Licence Fee Review - D J Cooper - 1680 Whangapoua Road, Whangapoua

TO
Mercury Bay Community Board

FROM
Rebecca O'Sullivan - Property Officer

DATE
8 January 2019

SUBJECT
Licence Fee Review - D J Cooper - 1680 Whangapoua Road, Whangapoua

1 Purpose of report
For consideration to recommend to Council to approve a licence to occupy fee review between the Thames-Coromandel District Council and David John Cooper (Cooper) for the non-exclusive use of part of the local purpose (esplanade) reserve (Reserve) located at 1680 Whangapoua Road, Whangapoua.

2 Background
Retrospective Resource Consent was granted 28 July 2008 for three jetties that are constructed over part of the Reserve. As part of the affected person’s consultation the Community Facilities Manager requested and the jetty owners agree to a Licence. The Licence was necessary to ensure repair and maintenance of the structures and compliance with all statues in the obligation of the Licence holders.

For clarity Cooper currently occupies 2 of the 3 jetties (Attachment A).

The current Licence with Cooper commenced 1 July 2008 for a term of 19 years with 5 yearly Licence fee reviews.

3 Issue
The issue is to determine the appropriate fee to be charged for access across the reserve.

4 Discussion
The neighbouring jetty at 1680 Whangapoua had its licence fee endorsed by the Mercury Bay Community Board. The board resolved on 18 September that the Licence fee is increased from $350.00 (Plus GST) per annum to $452.18 (Plus GST) per annum.

The decision to increase the Licence fee was made due to the newly revised Thames-Coromandel District Council 2018/19 schedule of fees and charges. Under this review there has been an increase in the fee for “Parks and Reserves. Commercial operator; operate all year and in one location” from $511.00 per annum (2017/2018) to $520.00 per annum. Commercial operators using the Whitianga wharf are being charged this fee in line with the concession policy.

Currently Cooper is paying $350.00 (Plus GST) per jetty per annum. In accordance with clause 3.2 the annual licence fee may be reviewed by the licensor every five years from the commencement date.

Having regard to the new reserves concession fees and charges being charged to Whitianga wharf operations and the neighbouring jetty. A fee of $452.18 (Plus GST) per jetty per annum would be reasonable.
5  **Suggested resolution(s)**

That the Mercury Bay Community Board:

1. Receives the report Licence Fee Review – D J Cooper – 1680 Whangapoua Road, Whangapoua

2. Recommends to Council that the new Licence fee chargeable to D J Cooper under their Licence to Occupy be set at $452.18 (Plus GST) per jetty per annum for the period of 1 July 2018 to 1 July 2023.

**References-tabled/Agenda attachments**

Attachment A – Photos of jetties occupied by D J Cooper
Attachment A
Picture of Jetties Occupied by D J Cooper
Attachment A

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