

MINUTES

TITLE: Environment & Planning Subcommittee
DATE: Thursday, 1 December 2005
TIME: 1.30 pm
VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Crs E M O'Regan and T E Norriss

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

1. GIBBONS HOLDINGS LIMITED, MOTUEKA NEW WORLD SUPERMARKET, HIGH STREET, MOTUEKA – RM050427 OBJECTION TO DEVELOPMENT CONTRIBUTION LEVY

1.1 Application

Mr R Muollo presented an objection to the levying of a development contribution for the extension to the Motueka New World Supermarket, High Street, Motueka. The amount of the levy had been assessed at \$7,620.00 in respect of three roading HUDs.

Mr Muollo explained in his letter of 14 November 2005 and a further written submission tabled at this meeting that the Council Officer's report does not detail any infrastructure upgrades, necessitated by this minor store extension. Land facilitating the store extension, comprise the former Woodland Garden Centre. That business had been disestablished on this site, so that this patronage will in part be simply displaced by increased patronage of the supermarket, therefore the increase in traffic flow is not cumulative. The applicant is also being required to undertake certain works which in fact alleviate any perceived adverse effect on the roading network.

Mr Muollo noted that the Development Engineer's report acknowledged that the applicant had recently provided an additional access point out to Woodlands Avenue. Mr Muollo noted that the parties were in agreement that only 309 m² is attributable to an extension of the retail area.

1.2 Staff Report

Development Engineer, D Ley, spoke to his staff report EP05/12/02 contained within the agenda. The report described how a calculation had been made to determine that the increase in floor area of the supermarket will result in an increase in traffic movements and customers as agreed by the applicant and this is a result of growth in the region.

Mr Ley said that he had calculated the development contribution HUD based on an extension of 309 m² of retail floor space to arrive at the three HUD figure and development contribution requirement of \$7,620.00. The report advised that the applicant had not indicated a wish to pay any reduced amount.

1.5 Right of Reply

Mr Muollo responded for the applicant and said that as there are only two supermarkets in Motueka, the shared business can fluctuate backwards and forwards between the two. He said that any real growth in total customer numbers is dependent on the population growth in the region.

The Committee reserved its decision at 1.55 pm.

Moved Crs O'Regan / Norriss EP05/12/01

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

Gibbons Holdings Limited, Motueka New World Supermarket

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
Gibbons Holdings Limited, Motueka New World Supermarket	Consideration of a planning application.	A right of appeal lies to the Environment Court against the final decision of Council.

CARRIED

Moved Crs O'Regan / Norriss EP05/12/02

THAT for the purposes of discussing the application of Gibbons Holdings Limited, Motueka New World Supermarket as an "In Committee" item, the Manager Consents be authorised to be in attendance as advisor.

CARRIED

Moved Crs Norriss / O'Regan EP05/12/03

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. GIBBONS HOLDINGS LIMITED, MOTUEKA NEW WORLD SUPERMARKET, HIGH STREET, MOTUEKA – RM050427 OBJECTION TO DEVELOPMENT CONTRIBUTION LEVY

**Moved Crs Norriss / O'Regan
EP05/12/04**

THAT the Subcommittee did not accept the view put forward at the review that as there was no road upgrading program indicated as being required as a consequence of the supermarket extension and that therefore no contribution should be required. The applicant questions whether it is reasonable to impose a levy or if this is simply a tax.

The Council's Development Contribution Policy, outside of the Coastal Tasman Area (which is not applicable in this case), is a district wide policy which seeks to recover from subdivision and development, a source of funding which goes towards upgrading utility services to cope with growth-related pressures. The Subcommittee was clear and it appeared to be common ground that greater retail floor area leads to a greater number of customers. The Subcommittee considered the assessment of the additional traffic flow at three HUDs (i.e 30 traffic movements per day) was very conservative.

It is not possible or appropriate for the Subcommittee to speculate on the effect on patronage which a possible future revamp of the other supermarket in the area. However, the Subcommittee acknowledges that the improvements made to the carpark and the provision of an additional access onto Woodlands Avenue has made a considerable improvement in the flow of traffic and pedestrians. However, these improvements are separate to the consideration before the Subcommittee.

CARRIED

Date Confirmed:

Chair: