

# Setting of Rates, Due Dates and Penalties Regime 2022/2023

**Meeting:** Kaipara District Council  
**Date of meeting:** 28 June 2022  
**Reporting officer:** Sue Davidson, GM Sustainable Growth and Investment

## Purpose/Ngā whāinga

To set rates, due dates and penalty dates for the 2022/2023 year.

## Executive summary/Whakarāpopototanga

The Local Government (Rating) Act 2002 (the Act) requires Council to adopt, by Council resolution, the rates it intends to set for the financial year. The rates for 2022/2023 can only be set once Council has adopted its Annual Plan 2022/2023 (AP), which includes the Funding Impact Statement for 2022/2023.

The resolution must also include (instalment) due dates for payment. The Act permits Council to apply penalties of up to 10% for payments not received by the due dates and for any arrears of previous year's rates. The penalty amount and dates must also be set by Council resolution.

The Act also requires that within 20 working days after making a resolution, the resolution must be made publicly available on the council's internet site.

## Recommendation/Ngā tūtohunga

That the Kaipara District Council:

- Receives the report from the General Manager Sustainable Growth and Investment, "Setting of Rates, Due Dates and Penalties Regime 2022/2023", meeting date 28 June 2022.
- Notes that it is required to make the resolution publicly available on the Council's internet site.
- Notes that the Setting of Rates Due Dates and Penalties Regime 2022/2023 report has been reviewed by Council's lawyers.
- Sets the rates, due dates for payment and penalties regime for the 2022/2023 financial year, as follows:

### Rates resolution for the 2022/2023 financial year

The following rates are set for the period commencing on the first day of July 2022 and ending on the last day of June 2023. All rates and amounts are GST inclusive unless otherwise stated.

#### A. General rate

Under Section 13 of the Local Government (Rating) Act 2002 (the Act), a General Rate set for all rateable land within the district based on the land value of the land and at different rates in the dollar for different categories of land as set out in the table below.

Differential category*	Rate in the Dollar (including GST)
Residential and small sized lifestyle properties	0.0027838
Other	0.0043149

\* The definitions of these differential categories can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2022/2023.

## B. Uniform Annual General Charge

Under Section 15 of the Act, a uniform annual general charge on all rateable land within the district of \$764.00 (including GST) per Rating Unit.

## C. Targeted rates for Wastewater – networks

Under Section 16 of the Act, targeted rates for Wastewater in the networks referred to in the table below, for operating and maintaining Wastewater treatment plants and pump stations and reticulation repairs and minor upgrades, including renewals and extensions of the respective systems.

The rates are set on a differential basis based on the use to which the land is put and the provision or availability to the land of the Wastewater service provided by, or on behalf of, Council.

Each targeted rate is calculated as:

1. Properties not connected to the Wastewater network as at 30 June 2022, but capable of being connected (being situated within 30 metres of a public sewerage drain to which it is capable of being effectively connected, either directly, or through a private drain) "serviceable":
  - a. A fixed amount per Separately Used or Inhabited Part of a Rating Unit (SUIP) for all units used primarily as a residence; and
  - b. A fixed amount per Rating Unit for all other units.
2. Properties that are connected to the Wastewater network as at 30 June 2022 "connected":
  - a. A fixed amount per SUIP for all units used primarily as a residence; and
  - b. For all other units:
    - i. A fixed amount per Rating Unit; and
    - ii. A charge per pan (urinal or water closet) for each pan after the second.

Wastewater Network*	Differential Category*	Charge per Rating Unit (including GST)	Charge per SUIP (including GST)	Charge per pan (after the second) (including GST)
Dargaville Glinks Gully Kaiwaka Mangawhai Maungaturoto (Station Village) Maungaturoto (Township)	Residence and connected	-	\$1,162.61	-
	Residence and serviceable	-	\$871.96	-
	Other and connected	\$1,162.61	-	\$581.30
	Other and serviceable	\$871.96	-	-
Te Kopuru	Residence and connected	-	\$1,054.92	-
	Residence and serviceable	-	\$791.19	-
	Other and connected	\$1,054.92	-	\$527.46
	Other and serviceable	\$791.19	-	-

\* The definition of a SUIP, the networks and differential categories can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2022/2023.

## D. Targeted rates for Wastewater – capital contributions

Under Section 16 of the Act, targeted rates for all rateable land connected or capable of connection to the Mangawhai wastewater network as at 30 June 2013, based on where the land is situated, as defined on maps in the Appendix of the Annual Plan 2022/2023. The targeted rates for each of the four defined areas (A, D, E and F) are as follows:

Targeted rate*	Fixed amount per Rating Unit (including GST)
Mangawhai Wastewater Capital Contribution A	\$676.00
Mangawhai Wastewater Capital Contribution D	\$569.95
Mangawhai Wastewater Capital Contribution E	\$606.31
Mangawhai Wastewater Capital Contribution F	\$643.26

\* The definitions of the land subject to each targeted rate can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.

### E. Targeted rates for Stormwater – networks

Under Section 16 of the Act, targeted rates for Stormwater in each of the following networks, for the purpose of running and maintaining each Stormwater network. The rate is the amount per dollar of the land value for all land situated in the respective Stormwater network.

Stormwater Network*	Rate in the Dollar (Land Value) (including GST)
Baylys	0.0020018
Dargaville	0.0019960
Kaiwaka	0.0006734
Mangawhai	0.0009728
Te Kopuru	0.0011633

\*The definitions of the land subject to each targeted rate can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.

### F. Targeted rate Land Drainage – Raupo

Under Section 16 of the Act, a targeted rate for all rateable land within the Raupo Land Drainage scheme, at different rates in the dollar for different categories of land based on where the land is situated. The rate is an amount per dollar of the land value of the land.

This rate is to fund work undertaken to maintain and improve the current capacity of the land drainage network and stop banks.

Differential Category*	Rate in the Dollar (Land Value) (including GST)
Raupo District A	0.0040458
Raupo District B	0.0003412
Raupo Township	0.0048744

\* The definitions of the land subject to each targeted rate can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.

### G. Targeted rates for Land Drainage – other schemes

Under Section 16 of the Act, targeted rates for Land Drainage in each of the following schemes, for the purpose of maintaining and improving the capacity of the land drainage network and stop banks. The rate is an amount per dollar of the land value for all land situated in the respective Land Drainage scheme.

Land Drainage Scheme*	Rate in the Dollar (Land Value) (including GST)
Aoroa	0.0016203
Arapohue No1	0.0005993
Arapohue No2	0.0003364
Aratapu Village	0.0006377
Awakino Point	0.0006423
Awakino Valley	0.0006800

Greenhill	0.0007269
Hoanga	0.0021637
Horehore	0.0006434
Kaihu	0.0006519
Kopuru Swamp	0.0008310
Koremoa	0.0005335
Mangatara	0.0006357
Manganui	0.0001175
Mititai	0.0007897
Notorious	0.0004195
Oruariki	0.0012108
Otiria	0.0009783
Owairangi	0.0004967
Tangowahine No1	0.0005934
Tangowahine No2	0.0010834
Tangowahine Valley	0.0002410
Tatarariki 1	0.0004023
Tatarariki 2	0.0013012
Tatarariki 3	0.0007542
Te Hapai	0.0028393
Tikinui	0.0011304
Whakahara	0.0007967

\* The definitions of each land drainage scheme can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.

## H. Targeted rates for Water Supply

Under Sections 16 and 19 of the Act, targeted rates for Water Supply in each of the networks referred to in the table below, for operating and maintaining the Water Supply network. In particular, the costs associated in treating the water for domestic consumption.

The rates are set on a differential basis based on the provision or availability to the land of the water supply service provided by, or on behalf of, Council. Each targeted rate is calculated as:

Metered properties as at 30 June 2022:

1. A scale of charges based on the per cubic metre amount of water consumed.

Other properties (except in the Mangawhai water supply network, where there is no rate set for "other properties"):

2. A fixed amount per rating unit.

Networks	Metered properties*		Other properties*
	Volumetric charge (up to and including the first cubic metre) (including GST)	Volumetric charge (per cubic metre beyond the first cubic metre) (including GST)	Fixed amount per Rating Unit (including GST)
Dargaville	\$373.23	\$4.18	\$229.67
Glinks Gully			
Mangawhai			
Maungaturoto (Station Village)			
Maungaturoto (Township)			
Ruawai			

\* The definitions of the network can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2022/2023.

### **I. Targeted rate for Mangawhai Harbour Restoration**

Under Section 16 of the Act, a targeted rate for all rateable land within the Mangawhai Harbour Restoration area of \$80.00 (including GST) per Rating Unit. An indicative map of the Mangawhai Harbour Restoration area can be found in the Appendix of Council's Annual Plan 2022/2023.

### **J. Targeted rate for Closed Circuit Television (CCTV)**

Under Section 16 of the Act, a targeted rate for all rateable land within the Dargaville, Central, West Coast and North areas, and land located within the Ruawai Tokatoka Hall Targeted Rate area of \$10.35 (including GST) per Rating Unit. Indicative maps of the areas can be found in the Appendix of Council's Annual Plan 2022/2023.

### **K. Targeted rate for Ruawai Tokatoka Hall**

Under Section 16 of the Act, a targeted rate for all rateable land within the Ruawai Tokatoka Hall targeted rate area of \$36.94 (including GST) per Rating Unit. An indicative map of the Ruawai Tokatoka Hall targeted rate area can be found in the Appendix of Council's Annual Plan 2022/2023.

### **L. Targeted rate for Forestry Roding**

Under Section 16 of the Act, a targeted rate for all rateable land within the Forestry Roding targeted rate area of 0.0078226 (including GST) per dollar of the land value for all land situated in the area. An indicative map of the Forestry Roding targeted rate area can be found in the Appendix of Council's Annual Plan 2022/2023.

### **M. Due dates**

Under Section 24 of the Act, the rates, except targeted rates for metered water supply, will be payable in four equal instalments with the following due dates:

Instalment 1	20 August 2022
Instalment 2	20 November 2022
Instalment 3	20 February 2023
Instalment 4	20 May 2023

Metered water rates will be billed twice during the year. The due date for each billing is the 20th of the month following the delivery of the invoice. The billing and due dates for each area are:

Billing month	Area	Payment due date
July 2022 January 2023	Dargaville (Hokianga Road and side streets) and Glinks Gully	20 August 2022 20 February 2023
August 2022 February 2023	Dargaville (Station and Beach Roads) and Mangawhare	20 September 2022 20 March 2023
September 2022 March 2023	Dargaville (Township East)	20 October 2022 20 April 2023
October 2022 April 2023	Dargaville (Awakino Road and Main Street) and Ruawai	20 November 2022 20 May 2023
November 2022 May 2023	Dargaville (Ranfurly, Plunket and Tirarau Streets); Maungaturoto Railway; Maungaturoto Township and Mangawhai	20 December 2022 20 June 2023
December 2022 June 2023	North Dargaville to Kaihu, Awakino Point and Baylys	20 January 2023 20 July 2023

### **N. Penalties**

Under Sections 57 and 58 of the Act:

- a) A penalty of 10% of the rates (other than water-by-meter rates) assessed in the 2022/2023 financial year that are unpaid after the due date for each instalment will be added on the relevant penalty date for each instalment stated below, except where a

ratepayer has entered into an arrangement by way of direct debit authority, and honours that arrangement. For each instalment the date the penalty will be added is as follows:

- Instalment 1      21 August 2022
- Instalment 2      21 November 2022
- Instalment 3      21 February 2023
- Instalment 4      21 May 2023; and

