

# MINUTES

**TITLE:** Environment & Planning Subcommittee  
Development Contribution Levies Subcommittee  
**DATE:** Tuesday, 20 January 2009  
**TIME:** 11.30 am  
**VENUE:** Tasman District Council Chamber, 189 Queen Street,  
Richmond

**PRESENT:** Cr M J Higgins (Chairman), Mayor R G Kempthorne

**IN ATTENDANCE:** Regulatory Manager (J Hodson), Development Engineer (D Ley), Administration Officer (B D Moore)

**1. C AND L SALT, 137 LODDER LANE, RIWAKA – DEVELOPMENT CONTRIBUTION LEVIES OBJECTION - REPORT EP09/01/08**

Mr C Salt spoke to his letter of 25 November 2008 which sought review of development contribution levies in relation to building consent 081235. This letter said that the policy of assessing a commercial development on the basis of household units of demand is flawed. He said that the development contributions sought by Council is excessive and counterproductive. He listed the amounts of development contribution as \$27,920 for sewerage, \$5,343 for roading and \$1,138 for reserves.

Mr Salt said he believed that the development contribution procedure lacks transparency and was done without proper consultation and contradicts the Council's objectives concerning conservation and natural resources. He said that the development contributions amount was a complete shock and surprise to him at the time when he went to pay fees and uplift the building consent.

Mr Salt said that it is clear that the household unit of demand approach to development contributions takes no account of commercial development realities. Mr Salt said that because of this situation, there also have been time delays with the subsequent loss of income during the peak summer season and further increases in construction costs.

Mr Salt asked that the levies be reviewed and reduced to the extent sought within his letter. He said that the reserves contribution should be waived in light of proposed spending on stream restoration earthworks and replanting the associated riparian areas. He explained that this work was in association with Ferrer Stream which is also known as Hamilton Ditch.

Mr Salt sought that the roading development contribution levy should be based on one household unit of demand instead of three huds sought by Council. He said that the wastewater household units of demand should be 2.23 instead of 3.5 be rounded up to 4 due to rounding as sought by the Council.

Mr Salt said that the proposed tourist backpacker accommodation would provide employment and income for the Motueka community. He said that in order to afford to complete the proposal that he would need to sell land with a land swap with a neighbour and obtain a GST refund to raise money. Mr Salt said that as the facility is not occupied all year round and is off the main highway, he expected that there would only be about 50% occupancy which would reduce the wastewater demand.

Cr Higgins explained that roading huds are used for roads, not car parks and that the Council has to meet the demands of maximum occupancy in relation to wastewater rather than average figures as calculated in the applicant's application for review.

## **1.1 Staff Reports**

Development Engineer, D Ley, referred to his report contained within the agenda and confirmed the level of calculation for huds in relation to wastewater and roading. He said that Council must design infrastructure for maximum capacity and that Council has gone through its growth predications to establish levels of contributions required in relation to development work. He said that Council has no system in place for deferred payment of development contributions.

Regulatory Manager, Ms J Hodson, said that development contributions charges should be made at the time of the Resource Management Act consent not the Local Government Act time for building purposes. She said that any work on Ferrer Stream requires a separate consent and the applicant may get some Council assistance. Ms Hodson said that although existing use rights can last for two years, the calculation of three car parks was allowed as a fair assessment for the existing worker accommodation.

It was noted that the backpacker's accommodation is a new activity. In response, Mr Salt said that there is a high demand for double bed units with ensuites and so five pans were needed and that he had already put in the plumbing and ordered pans. He confirmed that the subject land was used for seasonal worker accommodation with associated vehicle movements. Mr Salt claimed that the effect on the roads will not change with this application and that three huds for roading is excessive.

Cr Higgins thanked the applicant for his presentation and closed the meeting at 12.45 pm.

The Committee reserved its decision.

The Committee proceeded to consider the application and staff reports as detailed in the following report and decision.

### **RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Cr Higgins / Mayor Kempthorne  
EP09/01/16**

**THAT the public be excluded from the following parts of the proceedings of this meeting, namely:**

C and L Salt

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 passing 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(1) for the passing of this resolution
C and L Salt	Consideration of a development contribution assessment.	To maintain effective conduct of public affairs.

**CARRIED**

**Moved Mayor Kempthorne / Cr Higgins  
EP09/01/17**

**THAT the open meeting be resumed and the business transacted during the time the public was excluded be adopted.**

**CARRIED**

**2. C AND L SALT, 137 LODDER LANE, RIWAKA – DEVELOPMENT CONTRIBUTION LEVIES OBJECTION - REPORT EP09/01/08**

**Moved Cr Higgins / Mayor Kempthorne  
EP09/01/18**

**THAT pursuant to Section 104B of the Resource Management Act, the Committee GRANTS IN PART the objection of C and L Salt as detailed in the following report and decision.**

**CARRIED**

**1. Wastewater (based on the number of new pans)**

The proposal involves 10 pans, of which three are existing (therefore, seven additional pans). One is located in the kitchen/dining/living building, which is for the convenience of those using this communal facility. This pan is not therefore an essential component of the development and it is considered by the Subcommittee that the inclusion of this pan will not result in any additional demand for wastewater services overall. It is noted that the number of workers and/or visitors able to be accommodated on the property is capped at 22 by the conditions of the resource consent and that will effectively be the factor which dictates the amount of wastewater generated, rather than strictly the number of pans. Thus, it is considered fair and reasonable to “discount” the number of proposed new pans by one (to six), therefore the assessment result is for three Wastewater HUDs.

**2. Rooding (based on number of car parks required under Resource Management Act 1991)**

The resource consent (RM080647) for this proposal includes a condition for 11 car parks to be provided. The Subcommittee considered that it was fair and reasonable to give a credit of four car parks associated with the original workers' accommodation. Thus, the additional number required is seven, which divided by three, means that there is a requirement for two HUDs for rooding.

The Subcommittee noted that the matter of the financial contribution for Reserves and Community Services could not be reviewed through this process as that contribution is fixed as a condition under the Resource Management Act.

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**Date Confirmed:**

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**Chair:**