

MINUTES

TITLE: Environment and Planning Subcommittee
DATE: Friday, 14 October 2005
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Crs E M O'Regan (Chair) and T E Norriss

IN ATTENDANCE: Environment and Planning Manager (D C Bush-King),
Development Engineer (D Ley), Administration Officer
(B D Moore)

1. TUI SPIRITUAL AND EDUCATION TRUST, McSHANES ROAD, WAINUI BAY, TAKAKA – OBJECTION TO DEVELOPMENT CONTRIBUTION LEVIES

1.1 Hearing of Objections

The applicant had objected to a condition of consent imposed by the Council for one roading development contribution household unit of demand for \$2,540.00, relating to a resource consent to construct an events complex at \$65,000.00 at the Tui Spiritual and Education Trust site off McShanes Road, Wainui Bay, Takaka.

1.2 Presentation of Objection

Mr J Horton and Ms S Ejima submitted in opposition to the proposed levy of \$2,540.00 saying that the subject use is located at the end of a gravel road at one of the entrances to the Abel Tasman National Park. They provided information to support the claim that the usage of the subject site and the new building will only generate about 20% of one household use.

They said that only about 15 events are held per year and that these events average three to five days duration. They said the existing events programme had been in existence for about 12 years and the new building will not create additional usage. A building permit had been granted about five years ago and that the Trust had applied for consent for the subject buildings, a long time before the development impact levies roading levy was introduced.

1.3 Staff Report

Development Engineer, Mr Ley said that the \$2,540.00 levy is the minimum which Council may charge for roading purposes. He said that a building consent triggers the requirement to impose a levy. He said that this is a minimum figure and similar to a standard dwelling.

1.4 Right of Reply

Mr Horton said that the existing Tui trustees have declared a moratorium on further courses and events held within the Trust land which is why the present building is on an adjacent property. He said that although the full potential of the property is for 700 vehicle movements per day, this has never been achieved. He reminded the hearing panel that there would be no increase in business and that the courses had been in operation for 12 years. Mr Horton used photos to demonstrate the extent of work on the partially completed buildings.

The Committee reserved its decision at 9.45 am.

Moved Crs Norriss / O'Regan EP05/10/07

THAT the public be excluded from the following part of the proceedings of this meeting namely:

Tui Spiritual and Education Trust

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Subject	Reasons	Grounds
Tui Spiritual and Education Trust	Consideration of a Development Contribution assessment	To maintain effective conduct of public affairs

CARRIED

Moved Crs O'Regan / Norriss EP05/10/08

THAT for the purposes of discussing the application of Tui Spiritual and Education Trust as an "In Committee" item, the Environment & Planning Manager be authorised to be in attendance as advisor.

CARRIED

Moved Crs O'Regan / Norriss EP05/10/09

THAT the public meeting be resumed and that the business transacted during the time the public was excluded be adopted and that the following resolutions be confirmed in open meeting.

CARRIED

**2. TUI SPIRITUAL AND EDUCATION TRUST, McSHANES ROAD, WAINUI BAY,
TAKAKA – OBJECTION TO DEVELOPMENT CONTRIBUTION LEVIES**

**Moved Crs Norriss / O'Regan
EP05/10/10**

THAT the subcommittee agrees to uphold the staff assessment to impose one roading HUD and directs the Environment & Planning Manager to convey the decision with reasons as follows:

The Subcommittee notes that under the Development Contribution Policy, non-residential building work becomes liable for at least roading contributions because roading is an asset which is district-wide. The Subcommittee acknowledges that the work in part replaces an existing temporary kitchen structure but it is nevertheless a new structure which attracts a development contribution.

The Subcommittee considers the assessment of one roading HUD equivalent is appropriate in the circumstances and that no other development contributions need apply.

CARRIED

Confirmed:

Chair: