

Development Contributions Policy Contents

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8.1 Introduction

- 8.1.1 Council may have a Development Contributions Policy as a component of its Funding and Financial Policies in its Long-Term Council Community Plan. The Development Contributions Policy allows Council to require a development contribution from developers where the effect of the development is to require new or additional assets or assets of increased capacity for which Council must incur (or has already incurred) capital expenditure to provide for community facilities.
- 8.1.3 The Development Contributions Policy 2006 will apply to developments where applications for resource consents (land-use and subdivision consents), building consents, or authorisations for service connection are granted on or after 1 July 2006.
- 8.1.4 Council may require development contributions from development where the effect, including the cumulative effect of development, is to require new or additional assets or assets of increased capacity and, as a consequence, the Council incurs capital expenditure. This also includes capital expenditure Council has already incurred in anticipation of growth. The incurred capital expenditure itself must be to appropriately provide for community facilities, which are specifically in the case of Papakura District network infrastructure (stormwater and roading) and community infrastructure.
- 8.1.5 Funding Council's capital expenditure for growth with development contributions must be considered alongside Council's other funding tools, in order to provide predictability and certainty about the sources and levels of funding.

8.1.6 The Schedule to the Development Contributions Policy specifies:

- The development contributions required from development for capital expenditure for growth for stormwater, roading, community infrastructure, public transport and reserves activities.
- The event that will give rise to a requirement for a development contributions upon granting a resource consent, building consent, or authorisation for service connection.
- The conditions and criteria that apply on the requirement for development contributions.
- Statement on Goods and Services Tax (GST).

8.1.7 The Notes to the Contributions Model and the full Contributions Model (the methodology which demonstrates, explains, and justifies how calculations for the development contributions are made) is available for inspection at the Council Offices and Sir Edmund Hillary Library.

8.1.6 The Development Contributions Policy does not supersede the requirements for developments to avoid, remedy, or mitigate localised adverse effects as provided for in the District Plan, and the requirement to meet the standards and specifications in the District Development Code.

8.2 Relationship between “Development Contributions” and “Financial Contributions”

8.2.1 “Development Contributions” under the Local Government Act 2002 (LGA 2002) are different from “Financial Contributions” under the Resource Management Act 1991 (RMA 1991).

Development Contributions

8.2.2 Development contributions may be required from development to meet the capital expenditure for community facilities resulting from growth, in accordance with the capital expenditure programme. Financial contributions may also be required from development to avoid, remedy, or mitigate the localised adverse effects of the development on the environment.

8.2.3 Council already has in place financial contributions policies, objectives, and rules in the District Plan (refer to Operative Papakura District Plan: Part 10, Section 3 - Urban Papakura, Part 6; and Part 8, Section 2 - Rural Papakura).

8.2.4 However, the financial contributions policies, objectives, and rules in the District Plan do not provide for the capital expenditure for the growth allocated to the District under the Auckland Regional Growth Strategy, and Southern Sector Agreement over the next 20 years.

8.2.5 Neither do the financial contributions policies, objectives, and rules in the District Plan meet Council's funding and financial policy obligations with regards to the funding of capital expenditure for growth under the LGA 2002.

8.2.6 Council considers that the preparation of a Development Contributions Policy will fulfil both its growth management and funding and financial policy obligations better than the commencement of a Plan Change to the financial contributions policies, objectives, and rules in the District Plan.

8.2.7 Council has developed a comprehensive growth management strategy for the District in order to meet these growth management and funding and financial responsibilities by facilitating and where appropriate coordinating development, and providing infrastructure in a timely and affordable manner so:

- That growth within Papakura will take place in Papakura Central, Takanini, Hingaia, and Rural Papakura in a staged but simultaneous manner as detailed in the Southern Sector Agreement and Strategic Plan.
- That the capital expenditure for growth will be affordable for Council, community, and those undertaking developments.
- That as far as is practicable the growth will be financially self-supporting.

8.2.8 The Development Contributions Policy builds-on and complements the development agreements over greenfields growth areas in the District, but will apply to all areas of the District.

8.2.9 As such, development contributions will be required from development under the Development Contributions Policy to meet the growth component of the capital expenditure resulting from the following activities:

- Stormwater
- Rooding
- Community infrastructure
- Public transport

- 8.2.12 Council will not require a development contribution to the extent that:
1. it has required a financial contribution in relation to the same development for the same purpose, or
 2. where the developer will fund or otherwise provide the same community facilities (may require a Development Agreement with Council), or
 3. Council will receive funding for community facilities from third parties (for example, Land Transport New Zealand).

Council will not require a financial contribution to the extent that it has required a development contribution in relation to the same development for the same purpose.

8.3 Costs, Benefits, and Sustainable Development

- 8.3.1 Papakura is experiencing growth from both greenfields development and intensification. In March 2001, Council agreed to accommodate an additional 52,000 people (from an existing population of 42,000) people, over the next 50 years as part of the Auckland Regional Growth Strategy and Southern Sector Agreement.
- 8.3.2 This will place a significant strain on the stormwater, roading, community infrastructure, and public transport assets of the District if not well managed.
- 8.3.3 Council has used the Contributions Model to model the impact of growth on its future finances, and separated the costs of stormwater, roading, community infrastructure, and public transport capital works projects between capital expenditure for growth and improved levels of service.

- 8.3.4 Funding the capital expenditure for growth for stormwater, roading, community infrastructure, and public transport capital works projects from development contributions is considered transparent, consistent, and equitable by developers, the community and Council.

- 8.3.5 Council considers that requiring an appropriate level of development contributions from development, applied alongside other funding tools, is the best overall solution in achieving community outcomes, while balancing the costs and benefits in terms of funding between developers, the community and Council.

- 8.3.6 Providing appropriately for community facilities in anticipation of growth is a core Council obligation in the promotion of the social, economic, environmental wellbeing of the community, in the present and for the future. As such the Development Contributions Policy will provide predictability and certainty about the sources and levels of funding for the costs of growth, and continue to ensure the sustainable development of the District as a whole, without negatively impacting on growth.

8.4 Role of Council

- 8.4.1 Council considers its role in the provision of stormwater, roading, community infrastructure, and public transport activities as a part of its historic, growth management, and sustainable development obligations to the District, of which neither individuals, the community, the private sector, and central government can appropriately fulfill.

Development Contributions

8.4.2 Council is responsible because:

8.4.3 Legislative Requirement

Council has extensive powers, duties, and functions conferred upon it by central government providing both mandatory and discretionary responsibilities.

8.4.4 Growth Management

To manage the growth of the District in a timely, co-ordinated, cost-effective, and equitable manner.

8.4.5 To Ensure Public Access

These are activities Council has chosen to fund and/or provide to ensure they are available at reasonable cost and in the required quantity.

8.4.5 To Meet Community Expectation

Community expectation is measured through yearly Annual Plan processes, and annual performance measures such as random telephone and mail surveys to residents and ratepayers. These processes assist in Council's decision-making in relation to the provision of individual services. Community expectation will also be given effect through the preparation and subsequent reviews of the inaugural Long-Term Council Community Plan.

8.4.6 To Enhance Community Identity

When the Papakura District was formed this was recognition of the strength of community interest and the level of 'sense of belonging' within the community. Council has continued to strengthen the 'sense

of community' with a range of recreational facilities as well as national leadership in the way that services are being provided to the community.

8.4.7 As Part of Partnership with Central Government

Council is in partnership with Central Government in various ways and there are situations where Council has been able to assist at the local level.

8.4.8 No-one Else will Provide the Service

These are activities where, if Council were to stop providing a service no alternative provider would appear.

8.4.9 To Enhance Community Safety

Community safety applies to activities that relate to the protection of the community. In some instances, there is a statutory responsibility to provide this service but the level of service is higher than the statutory minimum requirements.

8.5 Distribution of Benefits

8.5.1 Council considers it appropriate that development contributions are required from development according to the distribution of benefits in the funding of capital expenditure for growth for stormwater, roading, community infrastructure, public transport and reserves from development contributions.

8.5.2 Council has allocated the distribution of benefits derived from the Additional Capacity / Growth component of capital works projects only among the units of demand generated by new development.

8.5.3 Distribution of benefits will occur on a District Wide basis or on a Catchment Basis.

8.5.4 District-Wide

Certain significant community infrastructure and public transport capital works projects have been identified as district-wide in distribution of benefits.

8.5.5 Stormwater Catchment

The stormwater catchments have been determined by geo-physical assessment to determine the boundaries of stormwater catchments in the District, and the capital works projects required in each catchment to manage stormwater. The distribution of benefits of Council's stormwater activity have been assumed to be uniformly distributed throughout each stormwater catchment.

8.5.6 Rooding Catchment

The rooding catchments have been determined according to the area serviced by the projects concerned. The distribution of benefits have been assumed to be uniformly distributed throughout each rooding catchment. The majority of projects are part of the arterial network so benefit the District as a whole.

8.6 Significant Assumptions

8.6.1 Significant assumptions underlying the calculation of the Schedule to the Development Contributions Policy are as follows:

8.6.2 Projected Growth

That growth will continue at least for the next 10 years in terms of the Auckland Regional Growth Forum, Southern Sector Agreement, and Strategic Plan, and that there will be an increase of 7,388 household units / equivalent household units in Papakura spread over the 2006 - 2016 Long Term Council Community Plan period and a further increase of approximately 3,800 household units / equivalent household units over the following ten year period. This is a particularly critical assumption, since Council is dependent on the timely receipt of contributions from those undertaking development to service debt.

8.6.3 Best Available Knowledge

That the capital expenditure costs, including the cost of land, are based on the best available knowledge at the time of preparation and largely represent a "rough order of costs" rather than specific estimates. These will be refined in subsequent years as in some cases policies become clearer and in others there is an improved knowledge of an asset. The capital works programme for growth makes no allowance for changes in the scope or costs of projects, or for changes in the pattern and distribution of development.

Development Contributions

8.6.4 Development Negotiations and Agreements

Ongoing negotiations with potential developers and the subsequent preparation of formal agreements, have provided Council with an understanding of the costs of development and what an equitable share of costs between developers, the community and Council should be.

8.6.5 Growth Areas in the District

That growth within Papakura will take place in Papakura Central, Takanini, Hingaia, and rural areas in a staged but simultaneous manner as detailed in the Southern Sector Agreement and Strategic Plan.

8.6.6 Growth Affordability

That managed growth within all these areas is affordable and that Council's share (for example contributions to trunk services) is able to be financed predominantly through capital expenditure, supported by development contributions in parallel with Council's core business and other projects.

8.6.7 Growth Supports Growth

That Council's policy as detailed in the Funding and Financial Policy, is to ensure as far as practicable that new growth is financially self-supporting with the costs being recovered through development contributions from those undertaking development. Council acknowledges that for trunk services which either extend physically or in capacity beyond a particular development that Council may have to act as banker for these services and recover costs in stages from

development. The Council accepts that a certain level of development exists in Papakura for which services have been provided for at the time that the Development Contributions Policy commences. The Council assumes development contributions will only be required on development over and above that existing at the time of grant of a resource consent, a building consent or an authorisation for service connection.

8.6.8 Expectation that Contributions will be taken

That the Long-Term Council Community Plan also contains programmes which Council is funding, where it expects to receive contributions.

8.6.9 Community Facilities Built in Anticipation of Growth

That Council's Development Contributions Policy will allow Council to recover the growth proportion of historical capital expenditure that Council has already incurred to provide community facilities in anticipation of growth.

Financial and Administrative Assumptions

8.6.10 The rates of development contributions may include interest on funds raised to implement Council's capital works programme and interest on contributions received in advance of provision of growth infrastructure.

8.6.11 That the incomes generated from rates will be sufficient to meet the operating costs of capital expenditure into the future.

- 8.6.12 Operating expenditure will be allocated across the rating base of the District.
- 8.6.13 That there will be an impact from the capital expenditure on operating expenditure and an allowance has been made for this based on the type of asset.
- 8.6.14 That all Land Transport New Zealand subsidies will continue at present levels and that eligibility criteria will remain unchanged.
- 8.6.15 That methods of service delivery will remain substantially unchanged.

Key Risks

- 8.6.17 That the growth assumptions are not met resulting in delayed development.
- 8.6.18 That there is a lag between expenditure being incurred by Council and contributions received from those undertaking developments.
- 8.6.19 That the costs of capital are greater than expected.

8.7 Capital Expenditure for Community Facilities

- 8.7.1 Council will require development contributions where the effect of a development (including the cumulative effect) requires Council to incur capital expenditure to appropriately provide for new or additional assets or assets increased capacity. This also includes historical capital expenditure Council has already incurred in anticipation of growth.
- 8.7.2 Council has since 1999 developed a comprehensive growth management strategy and has identified the estimated capital expenditure to Council for capital works projects resulting from the

growth allocated to the District as part of the Auckland Regional Growth Strategy and Southern Sector Agreement. This growth has been detailed for a 20-year period in Council's Contribution Model.

- 8.7.3 The Contributions Model has been built up from a capital works project component level, and calculates over a 20-year period the contributions that will be required from new development to meet part of the capital expenditure for growth for stormwater, roading, community infrastructure, and public transport activities.
- 8.7.4 Council considers that most capital works projects service demand from Additional Capacity / Growth and Improved Level of Service. In determining the appropriate split Council has considered many factors including but not limited to the following:
- Separation of each project into components with differing Additional Capacity / Growth and Improved Level of Service splits.
 - The application of benefits from each component of each project.
 - Projected population growth, and the anticipated pattern and distribution of development.
 - Existing population and development.
 - Anticipated infrastructural needs.
 - Adequacy of existing services.
 - The life of benefits associated with each project.

Development Contributions

- Consideration of the incremental effects of proposed projects not proceeding.
- Consistency across the District.

- 8.7.5 The Contributions Model is based on the considered assessment of the distribution of benefits of the Additional Capacity / Growth components of Council's capital works projects among units of demand which arise from new development. The split that has been made between the Additional Capacity / Growth components and Improved Level of Service components of the capital works projects has been tested and accepted by the development community in development agreements over greenfields growth areas in the District.
- 8.7.6 Development contributions will only be required to meet the Additional Capacity / Growth components of capital works projects, with Council funding the Improved Level of Service to existing developed areas from other sources.
- 8.7.7 The capital expenditure for growth in the Long-Term Financial Strategy is derived from the Contributions Model as part of the preparation of the 2006 Long-Term Council Community Plan.
- 8.7.8 The projections in the Long-Term Council Community Plan are based on the assumption that the effects caused by the growth of the District will be met in accordance with the Contributions Model. These costs are to be financed predominantly by way of loans and from contributions required from developments.

8.7.9 20-year Estimated Capital Expenditure and Funding for Growth

TABLE 1 - 20-YEAR ESTIMATED CAPITAL EXPENDITURE AND FUNDING FOR GROWTH is derived from the Contributions Model, and summarises:

- The total estimated capital expenditure to meet increased demand for community facilities resulting from growth over the next 20 years; and
- The proportion of total estimated capital expenditure to meet increased demand for community facilities resulting from growth which will be funded from development contributions and other funding sources over the next 20 years.

8.7.10 Council may update the Development Contributions Policy on an annual basis to take account of:

- Any changes to the significant assumptions to the Development Contributions Policy.
- Any changes in policy as Council continues to develop and implement its growth management strategy.
- Any changes in the capital works programme for growth.
- Any changes in the pattern and distribution of development in the District.
- The regular reviews of the Contributions Model, Funding and Financial Policy, and the Long-Term Council Community Plan.

TABLE 1 - 20-year Estimated Total Capital Expenditure and Funding for Growth

Community Facility	Total Cost of Capital Works Project	Other Sources of Funding	Total Improved Level of Service	Total Growth Component ***
Stormwater	\$91,171,922	\$0	\$43,113,191	\$48,058,731
Roading	\$204,996,582	\$70,925,786*	\$77,836,366	\$56,234,430
Community Infrastructure	\$76,288,663	\$0	\$27,868,725	\$48,419,938
Public Transport	\$9,824,603	\$4,118,418**	\$2,015,176	\$3,691,009
TOTAL	\$382,281,770	\$75,044,204	\$150,833,458	\$156,404,108

Notes:

* Funding from Land Transport New Zealand

** Funding assumed from Public Transport Funding Bodies

*** Council considers that the entire cost of growth will be met by Developers as explained in 8.3.4.

8.7.11 Stormwater

The Council stormwater activity provides and maintains stormwater reticulation and catchment management systems that provides effective management of the disposal of stormwater.

8.7.12 Rooding

The Council roading activity is for the provision of a safe and cost effective network of roads to satisfy the current and future growth needs of road users. This includes the need for roading to form part of a safe and efficient regional and national system of transport.

8.7.13 Community Infrastructure

Council and other agencies has made large investments in additional community infrastructure in the District to cater for future demand. This infrastructure includes the Aquatic Centre, the Hawkins Centre, Sir Edmund Hillary Library, Massey Park and the development of Bruce Pulman Park. The Strategic Plan has also identified the growing importance of public resources, including libraries and recreation facilities in supporting the quality of life in the District.

8.7.14 Public Transport

Council is planning significant rail station improvements in the District, including improved vehicular and walking access and the provision of park and ride areas, in order to meet the environmental wellbeing community outcome of 'a well integrated transport system' as identified in the Long-Term Council Community Plan.

Development Contributions

SCHEDULE TO DEVELOPMENT CONTRIBUTIONS POLICY

A.1 Requirement for Development Contributions

Development contributions shall be required from new development in the form of money or land or both at Council's discretion for capital expenditure for growth for the following activities:

1. stormwater,
2. roading,
3. community infrastructure, and
4. public transport activities.

A development will be assessed against the Development Contributions Policy in accordance with the procedures outlined in sections A.1 to A.6.

The requirement for a development contribution is subject to the Credits procedure in A.3 and the Review, Remission and Postponement procedure in A.4.

Residential and Non-Residential development will be assessed on the additional units of demand created by the development in accordance with Appendix A. - Assessment of Demand and Appendix B - Catchments and Development Contributions.

There are two categories of non-residential development.

1. "Non-Residential A" will be used for most non-residential development.
2. "Non-Residential B" will be used where Council, in its discretion, considers that this classification is more appropriate having regard to the nature of the development.

Non-residential sheds and farm buildings associated with rural activities, which do not generate demand of Council's community facilities will not incur a development contribution.

A.2 Timing

Development contributions will be assessed prior to the grant of:

1. A resource consent under the Resource Management Act 1991;
2. A building consent under the Building Act 2004; or
3. An authorisation for a service connection.

A new assessment may be made on each and every event described above. Each assessment may be paid within 12 months of the date of each assessment. If payment is not received within this time, Council may, at its discretion, review its assessment.

The development contribution must be paid prior to:

1. In the case of a subdivision consent, the issue of the section 224(c) certificate;
2. In the case of any other resource consent, prior to the commencement of the resource consent;
3. In the case of a building consent, prior to the issue of the code compliance certificate; or
4. In the case of a service connection, prior to the connection.

In all cases, unless the development contribution has been paid in full, the Council will:

1. In the case of a subdivision consent, withhold the section 224(c) certificate.

2. In the case of any other resource consent, prevent the commencement of the resource consent.
3. In the case of a building consent, withhold the code compliance certificate.
4. In the case of a service connection, withhold the service connection.
5. Register the outstanding development contribution as a charge on the subject land under the Statutory Charges Registration Act 1928.

A.3 Credits

Credits are expressed in units of demand and may reduce the number of units of demand created by a development assessed by Council. Credits can only be used for developments on the same site and for the same activity and cannot be used to reduce the number of units of demand to less than zero.

Credits towards development contributions will be considered by Council on a case by case basis taking into account the following matters:

1. The level of existing units of demand on the site. Where multiple existing uses can be established, Council will have regard to the most intensive use. The existing development must have been lawfully established and cannot be transferred to another site. Where the existing development has been demolished, the credit will stay with the site for 5 years from the date of the demolition.

Vacant land (that is, land without buildings) does not have an existing unit of demand and will not receive a credit for an existing use.

The maximum credit for existing units of demand awarded for Non-Residential B activities is the lesser of:

1. The unit of demands calculated based on the existing site area developed; or
 2. The units of demands attributable to an area twice the gross floor area of the existing buildings on the site.
2. Monies paid and/or works undertaken and/or land set aside in relation to the same development for the same purpose by prior:
 - i. Financial contributions taken from a development under the District Plan for capital expenditure for growth for stormwater activities.
 - ii. Agreements with Council.
 - iii. Development contributions.

A.4 Review, Remission and Postponement

An applicant may formally request Council to review the development contributions required on the development concerned.

Any such request shall be made by notice in writing to Council within 15 working days after Council has advised the developer in writing of the amount of development contribution required on the development, setting out the reasons for the request.

Development Contributions

In undertaking the review:

- Council shall as soon as reasonably practicable consider the request.
- Council may determine whether to hold a hearing for the purposes of the review, and if so, give at least 5 working days notice to the applicant of the commencement date, time, and place, of that hearing.
- Council may, at its discretion, uphold, increase, reduce, postpone or cancel the original amount of development contributions required on the development and shall communicate its decision in writing to the applicant within 10 working days of any determination or hearing.
- Council may delegate this role to Council Officers.

