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**MINUTES**  
of the  
**DEVELOPMENT CONTRIBUTION LEVIES - DELEGATED  
COMMITTEE MEETING**  
held  
**1.00 pm, Friday, 14 February 2014**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillors S G Bryant (Chair), T E Norriss

**Submitter:** Peter Butler, Director, Health Properties Ltd  
Director, HealthPost Ltd

**In Attendance:** Regulatory & Planning Manager (D Bush-King)  
Development Engineer (D Ley)  
Administration Officer (G Woodgate)

## 1 OPENING, WELCOME

The Chair welcomed Mr Peter Butler to the Development Contribution Levies – Delegated Committee meeting, introduced himself and Cr Norriss, explained the procedures that would be followed and requested no questioning between parties.

## 2 Health Properties Limited Submission

Mr Butler tabled and read his submission.

### Stormwater HUD

Mr Butler advised that he was pleased that TDC officers had reconsidered the imposition of a 1.69 stormwater HUD in light of Health Properties Ltd's provision of on-site stormwater treatment.

### Roading HUDs

Mr Butler advised that he was objecting to the six Rooding HUDs at a cost of \$5,436.00 for the following reasons:-

- 1) Staff numbers would not increase due to the 400sq.m expansion of his building
  - 2) The additional area was solely for extra shelving
  - 3) He only agreed to a Transit NZ variation to his Resource Consent for an intersection upgrade of Excellent Street/State Highway in order to speed his Resource Consent application along but he has only now become aware what this will cost him.
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### **Questions to Mr Butler**

Cr Norriss asked if he had any idea initially of the likely costs of the Excellent Street intersection upgrade. Mr Butler replied that no such request or requirement had been made from Transit NZ in the initial Resource Consent and that the cost to him was in the vicinity of \$42,000.

The Chair asked if the original Resource Consent included the 30 carparks. Mr Butler replied 'Yes, but that a large number of his staff are part-timers who came from the local Collingwood community and that the number of carparks was about right'.

Cr Norriss asked if the 30 original carparks were challenged by Transit NZ in the initial Resource Consent application. Mr Butler replied it was not challenged.

Cr Norriss asked if the 30 car parks were sealed and was advised they were not.

### **Staff Report, Report REP14-02-02**

The Development Engineer, Dugald Ley, was in attendance to speak to the item contained within the agenda.

The purpose of the report was to review the development contribution for roading and stormwater payable for an extension to an existing building at 30 Orion Street, Collingwood.

Mr Ley advised that he assumed his report was taken as read.

With regards to stormwater, Mr Ley's report stated that as with stage one of the development, the applicant intends to collect roof water for reuse and then dispose to ground via soak pits. Although some overflow will find its way into Council's reticulation system, it is considered minor and Council has no capital project in the downstream reticulation system. Consequently, officers' support a decision to waive stormwater development contribution levies for this application.

With regards to roading, Mr Ley's report stated that any credits due for the sealing/reconstruction of Orion Street have been acknowledged in the first stage of this development. The increase in building area, increase in staff numbers, and associated increase in car parking will create additional traffic on Council's roads. Officer's therefore recommend that the assessment of 6 roading HUDs stand, as previously invoiced.

### **Questions to Mr Ley**

Cr Norriss asked 'Why in the initial resource consent application, was there no NZTA application? Mr Ley replied that initially the original twelve car parks were too small a number to warrant this. The building extension increased this number to 30 car parks. Mr Ley further advised that Mr Butler's consultant had agreed to the six roading HUDs and stated that this was an agreed requirement of the Resource Consent application.

The Chair asked 'How did the Tasman District Council get to be party to the intersection upgrade?' and was advised that a seal extension was Council's 'planned to do minimum to the Excellent Street intersection upgrade'. With the lodging of the Butler application, Council agreed to assist in the intersection upgrade with the \$20,000 set aside for the seal extension. Mr Butler is to pay the \$42,000 difference. NZTA are not putting anything into the intersection upgrade', he added.

Cr Norriss asked if the intersection upgrade was necessary and was advised that this is an NZTA condition imposed on the Resource Consent, agreed to at the time by Mr Butler.

Cr Norriss asked why is the upgrade needed now and was advised by Mr Ley 'because Transit NZ said it is and NZTA has stated that the intersection is sub-standard'. He concluded by stating that the Transportation Manager could be approached to see if the intersection upgrade costs can be

decreased and that NZTA could also be approached for a roading subsidy.

### **Right of Reply**

Mr Butler advised that he had spoken to Council's Steve Markham regarding a rezoning of the land from 'Rural' to 'Commercial'.

The Chair advised Mr Butler that they would discuss his objection and advise him of the outcome in due course.

The meeting adjourned at 1.34 pm.

The Meeting reconvened at 1.50 pm.

**Present:** Councillors S G Bryant (Chair), T E Norriss

**Submitters:** Mark Lile, Director, Landmark Lile Ltd  
Granville Dunstan Administration Manager, St Ledger Group Ltd  
Mark Rounce Director, St Ledger Group Ltd

**In Attendance:** Regulatory & Planning Manager (D Bush-King)  
Development Engineer (D Ley)  
Administration Officer (G Woodgate)

The Chair welcomed Messrs Mark Lile, Granville Dunstan and Mark Rounce to the Development Contribution Levies – Delegated Committee meeting, introduced himself and Cr Norriss, explained the procedures that would be followed and requested no questioning between parties.

### **3 St Ledger Group Limited Submissions**

Mr Lile introduced himself and Messrs Dunstan and Rounce and tabled and read his submission.

Mr Dunstan then tabled and read his submission.

Mr Rounce handed out an A3 table entitled 'TDC Income Calculation from Installing 150mm Sewer Pipe to Champion Road'. The table stated a \$1,569,891.89 benefit to Council of installing the sewer pipeline and a zero benefit to Council if the sewer pipeline was not installed.

### **Questions to Submitters**

The Chair asked several questions of clarification regarding the Lau property. He also asked which landowners were prepared to sign a contract to commit themselves financially to the proposed pipeline and was advised the Jono's, McDougal's and Heslop's.

### **Staff Report, REP14-02-03**

The Development Engineer, Dugald Ley, was in attendance to speak to the item contained within the agenda.

The purpose of the report was to assess the request from St Ledger Group Ltd (G Dunstan) for a

waiver of wastewater development contributions due to the applicant proposing to extend a 150mm diameter wastewater main up Champion Road to service their development.

Mr Ley assumed his report was taken as read.

Mr Ley's report stated that the principal beneficiary of the sewer main extension would be the applicant (via the associated uplift in their property value and subdivision potential), and to a lesser extent the owner of the property at 144 Champion Road. Consequently, a reduction in development contributions would effectively mean publicly part-funding private works. The loss of close to \$100,000 in development contributions revenue may well put other wastewater projects in jeopardy.

Mr Ley added that a 100mm sewer pipeline allowed for five lots/dwellings before it needed to be increased in size to 150mm.

Mr Ley stated that it was clear to Council officers that there was an opportunity for the applicant and their neighbour to construct a sewer pipeline that would service their land for the ultimate purpose of future development. How the cost of these works are shared between the applicant and their neighbour was seen as a private matter for these parties to determine.

Mr Ley advised that the decision made today had ramifications for other similar developments over the rest of the Tasman District and he outlined examples.

His report concluded that Officers saw no grounds for a reduction in the development contributions payable for wastewater.

### **Questions to Mr Ley**

The Chair asked for the zoning of the land around the development and was advised Rural 2 Deferred Residential and Deferred Rural Residential.

The Chair asked if there were any Council plans for sewer/wastewater upgrades in this area within the next 20 years and was advised there were none and that there were no downstream upgrades proposed.

The Chair asked if there were any benefits in getting septic tanks connected to the sewer pipeline and was advised that the septic tank issue was a red herring as they were constantly being monitored and owners were advised to have them repaired where they were found to be failing.

Cr Norriss asked the applicants if their agreement with other property owners included connections and whether or not their septic tanks were failing, and was advised that it did.

### **Right of Reply**

Mr Lile stated that 'obviously St Ledger Group Limited saw things differently to Council staff. Major money is to be spent by the landowners in putting in this sewer pipe. Yes, this is a privately funded development but it has significant community benefits. The St Ledger Group Ltd do not see the Tasman District Council missing out on \$100,000 of development contributions. Council will in fact benefit financially with the installation of the sewer pipe and this development as sections sell and houses are built'.

Mr Dunstan stated that he was disappointed that staff officers did not support this development as doing so made commercial sense for the Council.

Mr Rounce stated that getting rid of septic tanks was environmentally friendly and should be encouraged.

The Chair advised Messrs Lile, Dunstan and Rounce that they would discuss their objection and

advise them of the outcome in due course.

The meeting adjourned at 2.47 pm.

Date Confirmed:

Chair:

UNCONFIRMED MINUTES