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<b>PART 8 FINANCIAL CONTRIBUTIONS</b>
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**8.1. Introduction**

8.1.1. Financial contributions as outlined in Part 8.3 may be required on land use and subdivision consents for controlled, discretionary and non-complying activities. Financial contributions under 8.2 may be required for permitted activities which are developments. Esplanade reserves and strips are not defined as financial contributions in terms of Section 108 of the Act where they relate to subdivision consents, and are subject to the provisions of the Act relating to subdivisions. However esplanade reserves and strips can be required as financial contributions on land use consents.

**8.2. Development Contributions on Permitted Activities**

8.2.1. For the purposes of this rule, "development" means:

- 8.2.1.1. the construction, erection or alteration of any non-residential building; or
- 8.2.1.2. the fencing, draining, excavation, filling or reclamation of land or the making of retaining walls in relation to such work; or
- 8.2.1.3. the removal or destruction of vegetation; or
- 8.2.1.4. the arresting or elimination of erosion or flooding; or
- 8.2.1.5. the construction of any tramway or railway.

8.2.2. *Purpose and circumstance:* Activities which involve considerable financing have the potential to greatly benefit the District, but also lead to a strain on resources. Accordingly only activities which are substantial (as determined by their value) require a financial contribution for the development of reserves and facilities. Any development that is defined as a network utility shall be exempt from the development contributions.

8.2.3. *Amount of contribution:* Developments of a value of over \$500,000 shall be subject to a financial contribution of 0.5% of the value of the development. The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District.

### **8.3. Financial Contributions as Conditions of Resource Consents**

8.3.1. The following financial contributions (whether cash, land, works or services) may be required as conditions of land use and subdivision consent:

- 8.3.1.1. Provision of new roads, private ways, access lots, service lanes and accessways.
- 8.3.1.2. Provision for the upgrading and/or widening of existing roads.
- 8.3.1.3. The provision of off-street parking or cash-in-lieu of car parking.
- 8.3.1.4. The carrying out of earthworks including excavation, filling and compaction.
- 8.3.1.5. The carrying out of landscaping, including the revegetation of modified or cleared land and the planting of trees and shrubs, and the provision of street furniture.
- 8.3.1.6. The provision of fencing or screening.
- 8.3.1.7. Provision of water supply.
- 8.3.1.8. Provision for sewerage, drainage or the disposal of sewage.
- 8.3.1.9. Provision for control and disposal of stormwater, including during construction of any works.
- 8.3.1.10. Provision for electricity supply.
- 8.3.1.11. Provision for street lighting.
- 8.3.1.12. Provision for telephone systems.
- 8.3.1.13. Provision for land for public open space, for public recreation and for reserves purposes.
- 8.3.1.14. Covenants or caveats for the protection of individual trees or areas of bush.
- 8.3.1.15. Contributions of land for esplanade reserves or an interest in land as an esplanade strip.
- 8.3.1.16. Development contributions.

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## 8.4. Circumstances, Maximum Amount and Purpose

8.4.1. Financial contributions are required to cover a range of circumstances from making development more attractive by adding one or two trees to ensuring that drains are laid so that they will be effective in dealing with stormwater over large new subdivisions. The Council will refer to New Zealand Standard 4404:1981 *Code of Practice for Urban Land Subdivision* to ensure that works are undertaken to a suitably high standard. The purpose and circumstances under which financial contributions may be imposed, and the maximum amount of the contribution in respect of each of the types of financial contributions, are as follows:

### 8.4.1.1. New Roads

8.4.1.1.1. *Purpose and circumstances:* To provide safe and adequate access to activities and provide for the needs of road users where access to the land proposed to be subdivided or developed cannot be achieved from existing roads, or where the capacity of existing roads would be exceeded.

8.4.1.1.2. *Maximum amount of contribution:* The full actual cost of constructing the new road, including the cost of the vesting in the Council of the necessary land for the road.

### 8.4.1.2. Upgrading/Widening of Existing Roads

8.4.1.2.1. *Purpose and circumstances:* To provide safe and adequate access to activities and provide for the needs of road users where existing roads are of inadequate width or construction to cater for the increased usage caused by the subdivision or development.

8.4.1.2.2. *Maximum amount of contribution:* The full actual cost of upgrading to meet the required standard to make the road suitable for increased traffic including, where appropriate, the cost of vesting any land as road for widening purposes.

### 8.4.1.3. Off-Street Parking

8.4.1.3.1. *Purpose and circumstances:* To provide cash to provide car parking spaces in the near vicinity of sites within the Urban Character Area where the off-street parking requirements of the Plan cannot be met.

8.4.1.3.2. *Maximum amount of contribution:* Current market value of 35m<sup>2</sup> of land in the zone per parking or loading space required by the off-street parking requirements of the Plan.

**8.4.1.4. Private Ways and Accessways**

- 8.4.1.4.1. *Purpose and circumstances:* To ensure private ways and accessways related to the activity are properly constructed and maintained so as to minimise any adverse effects that may arise from unsealed or poorly constructed private ways and accessways.
- 8.4.1.4.2. *Maximum amount of contribution:* The full actual cost of constructing and maintaining private ways and accessways to the appropriate standard.

**8.4.1.5. Earthworks**

- 8.4.1.5.1. *Purpose and circumstances:* To provide safe and adequate building areas and road access, stormwater control, land stability and to enable better utilisation of land, where the subdivision or development involves recontouring land to create roading services, site design and building areas; and to ensure that earthworks do not adversely affect significant natural habitats, ecosystems, landscapes and natural features.
- 8.4.1.5.2. *Maximum amount of contribution:* The full actual cost of carrying out the earthworks to the appropriate standards, retaining significant areas where required.

**8.4.1.6. Landscaping or Planting**

- 8.4.1.6.1. *Purpose and circumstances:* To reduce the adverse effects of land clearance and/or recontouring, enhance amenities and improve land stability where earthworks and/or land clearance or development have removed existing vegetation, or where replanting and landscaping will enhance existing amenities and reduce adverse impacts.
- 8.4.1.6.2. *Maximum amount of contribution:* The full actual cost of carrying out the landscaping.

**8.4.1.7. Fencing or Screening**

- 8.4.1.7.1. *Purpose and circumstances:* To minimise any adverse effects where a subdivision or land use may impact on heritage features, conservation areas or on important landscapes or public vistas/views or for screening between different activities or between Management Areas.
- 8.4.1.7.2. *Maximum amount of contribution:* The full actual cost of carrying out the fencing or screening.

**8.4.1.8. Water Supply**

8.4.1.8.1. *Purpose and circumstances:* To provide an adequate supply of potable water for human consumption, for industrial and commercial activities, or for fire fighting and irrigation where proposed allotments, sites or buildings are intended for human habitation or occupation, or where forestry is being developed.

8.4.1.8.2. *Maximum amount of contribution:* Where a piped water supply is available and sufficient to meet the needs of the proposed activity, the full actual cost of providing all the necessary reticulation to serve the proposed allotments, sites and buildings. Where no supply is available, or the capacity of the supply is inadequate, the full actual cost of providing a supply and increasing the capacity if necessary, together with the cost of reticulation within the subdivision or development.

**8.4.1.9. Disposal of Sewage**

8.4.1.9.1. *Purpose and circumstances:* To maintain the health and amenity of inhabitants or occupants and to protect the natural environment from indiscriminate and harmful disposal of sewage where new allotments, sites and buildings are intended for human habitation or occupation.

8.4.1.9.2. *Maximum amount of contribution:* Where a sewerage system is available and has adequate capacity for meeting the proposed additional sewage, the full actual cost of connecting the lots or buildings to that sewerage system. Where a sewerage system is not available, or the capacity of an existing system is inadequate, the full actual cost of disposal, including design and investigation and the cost of increasing the capacity if necessary, together with the full actual cost of providing sewerage within the subdivision or buildings.

**8.4.1.10. Stormwater**

8.4.1.10.1. *Purpose and circumstances:* To prevent damage and loss of property and amenity from the indiscriminate and uncontrolled run-off of stormwater where new allotments, roads and/or other impervious surfaces are created by subdivision or development.

8.4.1.10.2. *Maximum amount of contribution:* Where a piped outfall is available, the full actual cost of reticulation control structures within the subdivision or development. Where a piped outfall is not available or the capacity of an existing system is inadequate, the full actual cost of providing for the disposal of stormwater and increasing the capacity if necessary, together with the full actual cost of reticulation and control structures within the subdivision or building.

#### **8.4.1.11. Electricity Supply**

8.4.1.11.1. *Purpose and circumstances:* To ensure that all proposed allotments, sites and buildings intended for human habitation and/or occupation can be supplied with electricity.

8.4.1.11.2. *Maximum amount of contribution:* The full actual cost of providing the supply underground to and within the subdivision or buildings.

#### **8.4.1.12. Street Lighting**

8.4.1.12.1. *Purpose and circumstances:* To improve the safety of road users and pedestrians where new roads or private ways are formed or upgraded as part of a subdivision or development.

8.4.1.12.2. *Maximum amount of contribution:* The full actual cost of providing the street lighting.

#### **8.4.1.13. Telephone Links**

8.4.1.13.1. *Purpose and circumstances:* To ensure that all proposed allotments, sites and buildings intended for human habitation and/or occupation are able to be connected to a telephone system.

8.4.1.13.2. *Maximum amount of contribution:* The full actual cost of providing telephone links to and within the subdivision or buildings.

#### **8.4.1.14. Provision of Open Space, Public Recreation or other Reserves**

8.4.1.14.1. *Purpose and circumstances:* To upgrade public recreational space and other reserves with facilities for public recreation and enjoyment or the protection of conservation values where the subdivision results, or will result, in an increase or an intensification of the use of land, whether by increased resident population or by commercial or industrial activities.

8.4.1.14.2. *Maximum amount of contribution:*

- (i) Where over 10 allotments are created land suitable for development into a reserve to serve the expected population.
- (ii) For each additional allotment of less than 1ha, the amount of a financial contribution shall be 7.5% of the land value.
- (iii) For each additional allotment of 1ha to 5ha, the amount of a financial contribution shall be 5% of the land value.
- (iv) For each additional allotment over 5ha, the amount of a financial contribution shall be 2.5% of the land value of no greater than 10ha of each allotment.

**8.4.1.15. Esplanade Reserves and Esplanade Strips**

8.4.1.15.1. *Purpose and circumstances in relation to land use consents:*

- (i) To protect conservation values on riparian and coastal margins and associated water quality and aquatic habitats.
- (ii) To ensure public access is maintained to and along water bodies where a proposed land use may reduce the ability to gain public access or where access is not currently available.
- (iii) To ensure recreational opportunities near water bodies are not lost where the proposed land use may reduce those opportunities or to provide recreational opportunities where these are not currently available.

8.4.1.15.2. *Maximum amount of contribution:* The full actual cost of vesting or contributing a reserve or strip of not greater than 20 metre width including the value of the land or interest in land and the costs of survey and conveyancing.

**8.4.1.16. Development Contributions**

8.4.1.16.1. *Purpose and circumstances:* Activities which involve considerable financing have the potential to greatly benefit the District, but also lead to a strain on resources. Where a development (as defined in 8.2) occurs, additional contribution over and above that provided for any of the purposes in 8.4.1.1 to 8.4.1.15 above may be required to provide for the social and recreational needs of the area around which the development is located.

8.4.1.16.2. *Maximum amount of contribution:* Developments of a value of over \$500,000 shall be subject to a financial contribution of up to 0.5% of the value of the development. The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District. The value of other financial contributions conditional on the development will be considered with regard to the amount of development contribution required.