In making its decision Council will take the following matters into account:

1. The Development Contributions Policy.
2. The Contributions Model.
3. Council's Funding and Financial Policy.
4. The extent to which the value and nature of works proposed by the applicant reduces the need for works proposed by Council in its capital works programme.
5. Whether the development supports Council's wider objectives.
6. Whether the Credits Procedure in A.3 has been applied correctly.

7. Whether the development has been correctly assessed as a residential, mixed-use, Non-residential A or Non-residential B activity.
8. Any other matters Council considers relevant.

A.5 Statement on Goods and Services Tax (GST.)

All assessments are exclusive of GST and do not constitute an invoice for the purposes of the Goods and Services Tax Act 1985. GST will be added to the invoice at the time of supply as required by the Goods and Services Act 1985.

The time of supply shall be the earlier of :

1. Council issuing an invoice to the developer; or
2. The payment of the development contribution in accordance with this Policy.

A.6 Development Contributions Planning Tables and Planning Maps

Development contributions shall be required from development in the form of money or land or both at Council's discretion for capital expenditure for growth for stormwater, roading, community infrastructure and public transport in accordance with the tables, maps, and procedures specified in this section.

A.6.1 Units of Demand

Council has apportioned the cost of capital works projects between Additional Capacity / Growth and Improved Level of Service (after allowance for subsidy from Land Transport New Zealand where relevant).

The Additional Capacity / Growth component of capital expenditure has been allocated to growth on the basis of units of demand generated by new development only (refer to 8.5 - DISTRIBUTION OF BENEFITS: DEVELOPMENT CONTRIBUTIONS POLICY for further detail).

A.6.2 Assessment and Calculation of Development Contributions Required from Development

The total units of demand for non-residential development shall be assessed in accordance with Appendix A - Assessment of Units of Demand. The Development Contribution payable will then be determined by multiplying the number of units of demand by the fee payable for each activity by reference to Appendix B - Catchments and Development Contributions.

A.6.3 Catchment Maps

Refer to Appendix C for a map showing the boundaries of the Stormwater Catchments.

Refer to Appendix D for a map showing the boundaries of the Rooding Catchments.

Refer to Appendix E for a map showing the boundary of the Opaheke Area.

Development Contributions

APPENDIX A - ASSESSMENT OF UNITS OF DEMAND

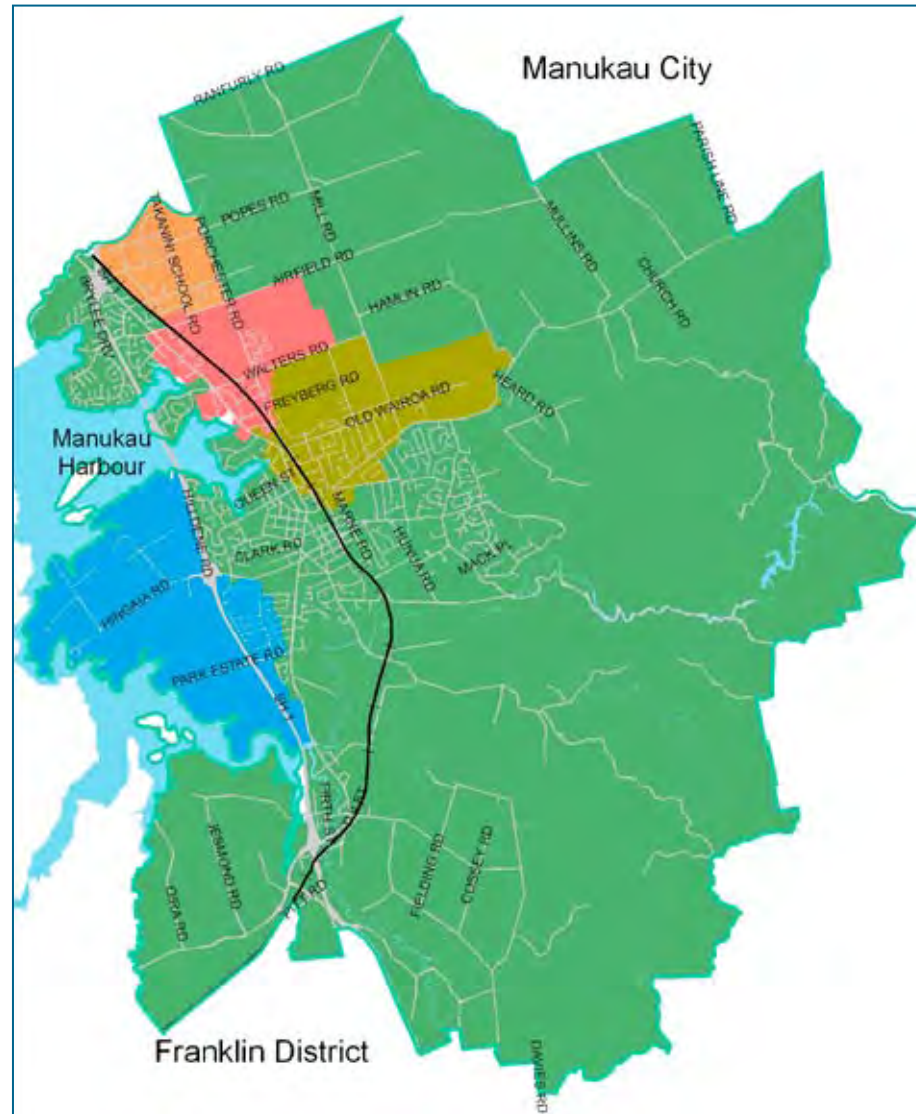
Form of Development	
Subdivision Consent	Demand Factor
One site (residential, mixed use or non-residential)	1.0 unit of demand for each site
Other Resource Consents, Building Consents or Service Connections	Demand Factor
One household unit (other than in a mixed-use development)	1.0 unit of demand for each household unit
One minor household unit (other than one household in a mixed-use development)	0.5 units of demand for each minor household unit
Non-Residential A or Mixed-Use development	0.8 units of demand for each 185m ² of gross floor area
Non-Residential B development in the Opaheke Area	0.8 unit of demand for each 500m ² of site area developed
Non-Residential B development (other than in the Opaheke Area)	1.0 unit of demand for each 500m ² of site area developed

APPENDIX B - CATCHMENTS AND DEVELOPMENT CONTRIBUTIONS

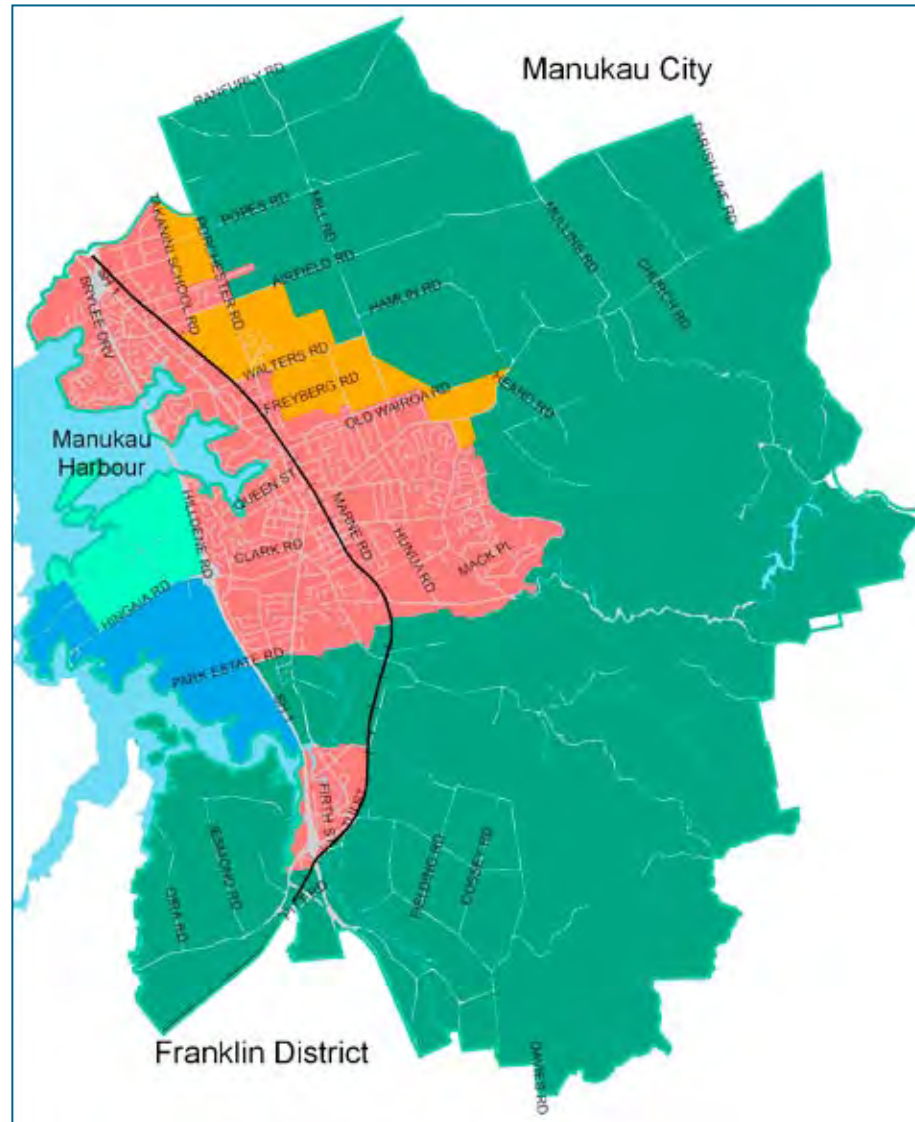
	Development Contribution (excl GST)
Stormwater	
Hingaia	\$4,968
Old Wairoa	\$4,096
Takanini North	\$2,968
Takanini South	\$3,700
Rest of Papakura	\$3,229
Roading	
District Wide	\$3,709
Hingaia North	\$5,603
Hildene Road	\$393
Hingaia South	\$2,776
Rural	\$495
Urban	\$672
Community Infrastructure	
District Wide	\$3,918
Public Transport	
District Wide	\$289

Development Contributions

APPENDIX C - STORMWATER CATCHMENTS MAP

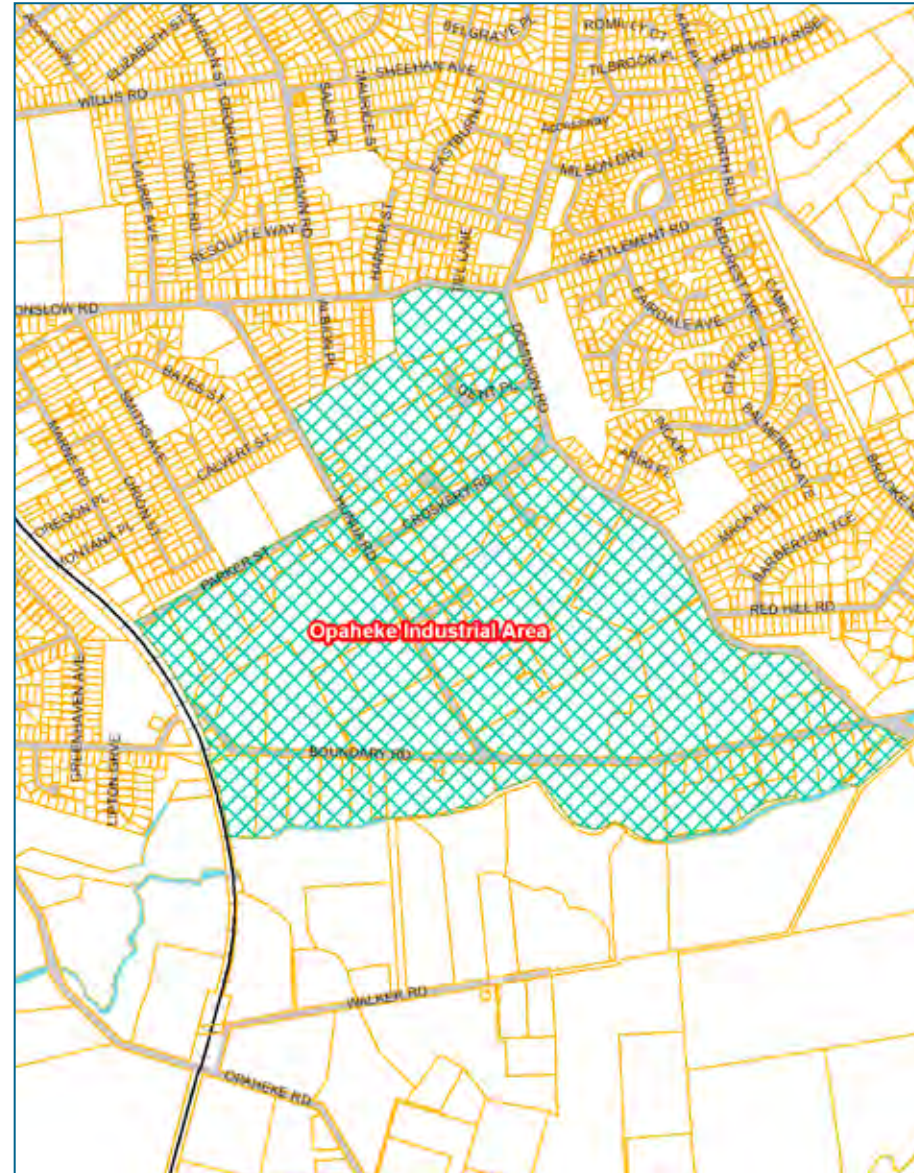


APPENDIX D - ROADING CATCHMENTS MAP



Development Contributions

APPENDIX E - OPAHEKE AREA MAP



DEVELOPMENT CONTRIBUTIONS POLICY: DEFINITIONS

In the Development Contributions Policy and the Schedule to the Development Contributions Policy, unless the context otherwise requires:

activity	<p>has the same meaning set out in section 5 of the Local Government Act 2002 or any legislation substituted for the same as below:</p> <p>5 Interpretation</p> <p>(1) In this Act, unless the context otherwise requires,---</p> <p>activity means a good or service provided by, or on behalf of, a local authority or a council-controlled organisation; and includes---</p> <p>(a) the provision of facilities and amenities; and</p> <p>(b) the making of grants; and</p> <p>(c) the performance of regulatory and other governmental functions</p>
Auckland Regional Growth Strategy	<p>means the Auckland Regional Growth Strategy approved</p> <p>by the Auckland Regional Council in November 1999.</p>
community facilities	<p>has the same meaning set out in section 5 of the Local Government Act 2002 or any legislation substituted for the same as below:</p> <p>5 Interpretation</p> <p>(1) In this Act, unless the context otherwise requires,---</p> <p>community facilities means reserves, network</p>

Contributions Model	<p>infrastructure, or community infrastructure for which development contributions may be required in accordance with section 199</p> <p>means the model adopted by Council as part of the Development Contributions Policy in the Long-Term Council Community Plan 2006 - 2016</p>
community infrastructure	<p>has the same meaning set out in section 197 of the Local Government Act 2002 or any legislation substituted for the same as below:</p> <p>197 Interpretation</p> <p>In this subpart,---</p> <p>community infrastructure means---</p> <p>(a) land, or development assets on land, owned or controlled by the territorial authority to provide public amenities; and</p> <p>(b) includes land that the territorial authority will acquire for that purpose.</p>
development	<p>has the same meaning set out in section 197 of the Local Government Act 2002 or any legislation substituted for the same as below:</p> <p>197 Interpretation</p> <p>In this subpart,---</p> <p>development means</p> <p>(a) any subdivision or other development that generates a demand for reserves, network infrastructure, or community infrastructure; but</p> <p>(b) does not include the pipes or lines of a network</p>

Development Contributions

utility operator. Development contribution has the same meaning set out in section 197 of the Local Government Act 2002 or any legislation substituted for the same as below:

197 Interpretation

In this subpart,---

development contribution means a contribution---

- (a) provided for in a development contribution policy included in the long-term council community plan [or transitional annual plan] of a territorial authority; and
- (b) calculated in accordance with the methodology; and
- (c) comprising---
 - (i) money; or
 - (ii) land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Act 1993, unless that Act provides otherwise; or
 - (iii) both development contribution policy has the same meaning set out in section 197 of the Local Government Act 2002 or any legislation substituted for the same as below:

197 Interpretation

In this subpart,---

development contribution policy means the policy on

Goods and Services

gross floor area

household unit

LGA 2002

development contributions included in the long-term council community plan [or transitional annual plan] of the territorial authority under section 102(4)(d).

means goods and services tax under the Goods and Tax (GST.) Services Tax Act 1985 or any legislation substituted for the same.

means the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of exterior walls, or from the centre lines of walls separating two abutting buildings or, in the absence of walls, from the exterior edge of the floor but excluding:

- (a) Car parking, vehicle access and manoeuvring areas/ramps;
- (b) Pedestrian facilities approved by the Council which are open to the public, are accessed directly from a public place and have an overhead clearance of not less than 3m;
- (c) Space for stairs, ramps, walkways, escalators and elevators:
 - (i) essential to the operation of a through site link, or
 - (ii) servicing a floor or part of a floor used only for car parking or loading;
- (d) Plant and equipment enclosures on the roof; and
- (e) Mezzanines not available to the public.

a building or part of a building intended to be used as an independent residence and includes any apartment, townhouse, dwelling unit or home unit.

means the Local Government Act 2002 or any

	legislation substituted for the same.			<ul style="list-style-type: none"> • Industrial activities • Manufacturing activities
minor household unit	means a household unit of not more than 60m ² gross floor area.	Opaheke Area		means that area as shown in Appendix E
mixed-use activities	means activities comprising of a residential component and a non-residential component.	planning area unit		means the unit(s) in the Contributions Model which demarcate Papakura District.
network infrastructure	has the same meaning set out in section 197 of the Local Government Act 2002 or any legislation substituted for the same as below: 197 Interpretation In this subpart,--- network infrastructure means the provision of roads and other transport, water, wastewater, and stormwater collection and management	residential activities		means activities comprising one or more household units and includes residential accommodation for physical, psychological or social support but does not include (for example) motels, hotels, motor and tourist lodges, or retirement villages.
non-residential activities	means activities other than residential activities. In this Policy, non-residential activities are divided into Non-Residential A and Non-Residential B activities. Non-Residential A activities include (but are not limited to): <ul style="list-style-type: none"> • Commercial activities • Retailing activities • Financial activities • Educational activities • Religious activities • Sporting activities Non-Residential B activities include (but are not limited to):	RMA 1991		means the Resource Management Act 1991 or any legislation substituted for the same.
		Schedule 13	Methodology for calculating development contributions	
			1 Methodology for relating cost of community facilities to	

Development Contributions

units of demand

In order to calculate the maximum development contribution in respect of a community facility or an activity or group of activities for which a separate development contribution is to be required, a territorial authority must first---

- (a) identify the total cost of the capital expenditure that the local authority expects to incur in respect of the community facility, or activity or group of activities, to meet increased demand resulting from growth within the district, or part of the district, as the case may be, as set out in the long-term council community plan [or transitional annual plan] in accordance with section 106(2)(a); and
- (b) identify the share of that expenditure attributable to each unit of demand, using the units of demand for the community facility or for separate activities or groups of activities, as the case may be, by which the impact of growth has been assessed.

2 Attribution of units of demand to developments

For the purpose of determining in accordance with section 203(2) the maximum development contribution that may be required for a particular development or type of development, a territorial authority must demonstrate in its methodology that it has attributed units of demand to particular developments or types of development on a consistent and equitable basis.

service connection

has the same meaning set out in section 197 of the Local Government Act 2002 or any legislation substituted for the same as below:

197 Interpretation

In this subpart,---

service connection means a physical connection to a service provided by, or on behalf of, a territorial authority

means:

- (a) An area of land which is:
 - (i) comprised in a single certificate of title; or
 - (ii) contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without further consent of the Council;

being in any case the smaller land area of (i) or (ii); or

- (b) An area of land which is composed of two or more contiguous lots held together in one certificate of title in such a way that the lots cannot be dealt with separately or without prior consent of the Council; or
- (c) An area of land which is comprised in two or more contiguous lots held in two or more certificates of title where such titles are:
 - (i) subject to a condition imposed under Section 37 of the Building Act 1991 or Section 643 of the Local Government Act 1974; or

site

- (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- (d) An area of land which is:
- (i) partly made up of land which complies with (a), (b) or (c) above; and
 - (ii) partly made up of an interest in any airspace above or subsoil below a road:
- where (i) and (ii) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- (e) An area of land which is:
- (i) partly made up of land which complies with (a), (b) or (c) above; and
 - (ii) partly made up of an interest in any airspace above or subsoil below a road:
- where (i) and (ii) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- (f) In the case of land subdivided under the Unit Titles Act 1972 or the cross lease system, "site" shall be deemed to be each of the intended separate certificates of title as set out on a survey plan approved by Council subject to the unit development or cross lease.

site area developed

means that portion of the site that is to be used to undertake a Non-residential B activity (including carparking, and landscaping associated with the activity), but does not include land set aside for another purpose or otherwise not associated with the activity (for example, vacant land).

Southern Sector Agreement

means the agreement dated 30 July 2001 between the Auckland Regional Council, Franklin District Council, Manukau City Council, and Papakura District Council.

units of demand

means those units set out in Schedule 13 of the Local Government Act 2002 or any legislation substituted.