

# OBJECTION TO ASSESSMENT OF DEVELOPMENT CONTRIBUTIONS

Section 199C Local Government Act 2002

ROTORUA  
LAKES COUNCIL

This form is to be used for an objection to assessment of development contributions payable under the Rotorua Lakes Council's Development Contributions Policy.

Section 199C of the Local Government Act 2002 allows Developers have the right to pursue an objection regardless of whether a reconsideration request has been made. A panel of at least one and up to three independent commissioners will consider the objection. The decision of the commissioners is binding on the developer and Council, although either party may seek a judicial review of the decision.

To pursue an objection, the developer must lodge the request using this objection form within 15 working days of receiving notice to pay a development contribution, or within 15 working days of receiving the outcome of any request for a reconsideration. A deposit of \$1,000.00 is also required to be paid as set out in Council's Schedule of Fees and Charges.

Objectors are liable for Council's actual and reasonable costs incurred in respect of the objection in regards to the selection, engagement, and employment of the development contributions commissioners; and the secretarial and administrative support of the objection process; and preparing for, organising, and holding the hearing, as provided by section 150A of LGA02. Objectors are not liable for the fees and allowances costs associated with any Council representation or witnesses.

**Email to:** LandDevelopment@rotorualc.nz; or

**Deliver to:** Land Development Team, Rotorua Lakes Council, 1061 Haupapa St, Rotorua; or

**Send to:** Land Development Team, Rotorua Lakes Council, Private Bag 3029, Rotorua 3046.

**For enquiries phone:** 07 348 4199

**APPLICANT** *Note: The applicant is liable for costs incurred in the consideration of this objection*

<b>Name:</b>	
<b>Phone:</b>	
<b>Email:</b>	
<b>Postal Address:</b>	

**AGENT (if applicable)**

<b>Name:</b>	
<b>Company:</b>	
<b>Phone:</b>	
<b>Email:</b>	
<b>Postal Address:</b>	

**APPLICATION TO WHICH THE OBJECTION REFERS**

<b>Address of Development:</b>	
<b>Consent Number/s:</b>	
<b>Amount of DC Assessed?:</b>	\$
<b>Date of DC Assessment:</b>	

## GROUNDS FOR OBJECTION

An objection under section 199C may be made only on the grounds set out in in section 199D of the Local Government Act 2002 (LGA02). Please tick relevant ground or grounds for objection. That the Council has:

- failed to properly take into account features of the development that, on their own or cumulatively with those of other developments, would substantially reduce the impact of the development on requirements for community facilities in the District or parts of the District.
- required a development contribution for community facilities not required by, or related to, the development, whether on its own or cumulatively with other developments.
- required a development contribution in breach of section 200 of the LGA02.
- incorrectly applied the Policy to the development.

## CIRCUMSTANCES SURROUNDING THE GROUND(S) FOR OBJECTION

Please provide information on how your development contributions assessment matches the grounds relied on above. Include all relevant information relating to the request and attach to this request where necessary. Rotorua Lakes Council is unable to process your reconsideration until all relevant information is received.

<b>Applicant Signature:</b>	
<b>Date:</b>	

### IMPORTANT NOTES

1. Objectors are liable for Council’s actual and reasonable costs incurred in respect of the objection in regards to the selection, engagement, and employment of the development contributions commissioners; and the secretarial and administrative support of the objection process; and preparing for, organising, and holding the hearing, as provided by section 150A of LGA02. Objectors are not liable for the fees and allowances costs associated with any Council representation or witnesses.
2. Schedule 13A of the LGA02 sets out the objection process. To pursue an objection, the developer must:
  - lodge the request for an objection within 15 working days of receiving notice to pay a development contribution, or within 15 working days of receiving the outcome of any request for a reconsideration; and
  - use this objection form and supply any supporting information with the form; and
  - pay a deposit as set out in Council’s Schedule of Fees and Charges.