- b) A penalty of 10% of the amount of all rates (including any penalties) other than water-by-meter rates from any previous financial years that are unpaid on 06 July 2022 will be added on 07 July 2022; and
- c) A penalty of 10% of the amount of all rates to which a penalty has been added under b) and which remain unpaid on 10 January 2023 will be added on 11 January 2023; and
- d) A penalty of 10% of the amount outstanding for water by meter rates charged per invoice will be added on the relevant penalty date for each billing month and area stated below, except where a ratepayer has entered into an arrangement by way of direct debit authority, and honours that arrangement. For each billing month and area, the date the penalty will be added is as follows:

Billing month	Area	Penalty date
July 2022	Dargaville (Hokianga Road and side streets) and Glinks Gully	21 August 2022
January 2023		21 February 2023
August 2022	Dargaville (Station and Beach Roads) and Mangawhare	21 September 2022
February 2023		21 March 2023
September 2022	Dargaville (Township East)	21 October 2022
March 2023		21 April 2023
October 2022	Dargaville (Awakino Road and Main Street) and Ruawai	21 November 2022
April 2023		21 May 2023
November 2022	Dargaville (Ranfurly, Plunket and Tirarau Streets); Maungaturoto Railway; Maungaturoto Township and Mangawhai	21 December 2022
May 2023		21 June 2023
December 2022	North Dargaville to Kaihu, Awakino Point and Bayllys	21 January 2023
June 2023		21 July 2023

- e) Delegates authority to the Revenue Manager and the Revenue Officer - Property to apply penalties to unpaid rates according to the resolutions above.

## Context/Horopaki

This report is required to set the rates, due dates and penalties regime for the 2022/2023 year.

## Discussion/Ngā kōrerorero

Council is required to comply with the decision-making provisions outlined in Part 6 of the Local Government Act 2002.

### Community views

Members of the community have been provided with the opportunity to express their views in relation to Council's proposals for the 2022/2023 financial year via the 2021/2031 LTP consultative procedure. It was decided not to consult with the public on the Annual Plan 2022/2023 as there were no significant or material differences from the LTP 2021/2031.

## Policy impacts

The proposed rates as set out in the resolutions above are in accordance with the Funding Impact Statement included in the Annual Plan 2022/2023.

## Financial considerations

The rates proposed to be set through the recommendations in this report are consistent with the financial forecasts included in the final Annual Plan 2022/2023 to be considered for adoption by Council prior to its consideration of this report.

## Legal considerations/delegation

The statutory procedure for setting rates is contained in the Local Government (Rating) Act 2002 Section 23(1) and (2) which states as follows:

*‘23 Procedure for setting rates*

- (1) Rates must be set by a resolution of the local authority.*
- (2) Rates set by a local authority must—*
  - (a) relate to a financial year or part of a financial year; and*
  - (b) be set in accordance with the relevant provisions of the local authority's long term plan and funding impact statement for that financial year’*

The requirement to have an LTP is outlined in Section 93 of the Local Government Act 2002. The content of the LTP is then determined by Part 1 of Schedule 10 of the Local Government Act 2002. The Funding Impact Statement for 2022/2023 is the Funding Impact Statement in the Annual Plan 2022/2023. Clause 20 of Schedule 10 details the requirements for that Funding Impact Statement.

## Options

There are two options to consider:

Option 1: Set the rates as recommended.

Option 2: Not set rates.

If Option 1 is taken the rates proposed to be set through the recommendations in this report are consistent with the financial forecasts included in the Annual Plan 2022/2023.

If Option 2 is taken Council may not be able to fund its activities. As a last resort Council may approve the same rates as the previous year but this will not fund the activities forecast in the Annual Plan 2022/2023.

The recommended option is **Option 1**.

## Significance and engagement/Hirahira me ngā whakapāpā

Council is required to comply with the decision-making provisions outlined in Part 6 of the Local Government Act 2002. Under Council's Significance and Engagement Policy, a decision in accordance with the recommendation is considered to have a high degree of significance.

## Next steps/E whaiake nei

Rates will be set for the 2022/2023 year with due dates and penalties set in accordance with this rates resolution.