

Date: Friday 16 May 2025
Time: 9.30am - Fees & Charges and Development
Meeting Room: Contributions Policy Hearings
Venue: Tasman Council Chamber
189 Queen Street, Richmond

Tasman District Council

Kaunihera Katoa

MINUTES ATTACHMENTS

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PUBLIC FORUM: Council provides the opportunity for public forum input at its ordinary meetings. The views and opinions expressed in public forum do not necessarily reflect the position of the Tasman District Council, Council officers or elected members

**Projects and Ventures / Paton Rise Ltd /Wakefield Village Developments Ltd
Submission on 2025 Changes to Development Contributions Policy
Handup – 16/5/25**

Relevant Local Government Act 2002 provisions

199 Basis on which development contributions may be required

(1) Development contributions may be required in relation to developments if the effect of the developments is to require new or additional assets or assets of increased capacity and, as a consequence, the territorial authority incurs capital expenditure to provide appropriately for—

- (a) reserves;
- (b) network infrastructure;
- (c) community infrastructure.

(2) This section does not prevent a territorial authority from requiring a development contribution that is to be used to pay, in full or in part, for capital expenditure already incurred by the territorial authority in anticipation of development.

Neil Construction Ltd v North Shore City Council [2008] NZRMA 275 at [46]: "...before a development contribution may be required by the Council, there must be a "development" and a direct causal nexus between that "development" and the demand for infrastructure it, either alone or jointly with another development, generates"

200 Limitations applying to requirement for development contribution

(1) A territorial authority must not require a development contribution for a reserve, network infrastructure, or community infrastructure if, and to the extent that—

- (a) it has, under section 108(2)(a) of the Resource Management Act 1991, imposed a condition on a resource consent in relation to the same development for the same purpose
- (b) the developer will fund or otherwise provide for the same reserve, network infrastructure, or community infrastructure; or
- (ba) the territorial authority has already required a development contribution for the same purpose in respect of the same building work, whether on the granting of a building consent or a certificate of acceptance; or
- (c) a third party has funded or provided, or undertaken to fund or provide, the same reserve, network infrastructure, or community infrastructure.

network infrastructure means the provision of roads and other transport, water, wastewater, and stormwater collection and management

197AA Purpose of development contributions

The purpose of the development contributions provisions in this Act is to enable territorial authorities to recover from those persons undertaking development a fair, equitable, and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term.

197AB Development contributions principles

(1) All persons exercising duties and functions under this subpart must take into account the following principles when preparing a development contributions policy under section 106 or requiring development contributions under section 198:

Tabled Doc
#34738

Dog control fee increase

Introduction

Secretary NDKA

Treasurer NLKA

Member, NDTC + 5 GSD Clubs

Members Dogs NZ

BSC Canterbury in Zoology

I am only commenting on the Rural dog fee increase, as I live rural with multiple dogs.

I purchased my rural property in 2021 so that I could own more than two dogs, as my hobby is conformation dog showing, I also enjoy other dog activities such as the Canine Good Citizen program and have dabbled in scenting.

When I moved to Tasman in 2021 RURAL dog fees per dog were \$30.00. In 2022 the fee increased to \$32.00 a 7% increase. Acceptable as around that of inflation.

Fee remained at \$32.00 for 2023. In 2024 the fee jumped to \$45.00 a 40.6% increase. Was told that this was to reduce the percentage from general rates towards dog control fees. Now in 2025 we have been told that we are to receive a 55% increase to \$70 per dog, same story to reduce percentage of D/C covered by general rates. Equates to around \$400,000 - \$500,000 additional revenue in 2025.

Some basic stat - assuming RURAL dog fees increase to \$70.00 2021-2025 fee increase 133%; 2024 & 2025 120%. Rate of inflation is currently around 2.5% + 2.2% in 2024, how can you justify a 120% increase when inflation has only been running at 5% over the last two years.

~ 1 abcd Doc

Fees and Charges Bylaw 2025
Submission by Clare Kininmonth

As a brief background - I have a financial interest in 2 moorings in the Māpua Channel. On the 14th of March 2025 I received an email from the TDC Harbour master relating to only one of these moorings informing me of a proposed change to the way the TDC will manage its mooring.

Both moorings which along with others in the channel have been in place for 40 plus years with some classified as a permitted activity and there are no charges incurred.

The email has given rise to me investigating Maritime fees and charges under the just passed Navigation and Safety Bylaw 2024 as well as the Fees and Charges Bylaw 2025. Hence my objection.

I have read Section 150 of the Local Government Act 2002 which relates to the "Power of local authorities to prescribe fees". Section 150 (4) states "***The fees prescribed under subsection (1) must not provide for the local authority to recover more than the reasonable costs incurred by the local authority for the matter for which the fee is charged***"

Page 7 of the TDC Annual Plan 2025/2026 document states "***Increased most user-pays fees and charges by 10% - \$150,000***"

I also note in the fees and charges background document.

"Summary of changes

Most fees and charges have been increased by 10% to recover costs and account for inflation"

The LGA makes no mention of accounting for inflation it states quite clearly "***recover reasonable costs***".

Currently mooring owners with a resource consent are paying \$143 p.a. The only annual fee shown in the fees and charges schedule states a fee of \$226 for monitoring and administration. A 58% increase.

Referring again to the letter of the 14th of March and I quote "***The new system is designed to simplify the process of establishing and managing moorings within mooring areas without the needing to go through the Resource Consent/Coastal Permit process***". Simplify as defined in the Oxford Dictionary is "***make easy or easier to do or understand***". It would be fair to assume from this definition that fees would reduce under the new system but from the fees and charges schedule it would appear they will increase by 58%. The proposed fees and charges bylaw schedule raises more questions than answers as to how the TDC see this new mooring system working.

I submit that the Council is in breach of its duty under the LGA by

1. In general, not applying all fees and charges in line with the LGA
2. In case of mooring in particular, not directly consulting with mooring owners in regard to its proposed Mooring Licence system, its fees and charges and how it might work

I ask the Council to confirm to me that it will

1. Review that the fees and charges are compliant with the Local Government Act 2002
2. It will cease implementing the mooring licence scheme until fully consulting with Mapua and other affected mooring owners



