

MINUTES

TITLE: Environment & Planning Subcommittee
Development Contributions Levies Delegated
Committee

DATE: Friday, 5 June 2009

TIME: 1.00 pm

VENUE: Tasman Council Chambers, 189 Queen Street,
Richmond

PRESENT: Crs M J Higgins, T E Norriss

IN ATTENDANCE: Environment and Planning Manager (D C Bush-King),
Development Engineer (D Ley), Executive Assistant
(V M Gribble)

1. RICHMOND SOUTH HALL TRUST, APPLICATION BC081089

Mr S Malcolm and Mr J Malcolm were in attendance to explain the basis of the objection to the roading development contribution. They believe they can rely on existing use rights from William Street as they have not created anything over and above what they had been doing in William Street.

Cr Higgins asked if what Mr Malcolm had just read was a combination of words from the Trust's advisor G Thomas and himself. Mr Malcolm agreed that it was.

Cr Higgins also stated the staff report assumes the Trust had not sold the original building and that it was still available for Church use and that there was uncertainty as to what was going to happen. Mr Malcolm advised the building had now been sold to Henley School. Mr Malcolm confirmed that compared to church facilities generally which are used by a cross section of the community, the Trust's facility is for its own use.

Mr J Malcolm said the use of the hall has been the same since their ancestors came to the district.

Mr Ley apologised if there was seen to be any offence in his report. He looked at it on a generic hall type basis. Looking in more detail at the consent issued, it is for a specific group of people and will not be hired it out, as a normal hall. The consent says it can only be used at specific times and some of the times are off peak times. Three HUDs are possibly more than Council should have asked for, but he believes a payment should be made.

Cr Higgins asked whether Mr Ley accepts that existing use rights have transferred to the new site. Mr Ley said that the ability to continue using the hall still exists. It has been sold to Henley School and the use has transferred to the new location. Mr Ley said if the old hall reverted to a residential dwelling there could be a straight transfer but this has not happened.

In reply, Mr J Malcolm said traffic movements will be no more than in William Street. Mr S Malcolm said there could be less traffic movements because more people live in that area.

Moved Crs Norris / Higgins
EP09/06/01

THAT pursuant to the Local Government Act 2002, the Committee made the following decision.

The Subcommittee was persuaded to accept the proposition that in this particular case the church hall located at Hill Street is a replacement of a similar facility in William Street, Richmond. However, what distinguishes this from other situations where one use is substituted for another use is that the William Street hall has now been taken over by Henley School and is being used for special education purposes as opposed to a meeting place. The other matter which the Subcommittee was prepared to take into account was the fact that the Hill Street facility, while a new development on a residentially zoned site, will not be increasing the associated traffic movement compared to that from the William Street site and that this is unlikely to change given the exclusive nature of the congregation.

In accordance with the Development Contributions Policy, the Subcommittee agrees to uphold the objection and waive the requirement for a Roding Development Contribution.

CARRIED

2. MACHOPS LTD, APPLICATION BC090356

Mr K McGlashen was in attendance to present his application for review of development contributions. What is proposed is farm building extension. There is no increase in staff, they just have bigger machinery and put through more hops with the same or even less people. Applying the policy in this case was not what the development levy was intended for. He said there is no additional expansion. It is not like a packhouse. All roads are internal and not using any other Council service. He advised there is a daily visit from a truck and trailer unit during the hop harvest season of 26 days. For the rest of year the place is shut down.

Mr Ley spoke to his report contained in the agenda. He now understands it is not a 12 month process. The HUDs have been reduced from three to two and he is sympathetic with the submission.

Moved Crs Norris / Higgins
EP09/06/02

THAT pursuant to the Local Government Act 2002, the Committee made the following decision.

The Subcommittee notes that the proposed extension to the hop drying kiln is associated with an activity that has a very limited harvest period (26 days) and that it is likely there will only be one truck movement per day associated with the activity. As the building is only being used for hop drying and because the tonnage of product is significantly less than when the sheds were used for horticultural purposes, the Subcommittee considers this unique set of circumstances justifies a waiver of the Development Contribution.

In accordance with the Development Contributions Policy, the Subcommittee agrees to uphold the objection and waive the requirement for a Roding Development Contribution.
CARRIED

3. BROWN ACRE VILLAGE LIMITED – APPLICATION RM080360

Mr Bush-King spoke to a request from Brown Acre Village Limited for a special assessment under the Development Contributions Policy.

Moved Crs Norris / Higgins
EP09/06/03

THAT pursuant to Local Government Act 2002, the Committee made the following decision.

The subcommittee had been requested to undertake a special assessment of the Brown Acre Village Development in Motueka further to previous considerations of this matter on 7 May 2009.

While the subcommittee acknowledged the retirement units may result in lower occupancy rate overall than conventional residential developments, it was not persuaded to accept that this should equate to a general discount on the obligation to pay a Development Contribution. The overall density of development to be achieved by the development proposal could yield a similar demand for services. In any event, the Council's current policy is not to scale Development Contributions according to occupancy rates.

The subcommittee did not accept the off-site works that are required to service the subdivision should be off-set against Development Contributions. If these off-site works were actually to form part of the projects funded by the growth component of Council's Capital Works Programme, then clearly an off-set would be provided in accordance with the Development Contributions Policy. However the subcommittee saw these off-site works as works necessary to service the subdivision and thereby minimise any adverse effects from the development of the land.

The subcommittee however was prepared to amend the Water Development Contribution on the understanding that one 100 mm pipe will service the retirement village. In non-residential terms this is equivalent to 10 HUDS, and while this is a residential development the subcommittee was prepared to make this concession.

The meeting was adjourned at 1.45pm

Date Confirmed:

Chair:

