



## PUBLIC EXCLUDED

**Report:** PE 03.27  
11 February 2003  
**File:** Y/12/2/5

**Committee:** Rural Services and Wairarapa  
**Author:** Steve Blakemore, Manager, Planning & Resources

### J Barton – Objection to Consent Processing Costs

#### 1. Purpose

To obtain Committee consideration and decision on an objection by Mr John Barton to additional charges incurred in processing Consent WAR 010179.

#### 2. Public Excluded

Grounds for exclusion of the public under Section 48(1) of the Local Government Official Information Act 1987 are that public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reasons for disclosure exist – that is the right to a fair trial.

#### 3. Background

This consent renewal for taking underground water at Hikinui for irrigation was granted on 15 October 2002 for a one-year term.

The consent was complicated by the aged and vulnerable nature of the bore casing and the sealed pumping system that, according to Mr Barton, prevents a pump test from being undertaken. The well has never been pump tested. In the prior year a bore consent was granted for a replacement bore. This has not been installed.

Consequently there was considerable discussion and correspondence associated with the renewal that would not be normally expected. This activity is summarised in Attachment 1.

Mr Barton was sent a letter on 10 October 2002 advising that processing costs would exceed the standard application charge and setting out the reasons for this. (Refer Attachment 2).

14 hours were involved with this renewal of which 6 were remitted (42%).

The total processing cost was \$840 excluding GST. This was reduced to \$480. As the application was made prior to the charging review, a charge out rate of \$60, not \$70 per hour was applied.

#### **4. The Objection**

Mr Barton objected to the consent charges in his letter of 14 October 2002. (Refer Attachment 3.)

His objection was acknowledged in a letter on 20 November 2002. (Refer Attachment 4.) This letter pointed out that the objection would be considered by the Committee in the New Year unless payment was received. It also pointed out that the objection could only relate to the additional charges of \$130 – plus GST.

#### **5. Current Position**

Mr Barton paid the account in full on 10 December 2002.

Legal advice has been given that although full payment has been made, the Committee should still consider and make a decision on the objection in case a subsequent appeal is made.

#### **6. Discussion**

This consent renewal was difficult and time consuming, initially due to Mr Barton's indecision as to whether or not he would install, test and obtain consent for a replacement bore.

There were communication difficulties experienced in corresponding with him and he proved to be a reluctant applicant.

I have reviewed the level of activity and the charges that were levied and consider them to be both fair, and modest in light of the difficulties involved.

The position has been made explicitly clear to Mr Barton that either a pump test is undertaken of the existing bore, or a new bore is installed, tested and consented before 30 September 2003.

#### **7. Communications**

No additional publicity is proposed.

#### **8. Recommendations**

*That Mr Barton's objection to the additional charges relating to the processing of Consent WAR 010179 be declined.*

Report prepared by:

Report approved by:

**Steve Blakemore**  
Manager, Planning & Resources

**Colin Wright**  
Divisional Manager, Wairarapa

**Public excluded**