to any part of an invoice that remains unpaid after the due date for payment of the invoice. The penalty will be 10% of the unpaid invoice and will be imposed on the penalty dates for each period as shown in the tables in this section.

Provided that:

Where a metered water account is in arrears and an arrangement to pay the rates over time has been made with and to the satisfaction of Council, and the rates are being paid by regular and reoccurring automatic payments or other means agreed³ by Council, penalties will not be added if water rates are unpaid at the time of adding penalties.

Council reserves the right to determine what regular and reoccurring payments are and what a satisfactory payment arrangement is.

13. Metered Water Supply – Additional Water Charges Penalty

Under section 57 and 58(1)(b) of the Local Government (Rating) Act 2002, an additional 10% penalty will be added on 22 August 2018 to any water charges remaining unpaid on 5 July 2019 from previous financial years.

14. Rates Uneconomical to Collect

Under section 54(1) and 54(2) of the Local Government (Rating) Act 2002, rates assessed on a rating unit with a value less than \$100 may be deemed by Council uneconomical to collect. If Council decides, under subsection (1), not to collect the rates, then the ratepayer of the rating unit is not liable for paying the rates nor will any penalties be added to the unpaid rates.

CARRIED

11.3 NOTICE OF MOTION - DECLARE CLIMATE EMERGENCY

A notice of motion was received from Councillor 'Ana Coffey.

Moved: Councillor 'Ana Coffey
Seconded: Councillor Kylie Wihapi

Secretarial Note: The meeting requested that the motion be taken in parts and voting be by way of raised hand.

RESOLVED 2019/26

That the Council:

1. Support Porirua's Rangatahi and join with other cities and districts in declaring a climate emergency.

³ A suitable agreement exists between Council and the Ratepayer. In the absence of a suitable arrangement, penalties will be charged as set out in the resolution.

CARRIED

2. Note that Porirua City Council is currently working on a climate change strategy and will consider further policies and initiatives as part of the 2021-2041 Long-term Plan.

CARRIED

11.4 REMITS FOR LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING

The 24 proposed remits that will be voted on at the Local Government New Zealand Annual General Meeting on 7 July 2019 were presented to the Council.

Moved: Mayor Mike Tana
Seconded: Councillor Mike Duncan

RESOLVED 2019/27

That the Council:

1. Receive the report.
2. Support / Do not support the proposed remits as listed below:

Remit No.	Remit Title	Recommendation
1	Climate change – local government representation	Support
2	Ban on the sale of fireworks to the general public	Support
3	Traffic offences – red light running	Support
4	Prohibit parking on grass berms	Do not support
5	Short-term guest accommodation	Do not support
6	Nitrate in drinking water	Support
7	Local Government Official Information and Meetings Act (1987)	Do not support
8	Weed control	Support
9	Building defects claims	Support
10	Social housing	Support
11	Procurement	Support
12	Single use polystyrene	Support
13	Local Government Act 2002 – siting of Three Waters infrastructure on private land	Support
14	Campground regulations	Support
15	Living Wage	Support
16	Sale and Supply of Alcohol Act	Support
17	Greenhouse gases	Support
18	Climate Change – policy framework	Support
19	Road safety	Support
20	Mobility scooter safety	Do Not Support
21	Museums and galleries	Support
22	Resource Management Act	Do not support

23	Mayor decision to appoint Deputy Mayor	Do not support
24	Beauty industry	Support

CARRIED**11.5 PROPOSED CHANGES TO LGNZ RULES**

The proposed changes to Local Government New Zealand Constitutional Rules to be voted on at its Annual General Meeting on 7 July 2019.

Moved: Mayor Mike Tana
Seconded: Councillor 'Ana Coffey

MOTION

That the Council:

1. Receive the report.
2. Votes in support of the proposed changes to LGNZ's Rules at LGNZ's Annual General Meeting on 7 July 2019.

AMENDMENT

Moved: Councillor 'Ana Coffey
Seconded: Councillor Anita Baker

3. Agree to request that LGNZ consider how to improve gender balance and representation of younger people on the National Council.

CARRIED**RESOLVED 2019/28**

That the Council:

1. Receive the report.
2. Votes in support of the proposed changes to LGNZ's Rules at LGNZ's Annual General Meeting on 7 July 2019.
3. Agree to request that LGNZ consider how to improve gender balance and representation of younger people on the National Council.

CARRIED**11.6 INCLUSION OF VAPING IN THE SMOKEFREE OUTDOOR PUBLIC PLACES POLICY 2019**

The Council was provided with additional information on the Ministry of Health's position regarding vaping for consideration before adoption of the Smokefree Outdoor Public Places Policy 2019.

Moved: Mayor Mike Tana
Seconded: Councillor Anita Baker

RESOLVED 2019/29

That the Council:

1. Receive the report.
2. Adopt the Smokefree Outdoor Public Places Policy 2019.

CARRIED

AGAINST: Councillor Kylie Wihapi

12 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

Moved: Mayor Mike Tana
Seconded: Councillor Wakem

RESOLVED 2019/30

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>12.1 - Public Excluded Council Meeting - 15 May 2019</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>12.2 - Council Chamber Upgrade – Item Withdrawn</p>	<p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>12.3 - Approval of Renewal of \$15m MOCL agreement with Westpac Bank</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good</p>

	<p>commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>reason for withholding would exist under section 6 or section 7</p>
--	---	--

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act, which would be prejudiced by the holding of the whole, or the relevant part of the proceedings of the meeting in public as specified above.

CARRIED

The meeting closed at 7:16 p.m.

.....
CHAIRPERSON

.....
DATE