



STAFF REPORT

TO: Environment & Planning Committee - Development Contributions Subcommittee

FROM: Dugald Ley, Development Engineer

REFERENCE: BC100680 and RM090581

SUBJECT: **BIOBALANCE LTD - REPORT REP10-11-05** - Report prepared for meeting of 30 November 2010

1. PURPOSE

- 1.1 This report is to review the roading HUD (household unit of demand) as outlined in the building consent and the roading contribution for seal extensions of Orion Street, Collingwood.

Roading - 4 HUDs - \$20,136

2. BACKGROUND

- 2.1 This application arose from a subdivision and land use consent of rural land on the outskirts of Collingwood on Orion Street. The property lies outside the urban drainage area and therefore it is not envisaged that it would be serviced or have upgraded road access.

- 2.2 This application will extend the urban footprint into the rural area. Urban services are available immediately in the residential area and the applicant has had approval to connect to these services subject to Development Contributions and connection fees.

2.3 Roading

The applicant gained subdivision (RM090581) and land use (RM090582) consent in March 2010. The condition of consent included provision of on-site car parking for no less than 12 vehicles and the payment of \$20,000 to Council for its share to extend the seal from the Orion Street urban area to the rural zoned area fronting Lot 1.

- 2.4 The consent acknowledges that the applicant had initially volunteered to pay a contribution of \$10,000 as the sealing of Orion Street was not included in Council's Ten Year Plan. The extra traffic movements created by this land use/subdivision would create a dust nuisance past the existing school/early childhood centre and residential properties.

2.5 Council's Transportation Manager noted:

"As Transportation Manager it is my view that while the District Plan requires the applicant seal the whole frontage of the application site as part of proposal. In considering this matter the isolated seal section of around 420 metres would provide no benefit as this does not connect to other sealed roading.

There are other effects potentially created by the development which relate mainly to dust and pedestrians walking along part of the frontage to access the lookout and historic cemetery. It would be more prudent to address this effect by sealing this section which is around 275 metres. This would deal with the issues of dust and pedestrian movement.

It is recommended that the application provide a contribution to the sealing of this section of road. Council will pay for a half share to assist this work to be completed. Accordingly I suggest a condition of consent requiring \$20,000 to enable the sealing of this short section of road to address the effects of dust and pedestrians."

2.6 The applicant subsequently objected to that contribution of \$20,000 and in May 2010 Council granted a reduced fee of \$15,000. It is noted in the objection letter that agreement was reached on the reduced amount as above and is recorded below:

The applicant had identified that there is an existing dust problem in their letter dated 27 January 2010 and had volunteered a financial contribution of \$10,000 towards the cost of sealing Orion Street. The cost of upgrading and sealing the existing Orion Street formation between the existing seal and the frontage of Lot 1 is estimated to be in the order of \$40,000 and consequently a contribution of \$20,000 (being 50%) was sought by Condition 11.

Council's Transportation Manager has reviewed the reasons for the objection and further discussion with the applicant reached agreement that a lesser contribution of \$15,000 would be acceptable in the circumstances. (It is noted that a separate Development Contribution for roading is also payable per the provisions of the Local Government Act 2002).

As agreement has been reached regarding resolution of the matter of objection, no formal hearing is required to be held.

2.7 The applicant proceeded with the consent and produced engineering plans and subsequently installed a public sewer to service the development. The alignment of the sewer trench was chosen by the applicant and while excavating material for this, unsuitable backfill material was found and appropriate material was installed and back filled/compacted over the trench.

2.8 As for the seal extension, Council is proceeding with this work this summer (2010-2011), and has recently undertaken beam testing of the road.

2.9 This has been found to be very soft subgrade, ie 7mm deflection where these should be a maximum of 1.5mm; hence this will not be a case of shaping the road and sealing but a major reconstruction project.

2.10 It seems ironic that the applicant has agreed with Council for the \$15,000 contribution and now wishes to withdraw from that agreement. Their statement in their email of 24 August 2010 which has comments such as “out of proportion” and the additional payment of four roading HUDs is seen as a “revenue gathering exercise by TDC” seems to be at odds with previous discussions.

3. SUMMARY

3.1 The applicant has been granted consent to develop the cheaper rural land for commercial purposes and therefore services need to be extended to cater for these effects.(Much like urban sprawl) The applicant has connected to Council’s urban services and to the same degree the urban road service.

3.2 Council has a policy for seal extensions where the applicant pays a 50% contribution. It would seem in this exercise that the applicant’s contribution has been reduced to 37% and it is likely to be even less once the underlying foundation layers on Orion Street are investigated and reconstructed.

4. RECOMMENDATION

4.1 It is my view that the contribution of \$15,000 for mitigation of ‘on-site’ adverse effects is fair and reasonable. The Development Contribution of four HUDs is also appropriate for the 12 car parks required to be formed on site for up to 25 staff. Note the development contribution is a regional contribution to fund roading infrastructure as outlined in the TRMP with one of the projects noted as the Collingwood streetscape project.

4.2 THAT the four roading HUDs for the above development be confirmed.

Dugald Ley
Development Engineer



ExploreTasmanMap

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GOLDEN BAY SURVEYORS

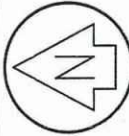
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NOTE :

Levels are in arbitrary terms

No	Amendment	Date
	Design	MP
	Drawn	MP
	Checked	
	Approved	
	Date	July 2009

Job Title **HealthPost**
Drawing Title **SCHEME PLAN - DETAIL**

TDC RM-

1:750 @A3

19/11/2009

Job No. 2465

