

# development contributions policy

## 1.0 Introduction

### 1.1 Policy Objective

The Christchurch City Council has historically required those whose developments place new demands on the City's reserves and infrastructure services to make a fair contribution toward the expansion of those services. This has been done within the provisions of legislation - the Local Government Act 1974 and more recently the Resource Management Act 1991.

The more recently enacted Local Government Act 2002 provides an opportunity for the Council to establish new policy covering development contributions and sets out the requirements and constraints that must be observed in its preparation.

#### The Council's policy objectives are to:

- *obtain from those responsible for development that places additional demands on the Council's provision of infrastructure, reserves and community facilities a fair and reasonable contribution towards the expansion of those services; and*
- *ensure that the level of such contribution does not generally act to discourage development, recognising that the contribution will be influenced by the complexity of site works and that this may act to discourage development of a particular area.*

### 1.2 Statutory Options for Seeking Contributions

Councils may use either the provisions of the Resource Management Act 1991 (Financial Contributions) or those of the Local Government Act 2002 (Development Contributions) or a combination of both to obtain funds or land from developers.

The Christchurch City Council has decided to establish its Development Contributions Policy within the requirements of the Local Government Act 2002. However three financial contributions currently provided for in the City Plan will remain in that

document because they do not fall within the scope of the Local Government Act 2002 provisions for Development Contributions. These are:

- a financial contribution towards the provision of parking spaces where it is not practical to physically provide the specified amount as part of the development (Reference City Plan Volume 3, chapter 13, Transport, Appendix 2)
- a financial contribution towards the conservation of heritage assets where the development causes their reduction or removal (reference City Plan Volume 3 Chapter 9, 7.4.4)
- a financial contribution toward the provision of esplanade reserves where a development occurs without subdivision, but which would have invoked esplanade reserve provisions had subdivision occurred (reference City Plan Volume 3, Chapter 9, 7.4..3).

If situations arise in future where contributions not allowed by the Local Government Act would be permissible within the RMA provisions the Council will consider whether or not the event is of sufficient frequency and value to justify a variation to the City Plan introducing the financial contribution.

### 1.3 Relationship Between Works and Services (Resource Management Act 1991, Clause 108) and Development Contributions

The City Plan defines the nature and standard of works and services that are to be provided as part of a subdivision or development. These works and services are provided by the developer at their cost and where the asset created is normally owned and maintained by the Council they are transferred without charge into Council ownership.

Development Contributions for Network and Community infrastructure are for the installation or improvement of assets over and above the works and services required within the subdivision or development and are usually located beyond the development boundaries. The level of such contribution is limited to the extent to which the

development places additional demand on the City's infrastructure.

## **1.4 Scope of Contributions available under the Local Government Act 2002**

The Council can seek development contributions in three broad areas:

- Reserves (for open space and recreation)
- Network Infrastructure
- Community Infrastructure

This document establishes policy for the receipt of contributions in all three areas.

**Reserve contributions** apply to residential and business developments and are set at or within maximum levels prescribed by the Act.

**Network Infrastructure contributions** are sought for Water Supply, Wastewater, Rooding and other Transport, and Surface Water Management services. The policy allows these development contributions to be levied as city wide charges applying to all lots benefiting from the service, as charges within defined cost share areas or as levies applying to an individual development.

Development Contributions for **Community Infrastructure** are sought from business developments that occur without subdivision to complement the reserve contribution applying to subdivision for business purposes.

The procedure for establishing contributions for **Community Infrastructure** in the form of stand alone public facilities is included but no community projects have been identified for development levies at the time of implementing this policy (1 July 2004). Where such projects are identified they can only be scheduled in this policy document following a positive outcome of the special consultative procedure (SCP).

## **1.5 Standards**

### **1.5.1 Network Infrastructure**

Where development contributions are sought for the construction of network infrastructure, the costs forming the basis of the contribution calculation will be those to achieve standards contained in the *Christchurch City Council Code of Urban Subdivision*. For works not covered by that code the standard adopted will be the currently accepted engineering practice as found (typically) in New Zealand Standards Specifications.

### **1.5.2 Community Infrastructure**

Where development contributions are sought for the construction of community infrastructure, the costs forming the basis of the contribution calculation will reflect the currently accepted engineering and architectural practice applying to the particular facility or amenity and, where appropriate, the *Christchurch City Council Code of Urban Subdivision*.

## **1.6 Development Contribution Policy Review: Long Term Council Community Plan Processes**

This policy is established through a special consultative procedure and must be included in full in the Council's triennial Long Term Council Community Plan (LTCCP). It can only be altered through a special consultative procedure. Typically the Council will use the SCP associated with an Annual Plan or triennial LTCCP to propose changes to the policy or the schedules contained therein.

Opportunities for interested or affected parties to seek alteration to the policy are available each time the policy is published in a draft LTCCP and whenever the special consultative procedure is used to propose a change. In addition the Council welcomes submissions at any time and will consider these as it prepares the three yearly policy review.

This policy becomes effective from 1 July 2004.

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## 2.0 Providing Funding for Growth in Christchurch

For the 10 year period commencing 1 July 2004 the Council has estimated the cost of capital works and land acquisition required to meet the increased demand caused by growth. These are as follows:

### **2.1 Reserve Acquisition and Development \$44,511,901** **Summary of Programmed Provisions for Growth 2004-2013**

Funding provision for growth over the next ten years will focus on the expansion of the parks asset, through the continued purchase of new parks (which has averaged around 133 ha per year for the last seven years) and through vesting new reserves from subdivision (which has averaged 12 ha per year for the last seven years).

Strategic reserve purchases from the Port Hills Acquisition Programme is leading the purchase programme. Local park purchases are being made as part of the Local Parks Acquisition Strategy to balance infill housing in Living 3 Zones and to meet the goal of the strategy to ensure all residents in the city live within 400 metres of a park. In particular, additional local park purchases are being made in areas such as Addington, Riccarton, Central City, St Albans, Papanui and Inner City East. District park purchases are also factored in every second year where additional growth is occurring on a larger scale, such as in Halswell, Belfast and Burwood, due to the new subdivision of rural land.

The new reserve vesting programme adds around 15 to 19 new parks per annum, which also need to be developed and levels of service provided to meet new needs. Population, as measured by the last three census periods from 1991 to 2001 has been growing steadily at 3.8% per census. The take up of vacant residential land for new housing is averaging 100 ha per year. This creates the new park assets that then need to be developed.

Open Space service levels have also been raised in many infill areas such as the central city, where there has been an increase in unit development leading to the

purchase of houses beside existing parks to incorporate into the reserve and create greater space for new recreation equipment.

Provision has been made in the ten year programme for community infrastructure required to provide public amenity in the form of open space, planting and street furniture both for the benefit of the employed workforce and to mitigate the visual effects of the development.

### **2.2 Water Supply Services \$18,518,553** **Summary of Programmed Provisions for Growth over Ten Years**

There are a number of water supply capital works projects programmed for the next ten years which provide for growth of the City. Some of these (such as the renewal of ageing water mains) are only partially attributable to growth, whereas others (such as the construction of a new reservoir to service an area of development) are wholly caused by growth.

A significant part of the water supply capital works programme is for the renewal or replacement of ageing wells, pump stations, mains and reservoirs. It is estimated that for the next ten years 10% of the cost of mains renewals, 20% of the cost of well and pump station replacements, and 30% of the Westmorland 2 reservoir replacement is attributable to growth. This growth-related portion totals \$2.8 million. The growth component of the mains and reservoir replacements will be funded by rates through the capital funding programme, while the growth component of the well and pump station replacements will be recovered through the Water Supply Headworks Capacity Upgrade Contribution.

Over the next ten years, it is anticipated that \$4.1 million worth of new mains and submains, \$4.9 million worth of new wells and pump stations, and \$0.3 million worth of new reservoirs will be constructed to service general growth and new development areas. City growth will also result in a number of new connections to the water supply.

Unlike sewer laterals all new water connections are permitted through application to the Council and installed by Council's contractor. It is estimated that new water connections for the next ten years will cost a total \$6.5 million. These costs are directly recovered through connection charges and are not included in this policy as they are service fees rather than Development Contributions.

### **2.3 Wastewater Services \$34,229,598**

#### **Summary of Programmed Provisions for Growth over Ten Years**

There are also a number of wastewater capital works projects programmed for the next ten years providing for growth. Again, some of these projects (such as the renewal of existing sewer mains) are only partially attributable to growth, whereas others (such as the construction of a new sewer main to service an area of development) are wholly attributable to growth.

A significant part of the wastewater capital works programme is for renewal or replacement of ageing mains and pump stations. It is estimated that for the next ten years 10% of the cost of mains renewals and 25% of the cost of pump station upgrades is attributable to growth, totalling \$1.8 million. This will be funded through rates.

A Major Sewer Upgrade began in 2000 and includes a number of significant projects over the next ten years. The upgrade is designed to overcome existing wet weather overflow problems and cater for expected city growth to 2040. The projects include upgrading of major sewers and sewer pump stations, the construction of a new pump station and a new interceptor trunk sewer, and the construction of storage facilities. It is estimated that 27% of the reticulation costs and 22% of the pump station costs of the Major Sewer Upgrade are associated with the growth of the City, amounting to \$9.9 million. This growth related proportion of the Major Sewer Upgrade costs will be recovered over time through the Wastewater Reticulation Capacity Upgrade Contribution.

The Belfast Wastewater Treatment Plant is planned to be replaced by a pipeline to the City in 2004-2006. This will involve pumping wastewater from Belfast to the City wastewater treatment plant at Bromley. Significant growth has occurred, and is expected to continue to occur, in the Belfast catchment, and the new infrastructure will need to accommodate this growth. It is estimated that 40% of the cost of this pipeline, or \$1.9 million, is due to growth. It is planned to establish a cost share area to recover this growth-related proportion of the cost.

A number of new mains and pump stations will be required for growth over the next 10 years, coming to a total of \$7.5 million. Sewer schemes are proposed for areas where there is currently no sewer available in Mt Pleasant in 2005/2006, in Chaney's in 2006/2007, and in Worsley's Spur in 2007-2009. Other new infrastructure will also be required to service areas of new development. Initially all of these new works will be funded through rates. However it is proposed that cost share areas will be set up under this policy to recover the costs of the Mt Pleasant and Worsley's Spur schemes over time. Additional cost share areas may also be set up for other projects.

City growth will result in an increase in wastewater treatment and disposal. New infrastructure will be installed at the City Wastewater Treatment Plant at a cost of \$7.9 million, including the installation of two additional digesters worth \$6.1 million. This new infrastructure will be funded through rates. Construction of the new Ocean Outfall is planned for 2006 to 2008 and it is considered that 10% of costs of the Ocean Outfall, or \$5.2 million, are attributable to the growth of the City. The entire cost of the Ocean Outfall project, including this growth related proportion, will be funded through rates.

### **2.4 Roading and other Transport Services \$43,653,726**

#### **Summary of Programmed Provisions for Growth over Ten Years**

The current 10 year capital works programme is based on a mix of projects which all address to some degree renewal of some of the asset, improved level of service and increased demand on the system. It is currently estimated that overall the increased

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demand accounts for an average of 40% of the cost of road network improvements, 50% of carriageway seal widening and 50% of passenger transport infrastructure improvements.

Specific major projects which have been identified during the 10 year period 2004/5-2013/14 in the Metropolitan Christchurch Transport Statement (MCTS) and Capital Works Programme include:

## Years 1-2

- **Bealey Avenue/Carlton Mill/Harper Avenue/Park Terrace** upgrade to improve the safety and efficiency of the intersection for all users.
- **Ferrymead Bridge and Ferry Road/Humphreys Drive** upgrade to protect this route from earthquake damage, provide space for cycle facilities and reduce side-road delays in this area.
- **Opawa Road** upgrade to provide a safer and more efficient link from the city to the port.
- **Passenger Transport shelters** to be increased to a total of 500 shelters city wide. Initial bus priority measures installed in 3 arterial road corridors.
- **New cycle assets** worth \$1.8 million to be implemented.
- **New pedestrian assets** of \$1.9 million to be implemented, plus additional safety initiatives of \$1.5 million.

## Years 3-5

- **Blenheim Road deviation** to realign Blenheim Road to the end of Moorhouse Avenue. This will increase efficiency and capacity of this link whilst improving the environment along Deans Avenue and improving connections for pedestrians and cyclists.
- **Belfast Road/Marshland Road roundabout** constructed to provide for a safe, efficient intersection for this important cross connection.

- **Deans Avenue/Riccarton Avenue/Riccarton Road signals** installation to improve the safety and efficiency of this intersection and provide better facilities for pedestrians and cyclists.
- **New suburban passenger transport** interchanges and Park and Ride to be developed. Bus priority measures continue to be developed.
- **New cycle assets** worth \$3.1 million to be implemented.
- **New pedestrian assets** of \$2.8 million to be implemented.

## Years 6-10

- **Sockburn Roundabout signals** installation to improve the safety and efficiency of this major intersection for all modes.
- **Southern Arterial extension** is to be undertaken by Transit NZ, but there are a number of related projects which will be undertaken by the Council in association with this work to provide connections to new growth areas for all modes.
- **Cranford Street** upgrade to provide increased Level of Service from the north of the City.
- **Development of Park and Ride** facilities continue, new interchanges and bus priority measures also continue to be developed.
- **New cycle assets** worth \$3.4 million to be implemented.
- **New pedestrian assets** of \$6.2 million to be implemented.

It is also anticipated there will be the need for localised improvements to the transport system immediately adjacent to and downstream of new greenfield subdivisions which may need to be funded, in part, by Council due to overall benefits to the wider community accrued from the improvements.

**2.5 Surface Water Management Services \$36,321,770****Summary of Programmed Provisions for Growth over Ten Years**

During the 10 year period 2004/05 to 2014/15 the Council will be administering several long-established drainage cost sharing schemes which will be coming to the end of their life. These schemes are generally small and were created to provide a pipe network for new residential and industrial development.

From 2002/03 a new generation of cost sharing schemes are being established to provide surface water management infrastructure throughout the catchment where urban growth is anticipated. These schemes are bigger and based on waterways and wetland systems rather than stormwater piping. Currently the Heathcote Valley (catchment area 500 ha) and Snellings Drain (catchment area 314 ha) are included in cost sharing districts. Consultation is underway prior to the adoption of a scheme for the Barnett Park catchment.

Other schemes will be developed in 'greenfields' urban growth areas such as south-west Christchurch, Belfast and the Cranford Street area between McFaddens and Main North Roads. It is also anticipated that schemes will be developed to provide for growth in existing urban areas through infilling.

Approximately \$2,000,000 per annum has been budgeted for Utilities and Waterways Protection which involves advance purchase of land in areas where future growth is anticipated.

Major projects catering for increased demand due to urban growth include Snellings Drain green corridor and Hendersons Basin cost share scheme from 2004/05 and Owaka/Awatea green corridor from 2005/06. Significant waterway restoration projects, which are in part capacity upgrades for increased demand, include Dudley and St Albans Creeks, Riccarton Main Drain and Jacksons Creek. Half the cost of ponding basins and wetlands in the budget has been attributed to increased demand due to growth.

**2.6 Community Infrastructure \$50,405,205****Summary of Programmed Provisions for Growth over Ten Years**

During the 10 year period 2004/05 to 2014/15 the Council will by 2006 have completed new library facilities at Upper Riccarton and Parklands, involving growth related expenditure of \$2.4 million. No new library facilities are programmed beyond 2006. In response to growth in demand the Council has committed \$1.7 million in total over ten years to upgrade and expand its computer systems.

Growth related capital expenditure on recreation facilities includes \$5.5 million for the Jellie Park Aquatic Centre upgrade (2004/06), \$0.45 million for gym extensions at the Centennial Leisure Centre (2005/06), \$10 million for a new aquatic centre (2007/09), \$10.2 million for an indoor recreation/leisure centre (2013) and \$11 million for a Flat Water Facility (2004/08).

No growth related capital expenditure is planned for the new art gallery over the ten year period, but \$2.7 million has been allowed (2004/05) to upgrade the McDougall Art Gallery building suitable for leasing to the Canterbury Museum. \$1.35 million of this expenditure is considered to be growth related.

No major projects are programmed for the community halls and facilities owned by the Council. A total of \$0.6 million has been allowed as growth related capital for the ten year period.

**2.7 Proportions to be funded from Development Contributions**

For a number of reasons the Council does not expect to recover these costs in full from development contributions. In the case of roading, for example, it is difficult to establish the extent to which a residential development contributes to the need for a new arterial distant from the development, when contributions to traffic growth are coming from through traffic, increased car ownership, out of town traffic generation, reduced household size and business development, as well as from residential development. The following table sets out the proportion of costs that will be collected through contributions, the source(s) of the balance of funding and the reason the Council has chosen the funding method.

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## Development Contributions Summary for Ten Years 2004-2014

Service	Total Capital Costs over 10 yrs attributable to Growth	Estimated Funds from Development contributions	Balance from other sources	Sources	Reasons for choice of funding sources
Reserves	43,511,901	28,500,000	15,011,901	Interest on Cash in Lieu Special Fund Account and rates through capital funding.	66% funded by monies accruing from development contributions. The balance of rate funded capital works are largely those portions of renewals, upgrades or new works attributable to growth but not readily assignable to development
Water Supply	18,518,553	6,568,000	11,950,553	Rates through Capital funding. See below.	The rate funded capital works are largely those portions of renewals, upgrades or new works attributable to growth but not readily assignable to development.
Wastewater	34,229,598	13,989,000	20,240,598	Rates through Capital funding. See below.	The rate funded capital works are largely those portions of renewals, upgrades or new works attributable to growth but not readily assignable to development.
Roading and other transport	43,653,726	Nil	43,653,726	Transfund NZ Subsidies. Rates through Capital funding. See below.	Developer funding is currently only for works outside of the capital programme. Work is proceeding on development contributions policy for Roothing.
Surface Water Management	36,321,770	2,210,000	34,111,770	Rates through Capital funding. See below.	It is Council policy to buy land well in advance of development when possible. More cost sharing schemes will come on stream, which will reduce the need for rates funding.
Community Infrastructure <sup>1</sup> (a)	50,405,205	Nil	50,405,205	Rates through Capital funding. See below.	Council has developed policy for employing Development Contributions in this area but has no candidate projects for this LTCCP period.
Community Infrastructure <sup>1</sup> (b)	1,000,000	1,000,000	nil		Public amenity improvements will be funded from business development contributions to mitigate effects and improve the environment for those employed.

**Note 1:** Includes (a) library services, art gallery, recreation facilities, camping grounds and community halls, and (b) business related public amenity planting and street furniture

**Note 2:** While this table reports information in the format required by the Local Government Act 2002, it misrepresents the manner in which the Council funds its Capital Expenditure Programme. Capital Expenditure is funded from contributions from a number of sources, including development contributions, as follows:

### Funding Capital Expenditure

- Depreciation funds
- Transfund Subsidy on Capital works
- Development contributions utilised (Drawdown from Reserves)
  - Cash in Lieu, Cost Share Contributions, Site Specific Contributions
- Drawdown from other Reserve Funds (e.g. debt repayment Reserve)
- Sale of Assets
- External Funding for Capital Projects

### 3.0 Estimating growth

Development contribution calculations depend on anticipating the amount of growth the city is likely to experience over a given time period. The estimate may be needed across the city as a whole for city wide contributions, or for particular locations in the case of cost share areas.

For **city wide estimates** household growth as assessed by Statistics New Zealand is used as the basis for development contribution calculations. This projection is made specifically for Christchurch City, identifies occupied permanent, private dwellings, and allows for future fertility, mortality, net migration and household patterns of the population. Three alternative projection series have been developed using different assumptions about these variables. Medium projections have been chosen as the basis for development contribution calculations.

#### **Projected Households for Territorial Authority Area 1996 (Base)-2021**

Area	Variant	Year at 30 June						Change 1996-2021	
		1996	2001	2006	2011	2016	2021	Number	%
Christchurch City	High		129 600	137 000	144 300	151 700	159 500	41 700	35
	Medium	117 800	125 200	130 800	136 200	141 600	146 800	29 100	25
	Low		121 000	124 900	128 400	131 800	134 700	17 000	14

For **cost share areas** estimates of number of lots, household units or other developments from which a contribution can be expected are based on analysing:

- The existing zoning in the cost share area and the implied likely development based on existing City Plan rules;
- The likely development of localities within the cost share area where the City Plan has indicated deferred zoning or identified areas for future growth, or the Council has signalled a proposed variation to the City Plan; and

- Other potential development within the area where the City is experiencing pressure for re-zoning to more intensive land uses

### 4.0 Development Contributions Provisions

#### 4.1 Reserves

##### 4.1.1 History

The requirement to set aside land for recreational purposes has been recognised in New Zealand legislation since the first townships were laid out.

The 1875, the Plans of Towns Regulations Act stipulated that one tenth (10%) of townships be retained for recreational purposes. These reserves were in addition to land set aside for rubbish disposal, gravel pits, etc. The one tenth requirement was retained in all legislation, up until the Resource Management Act 1991, for commercial and industrial subdivisions. The residential contribution became standardised at 4 perches per additional allotment, possibly because the early residential sections were 40 perches, the original quarter acre, reflecting the 10% requirement.

A discussion on the history of reserve contributions is contained in Appendix 1, where it is concluded that contributions towards reserves within Christchurch City have been able to be required at a rate of at least 7.5% of the land being subdivided (cash or land) since the 1800's. In many circumstances, more has been able to be required (10% or 130m<sup>2</sup> per new lot). The Council has generally required the maximum allowable contribution to be provided for reserves. This has resulted in the level of open space, amenity plantings and recreation opportunities that the City's residents currently enjoy and expect to continue to benefit from.

##### 4.1.2 Current Legislative Provisions for Reserve Contributions

As covered above in clause 1.2 the Council can use either the Resource Management Act 1991 (RMA) or the Local Government Act 2002 (LGA) to levy financial or

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development contributions, or a combination of both. This Council has decided to establish its contribution policy within the requirements of the LGA.

This Act sets down a prescriptive rule for reserve contributions. Under Section 203 of the LGA, development contributions for reserves must not exceed the greater of:

- (a) 7.5% of the value of the additional allotments created by a subdivision; and
- (b) the value equivalent of 20 square metres of land for each additional household unit created by the development.

### **4.1.3 The Need for Reserves and Facilities for Open Space and Recreation in the City**

Open space and recreational areas are essential requirements of any pleasant and healthy community. Outdoor areas for sport, play and enjoyment of the open air are an integral part of the recreational requirements of any community. Open spaces with tree and garden plantings are also important to enhance and maintain the visual amenity of all parts of the City. The City Plan recognises that such areas contribute towards the quality of the City's environment providing aesthetic coherence, cultural and recreational pleasure.<sup>1</sup>

The City Plan further recognises that a wide range of types of open spaces and facilities are required to meet the needs of the community.<sup>2</sup> These include small neighbourhood open spaces which provide for both passive activities and also play areas for young children. Larger open spaces with sports fields for active recreation often include play areas as well. Metropolitan open spaces and facilities provide for a wide range of recreational opportunities, potentially including sports fields, stadia, or specialised recreational facilities. In addition, the City includes open space whose primary function is the conservation of natural and heritage features and landscapes. These open spaces also often provide for recreational opportunities, and may have important roles in areas such as education and in enhancing amenity values.

<sup>1</sup> Explanation and Reasons to Policies 14.1.3, 4.2.1 and 4.2.2, Volume 2, Proposed City Plan

<sup>2</sup> Explanation to the Open Space and Recreation Objective in Section 14, Volume 2, Proposed City Plan

The above mentioned Explanation also notes that accessibility and, therefore, the distribution of open space and recreational facilities around the City are also important. In regard to local parks, distribution is especially important as these areas are used particularly by the less mobile sectors of the community, such as young children and the elderly. Sports areas should also be accessible, although it is recognised that part of the organised sport experience involves travelling to different areas of the City to compete. Large or specialised recreational areas tend to be distributed where there are available land resources. Conservation areas tend to be sites where there are existing conservation and significant natural values, for example the coast, along waterways and areas of the Port Hills.

The quality of open space and recreational facilities is also noted as being important because those that are not maintained, or do not meet the needs of the community, are unlikely to be fully utilised. Similarly, public enjoyment and awareness of recreational opportunities is often enhanced by involving the community in the design, maintenance and management of the City's recreational resources.

The City Plan also notes that increased plantings of trees on publicly owned land, including parks and reserves, not only reinforces the 'Garden City' image of Christchurch, but is an important part of achieving the Council's energy policy relating to carbon dioxide absorption.<sup>3</sup>

### **4.1.4 Effects of Community Growth on Provision for Reserves and Facilities for Open Space and Recreation**

If communities grow in size and population without providing for recreational and open space needs, adverse environmental effects will become apparent, such as the lack of visual relief and space for large scale plantings and overcrowding of existing recreational areas. The City Plan acknowledges taking of contributions towards reserves as communities grow and expand is a means of avoiding such adverse effects.<sup>4</sup>

<sup>3</sup> Explanation and Reasons to Policy 3.1.6, Volume 2, Proposed City Plan

<sup>4</sup> Explanation and Reasons to Policy 14.1.3, Volume 2, Proposed City Plan

The development of land for residential purposes, in conjunction with population growth, increases the actual or potential number of users of open space and recreation facilities. Similarly, the development of land for business purposes usually implies an increase in employment in an area with consequent demands for open space, as well as affecting local amenity values for workers and visitors.<sup>5</sup>

Most communities within Christchurch are well provided with neighbourhood and district parks. However, the Council acknowledges, in the City Plan for example, that there are some areas which are clearly under provided compared with most areas, as well as areas with considerably more parks than average.<sup>6</sup> The current expectations of the City's residents for ample provision of open space and recreation opportunities need to be retained, as the area of the City grows in size, and as the levels of development in existing areas intensify.

The Council accepts, through the City Plan, that the City is fairly well provided with reserves of ecological and/or conservation value.<sup>7</sup> Future need for such parks will predominantly result from a specific need to protect such areas by way of public ownership, including protection from encroaching housing and business development. This is also supported through the objectives and policies in the City Plan relating to waterways.<sup>8</sup> In addition, the growing population of the City continues to put pressure on the use of conservation parks for recreational purposes, such as walking and cycling. The importance of pedestrian and cycling linkages is also emphasised in the City Plan.<sup>9</sup>

The City Plan recognises that requirements for additional metropolitan facilities, or the better development of existing parks, are principally the result of changing preferences or expectations of the existing population, rather than from new subdivision, housing

and development.<sup>10</sup> However, in areas of increasing residential intensity, there is an increased need to ensure that all parks can be used efficiently, effectively and enjoyably, by as many people as possible.

In summary, Christchurch City is currently well provided with reserves and open space, of a wide range of types and purposes, that generally meet the current needs of its community. This is a highly valued aspect of life in Christchurch City and its residents anticipate that this will continue, as the City grows in size, and as the levels of development in existing areas intensify.

#### **4.1.5 Specific Effects of Residential Subdivision and Development**

Although the population of the City is not growing at the same rate as the growth in the numbers of residential units (reflecting the declining average household size), there is a significant growth in the number of residential allotments and units in the City. Without the provision of additional open spaces, or the continued development of existing open spaces, in response to this growth in the community, adverse effects will occur.<sup>11</sup>

The adverse effects of this growth that need to be avoided are:

- a lack of neighbourhood parks in new subdivisions;
- an inadequacy of local neighbourhood parks in areas with growing numbers of units/town houses, where infill housing and redevelopment are taking place;
- a lack of visual relief and space for planting in newly developing areas or areas with increased intensity of development;
- overcrowding of existing active recreation and sporting areas throughout the City, as a result of increased population;
- overcrowding of conservation areas, and similar natural areas, to provide for the outdoor recreation needs and experiences of an increased population or a

<sup>5</sup> Explanation and Reasons to Policy 14.1.3, Volume 2, Proposed City Plan

<sup>6</sup> Explanation and Reasons to Policy 14.1.3, Volume 2, Proposed City Plan

<sup>7</sup> Explanation and Reasons to Policy 3.1.6, Volume 2, Proposed City Plan

<sup>8</sup> Sections 2 and 10, Volume 2, Proposed City Plan

<sup>9</sup> Sections 7, Volume 2, Proposed City Plan

<sup>10</sup> Explanation and Reasons to Policy 14.1.4, Volume 2, Proposed City Plan

<sup>11</sup> Explanations and Reasons to Policies 14.1.3 and 14.1.4, Volume 2, Proposed City Plan

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population living on smaller sections or in smaller houses;

- reduced accessibility to open spaces and recreational opportunities; and
- a lack of cash resources to develop new parks to a useful state so that they can serve areas of new subdivision and development.

## **4.1.6 Specific Effects of Business Subdivision and Development**

The subdivision and development of land for the purposes of business activity also creates potential adverse effects on both the amount of open space in the City and the general amenity values of business areas.<sup>12</sup> Amenity is altered by building structures and car parking. Physical spaces for people, both workers and visitors, for leisure activities are lost. Business development usually implies an increase in the employment in an area, and this additional population also requires areas of open space in the vicinity for their leisure needs. The adverse changes to the environment that business development may create, both within and adjoining areas of business activity, can be ameliorated by:

- providing open space for tree and garden plantings to increase the amenity values of business areas that are otherwise dominated by buildings and hard surfacing;
- providing opportunities to meet the leisure needs of workers and visitors to business areas;
- providing linkages for walking and cycling through business areas;
- enabling the visual and environmental improvement of business environments through the provision of public open space; and
- enabling the development of planted areas as “green lungs” to mitigate the high level of buildings and hard surfaces within business areas.

<sup>12</sup> Explanations and Reasons for Policies 14.1.3 and 14.1.4 and Objectives 12.2, 12.5 and 12.7, Volume 2, Proposed City Plan

## **4.1.7 Development Contributions for Reserves**

Contributions towards public reserves for open space and recreation, on subdivision and/or development for residential purposes and on subdivision in the case of business development, is the means chosen by the Council to avoid the abovementioned adverse effects and to provide for the identified needs.<sup>13</sup> Subdivision provides an appropriate mechanism to achieve such provision because it creates the legal framework for the development of the sites and the buildings which cause the demand for additional land and facilities for open space and recreation. Similarly, contribution on residential development is another mechanism, where intensification of buildings for residential purposes takes place independently of subdivision.

### **4.1.7.1 Residential Contributions**

The Council seeks to continue the level of reserve acquisition and development that has characterised the previous ten years, recognising that the medium growth projections as set out in clause 3.0 above represent a level of growth very similar to that experienced in the immediate past. Recent growth is illustrated in the following table:

<sup>13</sup> Explanation and Reasons to Policy 14.1.3, Volume 2, Proposed City Plan

**Table: Population and Housing Growth in Christchurch City**

	Source of Information	Timeframe over which records have been assessed	Average Annual Level of Growth
<b>POPULATION</b>			
Increase in Resident Population		1991 / 2003	+3233 people
Net Overseas Migration		1992 / 2003	+700 people
<b>RESIDENTIAL LOTS</b>			
Total Land Subdivided for Residential Use		1994 / 2002	91.2 ha
New Residential Lots Created		1994 / 2002	817
New Residential Lots Taken Up for Dwellings and/or Units		1994 / 2002	776
<b>RESIDENTIAL BUILDING CONSENTS</b>			
Total Building Consents issued for new Dwellings and Units		1997 / 2002	1640
Building Consents issued for New Dwellings		1997 / 2002	864
Building Consents issued for New Units		1997 / 2002	776

If Christchurch City is to remain well provided with reserves and open space to meet the anticipated needs and values of its community, additional reserves and improved use of existing reserves are needed as the residential areas of City grow in size and as the levels of development in existing areas intensify.

The Council has established that the current level of reserve open space in Christchurch is 18 ha per 1000 population and has set a goal for future planning and budget provision to, at least, maintain this level and also provide for strategic acquisition of reserves to meet the long term needs of the city. To achieve this goal

the Council has, historically (1997-2003), vested reserve land from development with an average annual value of \$4,924,000 along with purchasing and improving land for reserves through an average annual expenditure programme of \$7,424,000. This equates to a total of \$12,365,000 as an average annual value of reserve acquisition and improvement required.

Development contributions are sought to fund the growth related aspects of this expenditure where these are clearly related to development. In recent years this has averaged \$3,612,000 and has been matched by cash in lieu development contributions averaging \$3,655,00 per year. It is anticipated that future growth related requirements will average \$4,442,162 per year and that 66% of this will be readily assignable to development.

In summary the Council has established that to provide adequate open space developed to a satisfactory standard to meet future needs resulting from development, it will continue to require a level of contribution close to that previously achieved. To do this it will need to levy contribution charges at the maximum rates allowed by the Act, modified by a remissions policy as set out below.

#### **4.1.7.2 Business Contributions**

The required levels of planting, amenity open space and buffers with residential areas that are required in each of the business zones have been considered. The high level of open space and plantings, and low level of building coverage, required in the Technology Park and the Produce Park (Business 4P and 4T Zones) provide for the above described open space needs and no further provision by way of development contributions is required with respect to them.

In other business zones, although there are some requirements in the zone standards for planting along street frontages, this serves only to mitigate the visual impact of buildings from the street. Development contributions towards reserves are proposed, in

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order to ameliorate the effects described in 4.1.4 and 4.1.6 above, without reducing the proportion of each site that is available for buildings, parking areas, hard surfacing, and other on-site uses.

The Council has assessed that a sufficient area of reserves would be provided at 7.5% of the total area of business subdivision as allowed by the Act.

## Note

For development contributions towards open space and recreation from business development not involving subdivision, contributions are based on the cash equivalent of 2m<sup>2</sup> of open space for every 100m<sup>2</sup> of new building development as described under the provisions for Community Infrastructure in clause 4.3 below

## 4.1.8 Reserves Contributions Schedule

### 4.1.8.1 The Requirement for a Contribution

The Council will make a requirement for a contribution to be paid in terms of the formula expressed in (4.1.8.2) below at the time of granting:

- (i) a resource consent under the Resource Management Act 1991; or
- (ii) a building consent under the Building Act 1991.

Payment of the contribution will be made:

- (iii) for a requirement made when granting a subdivision consent, at a time prior to the issue of a Section 224 RMA certificate; or
- (iv) for a requirement made when granting a land use consent or a building consent, at the time when uplifting the building consent.

In the event of the contribution not being made at the above specified times the Council shall:

- (v) in the case of a subdivision consent, withhold the certificate under Section 224 (c) RMA 1991;
- (vi) in the case of a land use consent, prevent the commencement of the resource consent under the RMA 1991; or
- (vii) in the case of a building consent, withhold a code compliance certificate under Section 43 of the Building Act 1991.

### 4.1.8.2 Maximum Rate of Contribution

- 7.5% of the value of additional residential allotments<sup>1</sup>, at the time of subdivision consent (either in cash or land equivalent), less any contribution made at the time of previous building consent<sup>3</sup>.
- 7.5% of the value of additional business allotments<sup>2</sup>, at the time of subdivision consent (either in cash or land equivalent), less any contribution made at the time of previous building consent<sup>3</sup>.
- 5% of the value of additional rural allotments at the time of subdivision consent. The value of the rural allotment for this purpose shall be the equivalent value of a house site of 1,000m<sup>2</sup> within each allotment.
- Cash equivalent of the value of 20m<sup>2</sup> of land for each additional residential unit created<sup>4</sup>, at the time of building consent, less any contribution made at the time of previous subdivision<sup>3</sup>.

- Notes
1. Allotments shall have the same meaning as defined in the Proposed City Plan and shall include allotments within all zones where additional saleable allotments are created for residential purposes.
  2. Allotments shall have the same meaning as defined in the Proposed City Plan and shall include allotments within all business zones and within the Special Purpose (Airport) Zone and within areas B or B1 of the Special Purpose (Wigram) Zone, but excludes additional allotments created in the Business 4T and 4P Zones.
  3. Provided that any previous building was erected or subdivision occurred within the preceding ten years.
  4. Additional residential unit means a second or subsequent unit on the same title.

### 4.1.8.3 Basis of Valuation to Calculate Cash Contributions

In the case of subdivision consents, the Council will appoint a registered valuer to provide individual allotment values and a mean value will be determined and applied to the formulae in 4.1.8.2 above. If this valuation is disputed by the developer a second registered valuer will be appointed acceptable to both the Council and the developer to provide a new valuation, with the costs of such valuation shared equally between the parties. If a dispute remains following this procedure the matter will be referred for arbitration.

Where a balance lot is created as a result of subdivision whose value is markedly different from the remaining lots the Council will, at the request of the developer, exclude it from the calculation of mean value. If such a balance lot is subsequently subdivided a full appropriate development contribution will be required

In the case of building consents and land use consents the value of land shall be based on the "locality land value" schedules<sup>1</sup>.

Note 1. Adjustments to the schedule will be undertaken on an annual basis. There are two such schedules, one for Living Zones and one for Business Zones.

### 4.1.8.4 Basis of Valuation to Calculate Land Equivalent

The Council will appoint a registered valuer to provide a fair market value at the time of application for the land to vest as reserve, such valuation to reflect the value of the lot in the completed development. This value shall then be reconciled with the cash value of the contribution as calculated by applying the formulas in 4.1.8.2 above. If the land value is less than the cash value of the contribution the difference shall be paid to the Council in cash or through approved development works on the reserve. If the land value is greater than the cash value of the contribution the Council will purchase the balance of the land at the same valuation.

Where this valuation is disputed by the developer a second registered valuer will be appointed acceptable to both the Council and the developer to provide a new valuation, with the costs of such valuation shared equally between the parties. If a dispute remains following this procedure that cannot be resolved the matter will be referred for arbitration.

### 4.1.8.5 Bonding of Contribution

- (i) There will be no bonding of the contribution for a requirement to pay when granting a land use consent or a building consent.
- (ii) A requirement to contribute pursuant to a subdivision consent may be delayed by the registration of a bond against the Certificate of Title for the allotments preventing their sale until the contribution is paid and subject to the following:
  - (a) payment of a bonding fee;
  - (b) the assessed amount of payment being adjusted in accordance with revised valuations if not paid within two years of assessment;
  - (c) payment shall be either:
    - the total assessment being paid on the sale of half the number of allotments in the subdivision less one; or
    - an installment system based on the assessments being divided by the total number of allotments less one, with payment commencing at the first transfer.
- (iii) The bond will expire after two years from the date of setting the amount and any outstanding amount will be charged interest at the three year borrowing SWAP rate as advised at 11:00 am on Reuter's FISSWAP page, or equivalent, on the day the bond is entered into, plus 0.1%.

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## 4.1.8.6 Explanation of and Criteria Applying to Remissions

For the Development Contributions relating to Reserves as set out in 4.1.8.2 above remissions are available providing certain criteria are met. These are described in Appendix 2.

Areas where remissions will be considered are where the development:

- includes development works on Reserves
- contains existing lots or buildings;
- provides land whose primary purpose is surface water management;
- provides esplanade reserves or strips;
- provides for the retention of historic buildings, objects or places; vegetation/ trees; natural, ecological or habitat values;
- provides artworks in public places;
- provides social/affordable housing;
- provides elderly persons' housing; and
- provides Central City housing undertaken in conjunction with business development or subdivision.

## 4.1.8.7 Criteria for taking Land as opposed to Cash

The Council retains discretion on whether it will receive cash or land to meet the development contribution requirement for reserves. The criteria that apply to this consideration are set out in Appendix 3.

## 4.2 Network Infrastructure

### 4.2.1 The Requirement for a Contribution

The Council will make a requirement for a contribution to be paid in terms of the policy expressed in 4.2.2 to below at the time of granting:

- (i) a resource consent under the Resource Management Act 1991; or
- (ii) a building consent under the Building Act 1991.

Payment of the contribution will be made:

- (iii) for a requirement made when granting a subdivision consent, at a time prior to the issue of a Section 224 RMA certificate; or
- (iv) for a requirement made when granting a land use consent or a building consent, at the time when uplifting the building consent.

In the event of the contribution not being made at the above specified times the Council shall:

- (v) in the case of a subdivision consent, withhold the certificate under Section 224 (c) RMA 1991;
- (vi) in the case of a land use consent, prevent the commencement of the resource consent under the RMA 1991; or
- (vii) in the case of a building consent, withhold a code compliance certificate under Section 43 of the Building Act 1991.

### 4.2.2 Scope

**Network Infrastructure contributions** are sought for Water Supply, Wastewater, Roading and other Transport and Surface Water Management services. The policy allows these contributions to be levied as city-wide charges applying to all lots

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benefiting from the service, as charges within defined cost share areas, or as levies applying to an individual development.

### 4.2.3 City-Wide Infrastructure Contributions

On a city-wide basis the Council may require a development contribution where subdivision or development is occurring that benefits from, and has a definite impact on, infrastructure located remote from the development site. The infrastructure may be required for the delivery of services to the development or to avoid, remedy or mitigate its effects, and may include one or more combinations of water supply, wastewater, surface water management or roading services. The cost of land purchased to accommodate the infrastructure or to provide the space required for dealing with effects may be included in the value of the works.

Three such existing charges are described in Schedule A, being a Water Supply Headworks Capacity Upgrade charge, a Wastewater Treatment Plant Capacity Upgrade charge and a Wastewater Reticulation Capacity Upgrade charge. The calculation of these charges accords with the procedure set out below. Implementation of new city-wide development contributions in accordance with the requirements of this section, or any change to the value of existing contributions, will require a special consultative procedure.

The scheduled city-wide development contributions will be required for all new vacant lots created and, in addition, for second or subsequent residential or business units constructed on a single title.

The procedure for calculating the lot/dwelling charge is to first determine the cost of that portion of infrastructure specifically required to meet the needs of the new development, assess the number of new units of demand created by the new development and calculate the lot/unit contribution to meet the costs so determined. The procedure is described in more detail in the box below.

For certain infrastructure, the lot/unit charge may be reduced where the average lot size is significantly less than the defined expected minimum for living zones, being 450 m<sup>2</sup>:

Average lot size (sq.metres)	Wastewater	Water supply
Per lot or unit for average lot size > 450 sq. metres	100%	100%
Per lot or unit for average lot size between 300 and 450 sq. metres	100%	75%
Per lot or unit for average lot size < 300 sq. metres	100%	50%
Per occupant for accommodation facilities without defined units	25%	25%

No distinction will be made for business property compared to residential, the lot charges remaining the same for each. Additional charges for larger than normal business connections to services may be levied at the building permit stage.

Typically, a ten year time period will be used to determine both the infrastructure costs and the new units of demand. This is considered long enough to ensure average charges are achieved, but not so long as to create significant uncertainty about infrastructure costings and growth projections. Where the city-wide contribution is for a specific upgrade or new work, the time period for estimating the new units of demand will equal the time period required to absorb the additional capacity created. Contributions will cease when the specific infrastructure costs have been met.

Calculation of the lot charge will be made using the net cost of infrastructure after the deduction of subsidies and allowing for benefits accruing to existing residents.

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## CALCULATION STEPS FOR CITY-WIDE DEVELOPMENT CONTRIBUTIONS

### a) For on-going multiple capital works

For the coming ten year period the likely household and business growth is established and expressed as the number of new lots/units created (A).

The changes in demand on specific remotely located, city infrastructure services arising from the household and business growth is identified.

These demands are converted into projects and the project costs specifically attributable to growth are established.

From the resulting ten year total project cost any credits, such as subsidies or benefits accruing to existing residents and businesses are deducted (net total = \$B).

The lot/unit development contribution is calculated by dividing total B by A.

For a particular development, average lot size is checked to see if a reduction in the per lot development contribution is applicable.

As the infrastructure construction proceeds total B is adjusted to reflect actual costs and, if necessary, the development contribution is altered through the Annual Plan/LTCCP process. This alteration will not be used to by the Council to seek additional payment on amounts already received, nor will the Council consider claims for reimbursement of contributions already paid based on this alteration.

Each year the 10 year capital costs and the 10 year growth projections are re-calculated and the new lot/unit development contribution notified by special consultative procedure through the Annual Plan.

## CALCULATION STEPS FOR CITY-WIDE DEVELOPMENT CONTRIBUTIONS

### b) For specific infrastructure works or upgrades

The increase in capacity achieved by the new infrastructure or upgrade is calculated and expressed as units of demand (total A).

The total current project cost is established.

From the resulting project cost any credits, such as subsidies or benefits accruing to existing residents and businesses are deducted (net total = \$B).

The lot/unit development contribution is calculated by dividing total B by A.

For a particular development, average lot size is checked to see if a reduction in the per lot development contribution is applicable.

As the infrastructure construction proceeds total B is adjusted to reflect actual costs and, if necessary, the development contribution is altered through the Annual Plan process.

Once construction is complete the value of the works is adjusted annually by applying the Consumer Price Index and the contribution re-calculated. Any such adjustments are notified by special consultative procedure through the Annual Plan. This alteration will not be used by the Council to seek additional payment on amounts already received, nor will the Council consider claims for reimbursement of contributions already paid based on this alteration.

The requirement for a contribution is cancelled as soon as the net total B, adjusted to reflect actual construction costs and the movement in Consumer Price Index, has been recovered.

#### **4.2.4 Development Contributions from Local Cost Share Areas**

Cost share areas may be established to ensure the orderly, efficient and equitable provision of infrastructure required to provide services to a development or to avoid, remedy or mitigate any adverse effects attributable to it.

A cost share area may be applied where a development area is made up of a number of land titles whose further subdivision and development is likely to occur over a period of several years.

Establishment of a cost share area will be achieved through a special consultative procedure, initiated by the Council, and initial funding of infrastructure works may be provided either by the Council or by private interests. For either case the documentation establishing the cost share area, detailing the nature of the physical works and the way in which costs are to be shared, will be prepared and held by the Council and made available for public inspection.

When cost share area infrastructure works are initially provided by private interests the Council will, for the life of the scheme, act in the capacity of broker between those interests and subsequent cost share contributors.

Where a cost share area is established and the infrastructure is initially funded by a private interest, the Council may agree to a date being set when it will accept responsibility for any remaining contributions owing and will, on the date set, reimburse the private party with the current value of those contributions. The cost share area documentation will be amended to reflect the changed roles.

Before a cost share area is established, the Council will determine the nature of the infrastructure and land required and define those elements which are to be cost shared. Such infrastructure and/or land may lie within or outside the cost share area and may consist of any or a combination of water supply, surface water management, wastewater, or roading and other transport services.

Works already included in calculations used to establish city-wide lot charges (see clause 4.2.2) shall be excluded from those works identified for inclusion in a specific cost share area declaration.

The present day cost of infrastructure will be estimated and this figure will then be modified as follows:

- Where infrastructure has been sized to provide services to parties not represented by the cost share contributors, the value of the work required to provide that additional service will be borne by the Council. The cost of providing that additional service may be recovered by the Council through a future cost share area. Should the application by the Council of minimum standards require the installation of services that have some unused capacity, the full cost of the installation will be carried by the cost share area.
- The value of the works to be cost shared will be reduced by any subsidies or other credits received.
- As construction of cost shared infrastructure proceeds, the value of the works and the level of contribution will be adjusted to reflect the actual construction costs. These adjustments will be proposed through the Annual Plan process.
- When cost shares become due the amount to be paid will be adjusted by applying the consumer price index to the values established at the time of construction of the works.

Cost shares will be set to recover the net cost of infrastructure and will use a method of allocating the costs amongst existing titles which reflects the benefit received and which may also take account of the cost of servicing where there are significant differences in these costs across the area.

Cost share area documentation will be available for inspection during office hours at all Council service centres.

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Because cost share areas may be established to fund particular elements of infrastructure it is permissible for two or more cost share areas to overlap.

Cost share area contributions will be payable at subdivision for each additional lot to be serviced and at building consent for each second or subsequent dwelling per lot.

Existing cost share areas are detailed in Schedule A and mapped in Appendix 4.

## **4.2.5 Development Contributions for Works Adjacent**

Development contributions may be requested for, or toward, the cost of works adjacent to development made necessary to provide or improve services to the development or to avoid, remedy or mitigate its effects. These development contributions may be applied as a condition of subdivision or building consent.

Before requesting such contributions, the Council will ensure that the cost of the works has not already been covered by the declaration of a cost share area or the application of a city-wide lot charge.

In determining the contribution amount, the Council will estimate the cost of the infrastructure required and establish the portion of this cost that reflects the extent to which the infrastructure serves the development.

The net cost determined above will be further reduced by deducting subsidies and any other credits applying to the works.

These works can seldom be identified in detail in advance of consent applications and are covered in the Council's LTCCP by cost and revenue allowances within each activity under a miscellaneous works heading. For roading upgrades adjacent to development, contribution ratios are set out for a number of situations in schedule B.

## **4.3 Community Infrastructure**

### **4.3.1 Definition**

Community Infrastructure is defined in the Local Government Act 2002 as meaning:

- (a) land, or development assets on land, owned or controlled by the territorial authority to provide public amenities; and
- (b) includes land that the territorial authority will acquire for that purpose.

### **4.3.2 The Requirement for a Contribution**

The Council will make a requirement for a contribution to be paid in terms of the policy expressed below at the time of granting:

- (i) a resource consent under the Resource Management Act 1991; or
- (ii) a building consent under the Building Act 1991.

Payment of the contribution will be made:

- (iii) for a requirement made when granting a subdivision consent, at a time prior to the issue of a Section 224 RMA certificate; or
- (iv) for a requirement made when granting a land use consent or a building consent, at the time when uplifting the building consent.

In the event of the contribution not being made at the above specified times the Council shall:

- (v) in the case of a subdivision consent, withhold the certificate under Section 224 (c) RMA 1991;
- (vi) in the case of a land use consent, prevent the commencement of the resource consent under the RMA 1991; or
- (vii) in the case of a building consent, withhold a code compliance certificate under Section 43 of the Building Act 1991.

### 4.3.3 Types of Community Infrastructure Contributions

Development contributions for community infrastructure apply in two situations:

- Additional, non-residential, building development without subdivision; and
- Cost share areas for new public amenity assets

#### 4.3.3.1 Additional, Non-Residential Building Development

This occurs where a business, or other non-residential, development takes place without subdivision and a contribution is required to provide public amenity in the form of open space, planting and street furniture both for the benefit of the employed workforce and to mitigate the visual effects of the development. For such non-residential development not involving subdivision, contributions are based on the cash equivalent of 2m<sup>2</sup> of open space for every 100m<sup>2</sup> of new, net, non-residential, building development. This provision has been tested against real developments in business areas, to compare with the level of financial contribution that has been taken under the transitional provisions of the RMA for actual developments that are currently taking place, or have taken place. The analysis confirmed that the requirement for a contribution based on the cash equivalent of 2m<sup>2</sup> of land for every 100m<sup>2</sup> of new non-residential building development would lead to an adequate contribution towards community infrastructure (to provide public amenities on Council land) in business areas.

The **Maximum Rate of Contribution** is the Cash equivalent of the value of 2m<sup>2</sup> of land for each additional 100m<sup>2</sup> of new, net, non-residential, building floor area created, at the time of building consent, less any contribution made at the time of previous subdivision <sup>1</sup>.

Note: 1. Provided that the allotment containing the building was created within the preceding ten years.

#### 4.3.3.2 New Public Amenity Assets

The second situation applies where the Council is involved in expanding or providing new public amenity assets, and the need for such assets is driven by a growth in demand for the services. In this case the Council may establish a cost share area within which new development will be required to pay a contribution toward the cost of the public amenities.

No community projects have been identified for development contributions at the time of implementing this policy (1 July 2004). Where such projects are identified they will be scheduled in this policy document following a positive outcome of the required special consultative procedure.

The method of calculating development contributions for community infrastructure in the form of stand alone facilities will be as follows:

Using information on the current distribution and use of similar amenities in Christchurch, a catchment area is established representing the best estimate of either the locus of likely users of the facility or the locus of those likely to benefit from the public amenities created.

Existing development within the catchment area is analysed and expressed as equivalents of the chosen unit of demand. This unit will typically be a residential unit, or a lot capable of accommodating a single residential unit (total A).

The potential for growth within the catchment area is assessed considering the

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following matters and is again expressed as equivalents of the chosen unit of demand (total B):

- The existing zoning in the cost share area and the implied likely development based on existing City Plan rules;
- The likely development of localities within the cost share area where the City Plan has indicated deferred zoning or identified areas for future growth, or the council has signalled a proposed variation to the City Plan; and
- Other potential development within the area where the City is experiencing pressure for re-zoning to more intensive land uses.

The estimated cost of the new or expanded facility, or of the public amenities created as the case may be, and including any land purchase, is established and any other known sources of funding such as subsidies, grants or donations are deducted (total C).

A development contribution per unit of demand is then calculated by dividing total C by A+B.

Once construction of the facility or public amenity is complete the final costs are used to re-calculate the development contribution and this modified figure is notified through the next Annual Plan.

Development contributions are adjusted on an annual basis using the Consumer Price Index to reflect the cost to Council of providing the capital in the first instance.

Once the Council has established an intention to create a cost share area for an asset falling within the definition of **Community Infrastructure**, it is required to notify this intention through a special consultative procedure and can only resolve to implement the charge following the satisfactory conclusion of that process.

## Appendix 1

### *Reserve Contributions: Historical Background*

The requirement to set aside land for recreational purposes has been recognised in New Zealand legislation since the first townships were laid out.

The 1875, Plans of Towns Regulations Act stipulated that one tenth (10%) of townships be retained for recreational purposes. These reserves were in addition to land set aside for rubbish disposal, gravel pits, etc. The one tenth requirement was retained in all legislation, up until the Resource Management Act 1991, for commercial and industrial subdivisions. The residential contribution became standardised at 4 perches per additional allotment, possibly because the early residential sections were 40 perches, the original quarter acre, reflecting the 10% requirement.

In those early days, the residential section needed a larger land holding because owners had to dispose of their own sanitary wastes, most grew their own vegetables, and many had to draw water via wells on their sections. Later section sizes gradually reduced in area, when different methods of disposing of sewage meant sections did not have to have the same amount of spare ground. However, the contribution rates did not change. It can be argued that if the public open space requirement was 4 perches for a 40 perch residential section, with only one house, then smaller allotments should contribute more for reserves as there is less spare land around each household unit.

The 4 perch requirement continued until the 1961 Counties Amendment Act, when a reduction was brought in for new allotments fronting new streets put in by the subdivider. Any new section fronting an existing street continued to contribute at the rate of 4 perches (100m<sup>2</sup>), whereas new lots fronting new streets contributed at 3 perches (75m<sup>2</sup>). The philosophy or reason behind the reduction was that the new road provided a proportion of open space. This is the reason why, when roads created under that legislation are closed or stopped, any money received from the sale of roads created under that legislation has to be paid into the cash in lieu of reserves account.

In 1979, the Local Government Amendment Act came into force, amalgamating the Municipal Corporations Act and the Counties Amendment Act into one new regime. The reserve contribution requirements for residential properties changed dramatically. A greater emphasis was placed on the acquisition of land by allowing Councils to ask for up to 130m<sup>2</sup> for additional lots irrespective of whether they fronted new roads or not, but restricted cash in lieu payments to 7.5% of the value of the additional lots. The difference between the two levels of contribution, land compared with money, weighed heavily in the favour of a cash payment from the subdividers' point-of-view, being approximately half the amount of a land contribution value. However, this was dependant upon where the reserve might be vested. If a subdivider was getting rid of unwanted land then the value of the reserve might be considerably less than 7.5% of the value of the additional allotments, notwithstanding being vested at the rate of 130m<sup>2</sup> per additional allotment. Under the Local Government Amendment Act 1979, the reserve contribution from commercial and industrial subdivisions stayed at the original rate of 10%.

In addition to this, a new levy on development of land, separate from subdivision, was introduced. Some developers were erecting household units in comprehensive developments, then cross-leasing or unit titling, thus avoiding the payment of a subdivision reserve contribution. The new levy required a payment of 20m<sup>2</sup> worth of land in money or land to be vested for each household unit after the first two. The contribution was considerably different from a cash in lieu payment for a fee simple title subdivision. Two unit cross-leases or unit titles continued to avoid paying a contribution.

It can be seen from the above historical analysis, that contributions towards reserves within Christchurch City have been able to be required at a rate of at least 7.5% of the land being subdivided (cash or land) since the 1800's. In many circumstances, more has been able to be required (10% or 130m<sup>2</sup>). The Council has generally required the maximum allowable contribution to be provided for reserves in Christchurch City. This has resulted in the level of reserves – open space, amenity plantings, recreation opportunities, etc – that the City's residents currently enjoy and expect to be able to continue to enjoy.

## Appendix 2

### Explanation of and criteria applying to remissions

#### ***1.0 Circumstances where remission is considered inappropriate***

The Council does not consider the credit, or remission, of development contributions for open space and recreation appropriate in the following circumstances:

#### ***1.1 Additional open space and recreation land***

The Council accepts that there are benefits for the future occupants of subdivisions of having plenty of local open space and recreation areas. However, the Council is often asked to take over and maintain larger open space and recreation areas within a new subdivision than are required under the development contribution provisions. Because there are also additional demands from the future occupants of such subdivisions on the Council's other open space and recreation resources, the Council also needs to ensure that it obtains sufficient cash contributions, in addition to land contributions, to fund the acquisition and development of district sports fields, walking and cycling tracks, and wilder areas on the City's outskirts. While the Council is prepared to accept the vesting and future maintenance of such land, it will not accept as a credit towards the development contribution required additional land for open space and recreation where it is only for the benefit of the future occupants of the subdivision.

No credit or remission, of development contributions for open space and recreation will, therefore, be given in the following circumstances:

- Where additional land is provided (over and above the development contribution requirements according to this Development Contributions Policy) for open space and recreation within a subdivision, where that land is only for the benefit of the people living in that subdivision.

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## **2.0 Circumstances where remission is considered appropriate**

The Council considers the credit, or remission, of development contributions for reserves appropriate in the following circumstances.

Credit, or remission, of development contributions for reserves (for the full value in the case of approved reserve development works, up to 50% with respect to elderly persons' housing, up to 25% with respect to Central City housing and heritage retention, up to 5% with respect to the provision of artworks in public places and up to 20% in all other circumstances, to a combined total of 50%) will therefore be given on a case-by-case basis at the request of the applicant in the following circumstances:

### **2.1 Development of reserves**

The cost to a subdivider of forming and developing land to be vested in the Council for open space and recreation with planting, paths, seating and children's play equipment, etc, at the same time as developing other aspects of the subdivision is seen as a legitimate contribution towards the provision of useable open space and recreation areas within that subdivision and such approved works will qualify for a remission from the required reserve contribution. However, the Council will not accept as a remission from the required development contribution unnecessary levels of development, such as the provision of entrance gateways and fountains, etc. If developers choose to provide such features for the benefit of the subdivision, its future occupants and its competitiveness within the market, it is appropriate that they do so at their own expense.

Where a developer is funding reserve **development that has been approved by the Council**, a remission will be allowed from the development contribution for reserves to the value of such works, provided that they fall within and do not exceed the following standards (these standards are contained in the *Christchurch City Council Code of Urban Subdivision*):

1. Grassing of the total lawn area in a suitable dwarf grass species, unless existing natural areas are to be retained.
2. Planting of specimen trees that attain a mature height of at least 15 metres and are a minimum of 2 metres in height at the time of planting, between 10 and 15 metres apart, over 30% of the total area.
3. Planting of trees, shrubs and/or ground covers in plant beds, over 10% of the total area.
4. Protection of existing trees on site.
5. Retention of any natural habitats and ecological sites.
6. Provision of basic structures, such as:
  - walking paths to connect the open space and recreation area to adjoining streets and provide access to play equipment and other features therein; and
  - two seats per 2000m<sup>2</sup> of the total area.
7. Provision of basic children's or youth play equipment to the value of \$25,000, if required in that locality.
8. Development of the layout, landscaping theme and walking path connections in accordance with the Area Plan for the locality.

### **2.2 Existing allotments and buildings**

As the purpose of development contributions is to provide for the open space and recreation needs of the additional people and housing generated as a result of subdivision and development, it is reasonable to continue to ensure that the development contribution required recognises that credits are available for existing titles for both subdivision and building consent applications. Title credits will only be granted where the net area of the title meets the standard of the zone in which the title is located. In 1996 the Council resolved to charge a reserve contribution on subdivision applications for cross lease and unit titles. Exemptions were granted where units had been built prior to 30 May 1996. Exemption was also granted to subdivision applications

for fee simple titles where any new lot had an existing building constructed prior to 30 May 1996. It is proposed to continue with granting these credits.

The following credits, or remissions, of development contributions for reserves will be given, on a case-by-case basis as follows:

- a credit, at the maximum rate that can be charged or of the actual amount previously paid, per allotment existing prior to the subdivision taking place; or
- a credit, at the maximum rate that can be charged or of the actual amount previously paid, per unit existing prior to the residential development taking place.
- a credit, at the maximum rate that can be charged or of the actual amount previously paid, per allotment containing buildings built predominantly before 1996 and where no additional buildings can be erected without redevelopment. A development contribution will be required where the allotment has potential for the erection of additional residential buildings and upon redevelopment if the number of residential units is increased.

### **2.3 Surface water management**

As a general consideration, the provision of land and/or cash for surface water management and open space and recreation reserves will be treated as two separate entities in terms of assessment of development contributions upon subdivision and/or development.

However, it is desirable in many instances that provision of these two requirements is combined to provide enhanced open space and recreation facilities which reflect recreational, landscape, heritage, drainage, cultural and ecological values.

The attributes and effects of such open space and recreation areas are:

- Surface water management and open space and recreation functions being achieved within one area. Such open space and recreation areas will provide

for the more efficient use of natural and physical resources.

- Open space and recreation areas of a more diverse size. Where the combination of surface water management and open space and recreation functions result in larger open space and recreation areas, these may contribute to the rural and/or urban amenity of both the local and city-wide environment and compensate for adjoining smaller residential lot sizes and/or higher density residential development.
- Open space and recreation areas of a more diverse type, with more diverse and quality natural features. Such open space and recreation areas may contribute to the rural and/or urban amenity of both the local and city-wide environment and provide green pedestrian and cycling linkages/corridors between streets.
- Open space and recreation areas of a greater bio-diversity with respect to plant species and avian and aquatic ecology. Such open space and recreation areas may contribute to the rural and/or urban amenity of both the local and city-wide environment and Christchurch's 'Garden City' image in particular.
- Open space and recreation areas that are natural, and not engineered, looking. Such open space and recreation areas may contribute to the rural and/or urban amenity of both the local and city-wide environment by restoring, maintaining and enhancing natural features.
- Multiple open space and recreation functions being achieved within one area. Such open space and recreation areas provide more, and a variety of, passive recreation opportunities.
- Open space and recreation areas in which natural features are restored, maintained and enhanced. Such open space and recreation areas contribute to recognising the importance of, and providing for, the relationship of Maori, their culture and traditions with ancestral lands, waters, sites, waahi tapu and other taonga.
- Open space and recreation areas which provide an environmentally acceptable means of avoiding, remedying or mitigating the adverse effects of inundation or flooding, by protecting the natural functioning of floodplains, retention basins

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and ephemeral waterways, maintaining their natural water storage capacity and enabling regulation of the rate of discharge of floodwaters.

Where the provision of land and/or cash for surface water management also goes some way to achieve the required provision of land and/or cash development contributions for reserves, it is considered reasonable that the latter requirement be remitted in part according to the circumstances. This could occur either through the provision of land on the site of the subdivision and/or development for both surface water management and reserves, or through a cash contribution to a cost-sharing area where the expenditure of it will buy land which meets both requirements.

A remission of development contributions for reserves will, therefore, be given where the provision of land and/or cash for surface water management fulfils some or all of the following circumstances:

(i) Water environment

Being land:

- subject to no more frequent flooding than a 5 year event return period of flooding on the flat and a 20 year return period of flooding on the hills.
- of soil type/s and a water table such that flooding is no deeper than 100mm and drains away within 3 days.
- on which the nature and/or design of waterways thereon is such that it protects the waterway hydrology while providing for visual amenity by maintaining base water flow in a naturalised channel.

(ii) Location

Being land:

- on the site of the subdivision and/or development, or identified elsewhere for purchase through the expenditure of cash contributions.
- of at least 20m wide fronting a local street which immediately adjoins a living zone or zones.

- on which existing natural features such as streams, wetlands and mature trees (for their species) are co-located.
- adjoining or linking through to existing land for open space and recreation purposes.
- within 5 – 10 minutes walk from both the living and business areas they are intended to serve.
- which, for district parks, is within 400m walking distance of the nearest bus stop.
- safely accessed by pedestrians via an on-site public car park, or an immediately adjoining public car park, or a pedestrian crossing or pedestrian islands on the road or roads immediately adjoining it.
- located in an area of low rural and/or urban amenity values and/or bio-diversity.

(iii) Size

Being land:

- on which that part suitable for surface water management use is at least 300m<sup>2</sup> (i.e. excluding the property access and/or casual recreation use functions).
- on which that part suitable for casual recreation use is at least 2000m<sup>2</sup> (i.e. excluding the property access and/or surface water management functions).

(iv) Function

Being land:

- capable of multiple use, including for walking, cycling and other passive and casual recreation.

(v) Design

Being land:

- of a topography that is natural, and not engineered, looking.
- of a topography such that the boundary between private and public land can be identified without the need to erect fences.

- with an entrance through which access is possible by every person, including those in wheelchairs and with pushchairs, etc, but not those in or on vehicles (except for maintenance purposes) or motorbikes.
- with paths and tracks of a gradient no steeper than 1:20, on which access is possible by every person including those in wheelchairs and with pushchairs, etc.
- on which there is good visual and a physical separation of at least 5m between paths and tracks and the waterway.
- on which the species of planting between paths and tracks is of mixed height and density, to allow views from them through to the waterway.
- on which the planting encourages bio-diversity with respect to avian and aquatic ecology (e.g. planting which provides birds with food, nesting places and security and which provides fish with spawning places, shade and invertebrate habitat).
- suitable in terms of accessibility and topography for development with street furniture such as seats, picnic tables and children's play equipment.
- which will enhance both rural and/or urban amenity values (which the Resource Management Act 1991 defines as "those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes") and/or bio-diversity.

## **2.4 Esplanade reserves or strips**

As a general consideration, the provision of land and/or cash for esplanade reserves or strips and open space and recreation reserves will be treated as two separate entities in terms of assessment of development contributions upon subdivision and/or development.

However, it is desirable in many instances that provision of these two requirements is combined to provide enhanced open space and recreation facilities which reflect

conservation, public access, recreational, landscape, heritage, drainage, cultural and ecological values.

The attributes and effects of such open space and recreation areas are:

- Esplanade reserves or strips and open space and recreation functions being achieved within one area. Such open space and recreation areas will provide for the more efficient use of natural and physical resources.
- Open space and recreation areas of a more diverse size. Where the combination of esplanade reserves or strips and open space and recreation functions result in larger open space and recreation facilities, these may contribute to the rural and/or urban amenity of both the local and city-wide environment and compensate for adjoining smaller residential lot sizes and/or higher density residential development.
- Open space and recreation areas of a more diverse type, with more diverse and quality natural features. Such open space and recreation areas may contribute to the rural and/or urban amenity of both the local and city-wide environment and provide green pedestrian and cycling linkages/corridors between streets.
- Open space and recreation areas of a greater bio-diversity with respect to plant species and avian and aquatic ecology. Such open space and recreation areas may contribute to the rural and/or urban amenity of both the local and city-wide environment and Christchurch's 'Garden City' image in particular.
- Open space and recreation areas that are natural, and not engineered, looking. Such open space and recreation areas may contribute to the rural and/or urban amenity of both the local and city-wide environment by restoring, maintaining and enhancing natural features.
- Multiple open space and recreation functions being achieved within one area. Such open space and recreation areas provide more, and a variety of, passive recreation opportunities.
- Open space and recreation areas in which natural features are restored,

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maintained and enhanced. Such open space and recreation areas contribute to recognising the importance of, and providing for, the relationship of Maori, their culture and traditions with ancestral lands, waters, sites, waahi tapu and other taonga.

- Wider than standard esplanade reserve provision. Such open space and recreation areas provide more opportunity for landscaping and protection of both landscaping and waterways from inappropriate subdivision, use and development.
- Open space and recreation areas which provide an environmentally acceptable means of avoiding, remedying or mitigating the adverse effects of inundation or flooding, by protecting the natural functioning of floodplains, retention basins and ephemeral waterways, maintaining their natural water storage capacity and enabling regulation of the rate of discharge of floodwaters.

Where the provision esplanade reserves or strips also goes some way to achieve the required provision of land development contributions for reserves, it is considered reasonable that the latter requirement be remitted in part according to the circumstances.

A remission of development contributions for reserves will, therefore, be given where the provision of esplanade reserves or strips fulfils some or all of the following circumstances:

## (i) Water environment

Being land:

- subject to no more frequent flooding than a 2 - 5 year event return period of flooding on the flat and a 10 - 20 year return period of flooding on the hills.
- of soil type/s and a water table such that flooding is no deeper than 100mm and drains away within 3 days.
- on which the nature and/or design of waterways thereon is such that it

protects the waterway hydrology while providing for visual amenity by maintaining base water flow in a naturalised channel.

## (ii) Location

Being land:

- on the site of the subdivision and/or development, or identified elsewhere for purchase through the expenditure of cash contributions.
- adjoining the sea, a river whose bed has an average width of 3m or more, or a lake whose bed has an area of 8ha or more.
- of least 20m wide, except as provided by any rule in the City Plan or a resource consent which waives or reduces the width of the esplanade reserve or strip, immediately adjoining a living zone or zones.
- on which existing natural features such as streams, wetlands and mature trees (for their species) are co-located.
- adjoining or linking through to existing land for open space and recreation purposes.
- within 5 – 10 minutes walk from both the living and business areas they are intended to serve.
- which, for district parks, is within 400m walking distance of the nearest bus stop.
- safely accessed by pedestrians via an on-site public car park, or an immediately adjoining public car park, or a pedestrian crossing or pedestrian islands on the road or roads immediately adjoining it.
- located in an area of low rural and/or urban amenity values and/or bio-diversity.

(iii) Size

Being land:

- on which that part suitable for esplanade reserve or strip use is at least 20m wide (i.e. excluding the reserve or strip access and/or casual recreation use functions), except as provided by any rule in the City Plan or a resource consent which waives or reduces the width of the esplanade reserve or strip.

(iv) Function

Being land:

- capable of multiple use, including for the protection of conservation values, public access to or along and public recreational use of the land and adjoining sea, river or lake; where use is compatible with conservation values.

(v) Design

Being land:

- of a topography that is natural, and not engineered, looking.
- of a topography such that the boundary between private and public land can be identified without the need to erect fences.
- with an entrance through which access is possible by every person, including those in wheelchairs and with pushchairs, etc, but not those in or on vehicles (except for maintenance purposes) or motorbikes, where access is compatible with conservation values.
- with paths and tracks of a gradient no steeper than 1:20, on which access is potentially possible by every person including those in wheelchairs and with pushchairs, etc, where access is compatible with conservation values.
- on which there is good visual and a physical separation of at least 5m between paths and tracks and the waterway.
- on which the species of planting between paths and tracks is of mixed height and density, to allow views from them through to the waterway.
- on which the planting encourages bio-diversity with respect to avian and

aquatic ecology (e.g. planting which provides birds with food, nesting places and security and which provides fish with spawning places, shade and invertebrate habitat).

- suitable in terms of accessibility and topography for development with appropriate street furniture, such as seats.
- which will enhance both rural and/or urban amenity values (which the Resource Management Act 1991 defines as “those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”) and/or bio-diversity.

## **2.5 Retention of historic buildings, objects or places, vegetation / trees, natural / ecological or habitat values**

A credible objective for any city is to develop a distinctive identity based on its own inherent characteristics. Characteristic natural and physical features of Christchurch that contribute to its identity and serve as reminders of its past include, either individually or in groups:

- around 600 historic buildings, objects or places;
- over 1400 heritage / notable trees; and
- areas of ecological significance

which have historical, social, cultural, spiritual, architectural, artistic, group, setting, landmark, archaeological, technological and craftsmanship significance. Such features are constantly being placed under threat of removal or damage as more intensive land uses are sought in response to development pressures. Their conservation is sought for the enjoyment and education of future residents of, and visitors to, the City.

A remission of development contributions for reserves will, therefore, be given where the subdivision and/or development will result in the retention of historic buildings,

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objects or places, vegetation/trees, natural/ecological or habitat values in some or all of the following circumstances:

## (a) Heritage

- the site contains a building, object or place that is listed in the City Plan, or by the New Zealand Historic Places Trust, and the group/category of the listing (with particular reference to the reasons for listing the building, object or place);
- the heritage elements of the building, object or place are to be retained;
- the heritage elements of the building, object or place are to be retained, having regard to the extent to which they are to be altered and the intrusiveness of any alterations;
- the setting/context of the heritage element(s) is/are to be retained, enhanced or protected;
- the heritage elements of the building, object or place contribute to private and public amenity in terms of the character and streetscape qualities of the local or City environment;
- the building, place or object is subject to a Heritage Order or Heritage Covenant, or the owner will agree to a Heritage Covenant or some other agreement with the Council to protect the heritage elements.

In considering the appropriateness of any such remission, the Council will have regard to:

- the extent to which retention of the heritage elements of the building, object or place would constrain the form of development able to be undertaken on the site (with reference to the relevant planning documents);
- the additional cost to the developer / subdivider of retaining the heritage elements of the building, object or place as opposed to incorporating them into or building a new structure of similar quality and proportions (with reference to the relevant planning documents), and keeping in mind the value likely to be added to the proposed development as a result of retaining the heritage

elements;

- whether the developer / subdivider has received, has applied for, or is eligible for, funds for retaining the heritage elements, and the amount of any such grant.

## (b) Vegetation / Trees

- the trees on the site are listed as protected trees in the City Plan;
- the application provides for the long term retention and good health of any tree(s) listed as protected trees in the City Plan;
- it is proposed to retain vegetation / trees on the site that would maintain the amenity of the wider neighbourhood;
- provision is to be made for landscape links through the site;
- the vegetation / trees on the site are subject to a Covenant, or the owner will agree to a Covenant or some other agreement with the Council to protect the vegetation/trees.

## (c) Natural Features / Ecology / Habitat

- the site contains natural/ecological or habitat values, such as Ecological Heritage Areas, including those identified in the City Plan;
- the natural/ecological or habitat values are to be retained;
- the natural/ecological or habitat values are to be retained, having regard to the extent to which they are likely to be affected by any development/activity on the site;
- the site contains waterways or wetlands;
- the waterway or wetland is to be maintained and enhanced as a natural feature;
- the natural/ecological or habitat values on the site are subject to a covenant, or the owner will agree to a covenant or some other agreement with the Council to protect those values.

In considering the appropriateness of any such remission, the Council will have regard to:

- the additional cost to the developer/subdivider of retaining the natural/ecological or habitat values;
- whether the developer/subdivider has received, has applied for, or is eligible for, funds for retaining the natural/ecological or habitat values on the site, and the amount of any such grant.

## **2.6 The provision of art works in public places**

The Council's 'Artworks in Public Places Policy' recognises that one way to enhance Christchurch's public spaces, city and community identity is through the introduction of artworks into the city environment. Development contributions comprise cash/or land, of which the cash may be used for the development of community or recreational facilities associated with the use of a reserve. Community facilities includes community infrastructure, which itself includes development assets on land owned or controlled by a territorial authority to provide public amenities.

A remission of development contributions for reserves will, therefore, be given where the subdivision and/or development results in the provision of artwork/s in suitably located public spaces, in the following circumstances:

- the provision of artwork/s in suitably located public spaces, which:
  - are appropriate;
  - are permanent;
  - are not transferable (except where relocated at the Council's discretion);
  - increase the central city's role as the heart of the city; and/or
  - enhance the unique qualities of Christchurch, particularly the physical characteristics such as parks, gardens, riverbanks and buildings which contribute to the city and local community identity of Christchurch.
- registration by, and copyright in the artwork being vested in, the Council.

'Public places' are any areas under the control of the Christchurch City Council including parks and reserves, streets, squares, riverbanks, bridges and buildings, sites and airspace, and other locations by agreement between the Council and property owners, and in which people can, where appropriate, interact with the artworks located thereon.

'Artwork/s' are the original concepts of professional artists, of both contemporary and traditional art forms, executed in any visual art/craft medium including sculpture, carved, cast, constructed; paintings, light works, projected or illuminated, prints, drawings, photographs, murals, banners, wall hangings, ceramics, assemblages or combinations of media; which may have auditory and/or tactile dimensions as well as visual elements; and which comprise either one or both of the following:

### Urban and Environmental Artworks

- Stand alone artworks located in an urban or natural environment.
- Usually created for the space concerned or in special circumstances transferred to it.
- Not necessarily an integral element of the space but has a contextual relationship to it.
- Created by a professional artist.

### Integrated Artworks

- Artworks created as part of the development of a site/building or functional artworks (e.g. seats, lampposts, water fountains) for a site/building.
- Conceived especially for, or as part of, the site and forms part of the built environment.
- Has a physical connection to the space concerned and may be integral in the building/site (i.e. there may be no separate artwork as such).

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- Created by a professional artist in collaboration with the project team for the site or building (e.g. architect, landscape, urban designer, engineer).

## 2.7 The provision of social / affordable housing

The City's population has different needs, which require a wide range of housing forms and tenure to satisfy them. Housing is one of the most significant costs and anything that limits these costs contributes to a better quality of life. The Council itself provides housing for people on low incomes and with a housing need, including beneficiaries, elderly persons, the disabled and single adults with or without children. The City Plan also signals an intention to investigate means of providing low cost housing in the Central City by Central Government, the Council, or other providers, or in conjunction with community groups.

A remission of development contributions for reserves will, therefore, be given where the subdivision and/or development results in the provision of social / affordable housing, in the following circumstances:

- the household units are subsidised and/or built and managed by the Council and/or by another public housing agency (e.g. Housing New Zealand, Southern Regional Health Authority and their successors) and/or by a private social housing agency (e.g. Habitat for Humanity) as social/affordable housing, and which:
  - is subject to a covenant or appropriate legal restriction:
    - restricting occupancy to people with a personal income of less than National Superannuation x 1.5 and associated asset levels as specified below; and
    - restricting the payment of rent to 70% of the average local market rent or no more than 25% of the occupant's income, whichever is the lesser; and
  - of quality and energy efficient unit design, construction and appearance suited to the occupants needs; and

- provides communal recreation facilities, such as a communal residents' lounge; and
- is located within 500m walking distance from the central city, or a district (business), centre; and
- is located within 500m walking distance of a bus stop on public transport routes.

National Superannuation levels from 1 December 2003 as below will be adjusted periodically in accordance with movements in the rates of National Superannuation and asset levels will be adjusted annually in accordance with the rate of inflation, linked to the income levels in the policy:

Family type	Annual Income
Single person – living alone	\$19,133
Single person – sharing	\$17,661
Married couple (combined income)	\$29,436
Married couple (2 x combined income)	\$29,436

Income type	Asset Level
Single person – living alone	\$20,000
Married couple	\$30,000

Assets include:

- All motor vehicles
- Cash-in-hand
- Bank deposits
- Private superannuating schemes

- Bonus bonds
- Family Trusts
- Other investments
- Boats
- Other items of value in excess of \$1000.00
- Real estate, except where occupant is unable to utilise real estate due to marriage/dissolution settlement subject to solicitors confirmation and statutory declaration process.

## ***2.8 The provision of elderly persons' housing***

Elderly persons housing is strictly defined in the City Plan. The trend towards enabling people to remain in their previous housing and community for as long as possible has resulted in the average entry age to such housing tending to be high (the 'very elderly'). Given that the proportion of the population considered 'very elderly' is growing, the average needs for land and facilities for open space and recreation by the occupants of elderly persons housing are not considered to be as high and widespread as the needs of the general population of the City. A remission of the standard development contribution requirements is therefore considered to be reasonable with respect to elderly persons' housing.

A remission of development contributions for reserves will, therefore, be given where the subdivision and/or development is for the provision of elderly persons' housing, in the following circumstances:

- the residential subdivision and/or development is for elderly persons' housing in terms of the following definitions:

'Elderly persons' housing' is a group of residential units each with a gross floor area less than 80m<sup>2</sup> developed or used for the accommodation of elderly persons, which may in addition include a care home and/or associated studio units for the care and

accommodation of elderly persons, and where the group is either held under one title or unit titles under the Unit Titles Act with a body corporate and which is encumbered by a bond or other appropriate legal instrument which ensures that the use of the unit is confined to elderly persons.

'Elderly persons' are people over the age of 60 years or a person who qualifies for a permanent invalid's benefit on health grounds and extends to include the partner, spouse, dependents or caregiver of such a person, notwithstanding that the partner, spouse or caregiver may be under the age of 60 years.

## ***2.9 Central City housing***

The Council has a strong policy of encouraging the continued use and redevelopment of much of the Central City (within the Four Avenues, including the area bounded by Moorhouse Ave, Hagley Ave and Antigua St) for housing.

This policy includes different provisions for development contributions for reserves and public amenities for residential and non-residential developments. For residential development, the cash equivalent of 20m<sup>2</sup> of land for every new residential unit is sought as a development contribution towards reserves. Where a subdivision occurs, 7.5% of the value of the additional allotments is sought. For a non-residential development, a cash contribution is sought towards community infrastructure (to provide public amenities on Council land) at the rate of the cash equivalent of 2m<sup>2</sup> of land for every 100m<sup>2</sup> of new non-residential building development.

The Council considers that the open space and recreational needs of people living in the Central City are no less than people living in the outer areas of the City. The lack of space available on their own Central City properties makes the availability of public open space and recreation areas even more important.

For these reasons, the Council does not consider that it is justifiable to exempt Central City housing development from all development contributions for open space

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and recreation. However, in order to provide direct encouragement for Central City housing to support Central City revitalisation initiatives of the Council (as identified in the Christchurch Central City Strategy Stage I (2001) document), a 25% remission is supported by the Council for development contributions for reserves from residential unit development undertaken as part of, or in conjunction with, business subdivision and development in the Central City Zone and Central City Edge Zone.

A remission of development contributions for reserves will, therefore, be given where the subdivision and/or development is for the provision of Central City housing, in the following circumstances:

- where the residential unit development is undertaken as part of, or in conjunction with, business subdivision and development in the Central City Zone or Central City Edge Zone and where at least the ground floor is in business use.

Note: Although a remission of development contributions for reserves from residential subdivision and development within the living zones of the Central City is not considered necessary in the current housing market, it will be applied or not as required in the future to stimulate Central City housing as the future housing market dictates via the three yearly LTCCP review.

## Appendix 3

### *Contributions of Cash or Land*

**The Council will take development contributions of either cash and/or land towards providing public reserves for open space and recreation from subdivision and/or development, depending on which will more effectively add to the quality and diversity of open spaces and recreation areas in the City.**

The basis for the reserve development contributions is the additional, actual or potential demand anticipated for open space and recreational land consequent to subdivision and/or development; that is, its “effects” in terms of land and use intensification. Contributions are not to be imposed as a tax on development, but can be in the form of land (where provision is practicable such as from larger “greenfield” sites) or cash, according to an equivalent value if land were taken in the locality.

Previously, the Council preferred to take cash, instead of land, contributions. This enabled the Council to decide itself which land it acquired to meet open space and recreation requirements throughout the city, rather than being forced, as the future manager, to accept land of an inappropriate size and/or nature from any particular subdivision and potentially having to provide further more suitable land in the future from general ratepayers’ funds. The Council acknowledges, however, that in designing a subdivision, the subdivider has a good understanding of the needs of the potential occupiers and has a financial stake in ensuring that the subdivision is attractive and satisfies those needs. In addition, as the City grows both in population and housing areas, there is a continuing need for more land to satisfy open space and recreational needs, new areas of which will inevitably become more difficult to acquire in appropriate locations as the City becomes more intensively developed. The Council no longer therefore has a preference for taking cash instead of land. The resource consent process instead provides the opportunity for the Council and the subdivider to reach agreement on whether a cash and/or land contribution is appropriate in the

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circumstances, so that it is possible for the Council to acquire suitable land as, where and when opportunities arise.

**The Council will seek cash contributions where they will provide for one or more of the following:**

- the purchase of land for district parks and sports fields in areas where there are existing or potential deficiencies in the provision of them;
- the purchase of land for local neighbourhood parks in areas where there are existing or potential deficiencies in the provision of them;
- the purchase of land of ecological or conservation value where there is a need to protect such areas by way of public ownership;
- the development of land purchased or acquired as development contributions to a usable state for local neighbourhood and district parks, sports fields and open space;
- the purchase and development of land for amenity purposes within or adjoining business areas;
- any other purpose permitted by Sections 205 and 206 of the Local Government Act 2002.

The Council will seek land contributions where they will provide for one or more of the following:

- a relatively flat, useful area of land for a local neighbourhood park, accessible to the user population and of a size (at least 2-3,000 sq m) adequate to accommodate children's play equipment, substantial tree plantings and open space;
- a linkage or potential linkage along or to significant natural features, or between other areas of public open space and community facilities;
- protect or enhance significant mature trees, significant areas of indigenous vegetation, margins of waterways or other significant natural features;

- protect or enhance historic or cultural features of significance to the City's population;
- a usable area of open space for planting as visual relief from a built or highly developed environment; or
- a flat usable area of land for district sports fields, accessible with full road frontage and a size (at least 4ha) adequate to accommodate at least two sports fields, tree planting and other open space. To accommodate sports clubs, at least 4ha, ideally more, would be needed.

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## Schedule A: Existing Cost Share Areas

Name/Locality	Reference	Type of Service	Year Established	Contribution (incl. GST) as at 1.07.03	Nature of Works	Area Application
Wastewater Treatment Plant Capacity Upgrade	TW-001-36	Sewage Treatment	1999	\$607.50 per lot	Upgrading Central Wastewater Treatment Plant	Applies to whole urban reticulated area
Wastewater Reticulation Capacity Upgrade	PG-001-279	Sewage Transport	2002	\$477.00 per lot	Trunk System Upgrading and wet weather storage in central and western suburbs	Applies to reticulated urban area except Eastern catchments (see plan Appendix 3)
Water Supply Headworks Capacity Upgrade	WS-003-003-11	Water Extraction and Pumping	1991	\$562.50 per lot	New wells, increased pumping capacity, new pump stations and extension to existing stations	Applies to whole urban reticulated area except Brooklands, Kainga and Spencerville.
Huntsbury	PG-001-244	Water Supply	1996	\$2,193.76 per lot	Water mains, reservoir and pump station	Defined area (see plan Appendix 3)
Mt Pleasant	PG-001-243	Water Supply	1998	1: \$2,214.55 per lot 2: \$3,800.96 per lot	Water mains, reservoir and pump station	"
Worsleys Spur	WS-003-003-12	Water Supply	1999	\$3,161.94 per lot	Land purchase, pump station, rising main, tank re-location	"
Aidanfield (privately funded)	SU-001-4375	Sewerage	2002	A: \$7,959.21 per hectare B: \$5,776.83 per hectare C: \$3,846.31 per hectare	Sewer pipeline	"
Alpine View: Burwood (privately funded)	SU-001-0899	Sewerage	1999	\$8,586.66 per hectare (as at 26.08.03)	Sewer pipeline, rising main, pump station	"
Avonhead Road	JHS 1532	Sewerage	1974	\$248.53 per metre run	Sewer installation	Defined area (see plan Appendix 3)
Clearbrook Palms 3,4,5,6,7	SU-001-4004	Sewerage	2001	3: \$630.64 per lot 4: \$861.36 per lot 5: \$811.67 per lot 6: \$811.67 per lot 7: \$811.67 per lot	Sewer pipeline, rising main	"

## Schedule A: Existing Cost Share Areas cont.

Name/Locality	Reference	Type of Service	Year Established	Contribution (incl. GST) as at 1.07.03	Nature of Works	Area Application
Halswell	PG-001-272	Sewerage	2000	\$404.74 per lot	Pump station upgrade, rising main, soil filter	"
Halswell Junction Road	JHS 6855	Sewerage	1974	\$5991.33 per hectare	Gravity main and rising main	"
Maffeys Road	JHS 2508	Sewerage	1981	\$5948.30 per lot	Sewer pipeline	"
Mt Pleasant (privately funded)	SU-001-825	Sewerage	1998	1: \$1,713.55 per lot 2: \$3,241.29 per lot 3: \$4,980.61 per lot 4: \$7,190.00 per lot 5: \$10,094.31 per lot 6: \$10,564.06 per lot 7: \$12,982.07 per lot	Sewer pipeline extension	"
Milns Road/Milns Estate	SU-001-4147	Sewerage	2000	\$2795.53 per hectare	Installation of pump station and sewer pipeline	"
Yukon Place	SU-001-00054	Sewerage	1986	\$6548.24 per hectare	Sewer pipelines	Defined area (see plan Appendix 3)

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Augusta Street/Main Road	SU-001- 0032	Stormwater	1974	A \$9277.25 per hectare B \$4106.20 C Excluded D \$8803.93 E \$6214.53 F \$10251.74	Installation of stormwater pipeline	"
Bower Avenue/ Palmers road	JHS 7322	Stormwater	1974	\$29,383.29 per hectare	Installation of stormwater pipeline	"
Barnett Park	LO-17-2 -41	Stormwater	2004	Rifle Range Drain Catchment \$2985.16 per lot Cliff Street Catchment \$1492.58 per lot	Construction of flood detention basin	Defined Area (see plan appendix 3)
Buchanans/ Carmen Roads	S52 0044	Stormwater	1987	\$39,124.57 per impervious hectare <sup>1</sup>	Installation of stormwater pipeline	" Area factor 0.8

**Note 1** (applies to all tables in schedule A)

The area on which the calculation is based is the total area of the development multiplied by the area factor shown in the last column.

If no area factor is shown it is 1.0 and the calculation is based on the total area of development.

## Schedule A: Existing Cost Share Areas cont.

Name/Locality	Reference	Type of Service	Year Established	Contribution (incl. GST) as at 1.07.03	Nature of Works	Area Application
Epsom Road	JHS 7515	Stormwater	1979	\$36,819.15 per impervious hectare <sup>1</sup>	Installation of stormwater pipeline	" Area factor 0.42
Halswell Junction Road	JHS 7298	Stormwater	1974 to 78	\$23,922.79 per hectare	Installation of stormwater pipeline	Defined Area (see plan Appendix 3)
Heathcote Valley Drainage	PG-001-196	Stormwater	2002/03	Floodplain \$2934.83 West \$5116.42 Canon Hill \$5493.05 East \$5550.91 per lot or subsequent dwelling	Upgrade waterways, construction of detention ponds, installation of stormwater detention tanks	"
Maces Road - Area A	JHS 8154	Stormwater	1977	\$19,080.27 per hectare	Installation of stormwater pipeline	"
Maces Road/Newton Street	JHS 3957	Stormwater	1973	\$5183.09 per hectare	Installation of stormwater pipeline	"
Maces Road – Area B	S52 0052	Stormwater	1974	\$17,667.24 Resident \$35,334.48 Industr'l.	Installation of stormwater pipeline	"
Madeley Road	JHS 7598	Stormwater	1974	\$24,435.97 per hectare	Installation of stormwater pipeline	"
Marylands - Area 1	JHS 4919	Stormwater	1974	\$7714.20 per hectare	Installation of stormwater pipeline	"
Marylands Place - Area 2A	JHS 6082	Stormwater	1985	\$26,654.09 per hectare	Installation of stormwater pipeline	"
Merrin Street - area A	JHS 2667	Stormwater	1975	\$25,108.29 per impervious <sup>1</sup> hectare	Installation of stormwater pipeline	Defined area (see plan Appendix 3) Area factor 0.4
Merrin Street - area B	JHS 2667	Stormwater	1981	\$20,137.94 per impervious <sup>1</sup> hectare	Installation of stormwater pipeline	Defined area (see plan Appendix 3) Area factor 0.4
Nicholls Road/Rearsby Drive	JHS 3832	Stormwater	1974	\$991.24 per hectare	Installation of stormwater pipeline and regrading of Nottingham Stream	Defined area (see plan Appendix 3)

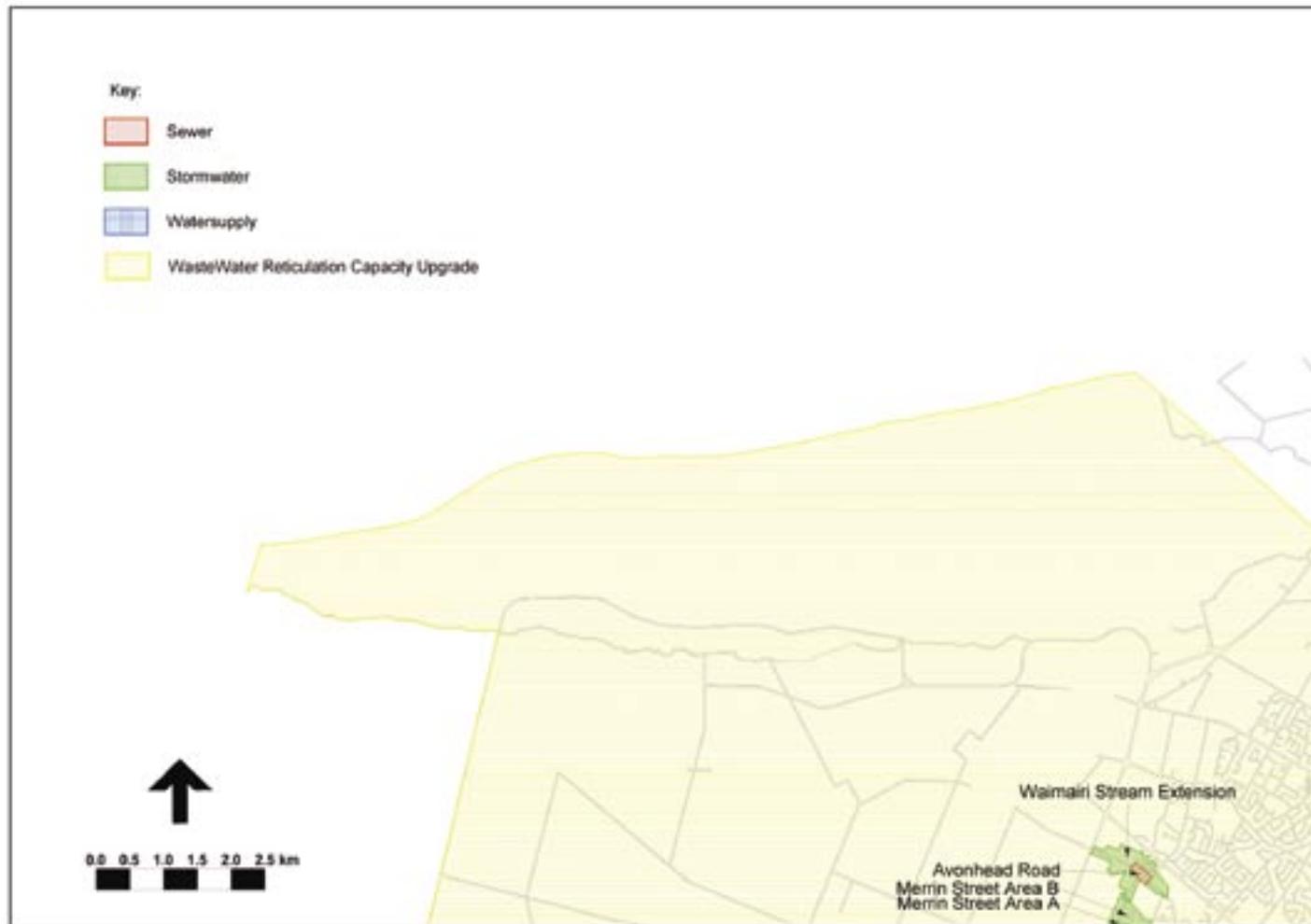
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Scarborough	JHS 7267	Stormwater	1987	\$29,915.67	Concrete channel and stormwater piping	"
Snellings Drain	PG-001-280	Stormwater	2003	Preston's Catchment \$2400.42/lot Burwood sub Catchment \$690.40/lot	Ponding and open swales with in-line storage	"
St John's Street	JHS 8188	Stormwater	1977	\$24,508.74 per hectare	Installation of stormwater pipeline	"
Waimairi Stream	JHS 1532	Stormwater	1975	\$25,766.32 per impervious <sup>1</sup> hectare	Extension of Waimairi Stream	Defined area (see plan Appendix 3) Area factor 0.4
Waterloo Road	JHS 6081	Stormwater	1972	\$44,592.08 per impervious <sup>1</sup> hectare	Installation of stormwater pipeline	Defined area (see plan Appendix 3) Area factor 0.4
Carmen Road/Yaldhurst	S52 0020	Stormwater	1974	\$25,635.88 per hectare	Installation of stormwater pipeline	Defined area (see plan Appendix 3)

## Schedule B: Development Contributions for Road Upgrading Adjacent to Development

Existing Situation	Upgrading Required	Developer's Contribution
1. Fronting flat k&c/footpath/berm/streetlight (no change to kerb alignment).	Upgrade existing footpath berm and streetlight to comply.	50%
2. Fronting flat k&c/footpath/berm/streetlight change to kerb alignment due to increased traffic or safe entry into development.	- Upgrade k&c and widened roadway plus traffic management. - Upgrade existing footpath, berm and streetlight to comply	100% 50%
3. Fronting dished k&c/footpath/berm/streetlight	Upgrade to new flat k&c, new footpath, new berm and upgrade streetlights to comply	50%
4. Fronting sealed road without k&c or footpath.	Extension of roadway width to comply with construction of new k&c, new berm and new streetlighting	50%
5. Fronting unformed road.	Roadway width to comply.  New safety/traffic features. New k&c New footpath New berm New streetlights	50% of 6m wide roadway plus 100% of any additional width required to meet City Plan requirements  100% 100% 100% 100% 100%
6. Access constructed along unformed road.	Access width to comply  Safety/traffic features. New streetlights	50% of 6m wide roadway plus 100% of any additional width required to meet City Plan requirements  100% 50%
7. Developments which have significant impact on existing network - usually dealt in resource consent process	Traffic signals, traffic management, safe pedestrian and cycle facilities, road realignments, pavement strengthening. Other frontage improvements may also apply	Broad Principles - % increase to existing traffic flow, pedestrian and cycle movements - 100% for safe access to and from site
8. New road or road extension is to be vested in the council as part of subdivision or development	Manufacture and erection of all necessary nameplates to comply with the Ministry of Transport's Guidelines for Street Name signs 1990	\$ 300 per nameplate adjusted annually in accordance with the consumer price index from a base of 1 July 2004

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**Appendix 4 : Existing Cost Share Areas : 1 July 2004**

Map : ad000100a.gws  
Layout : a4-1  
Date : 17/02/2004

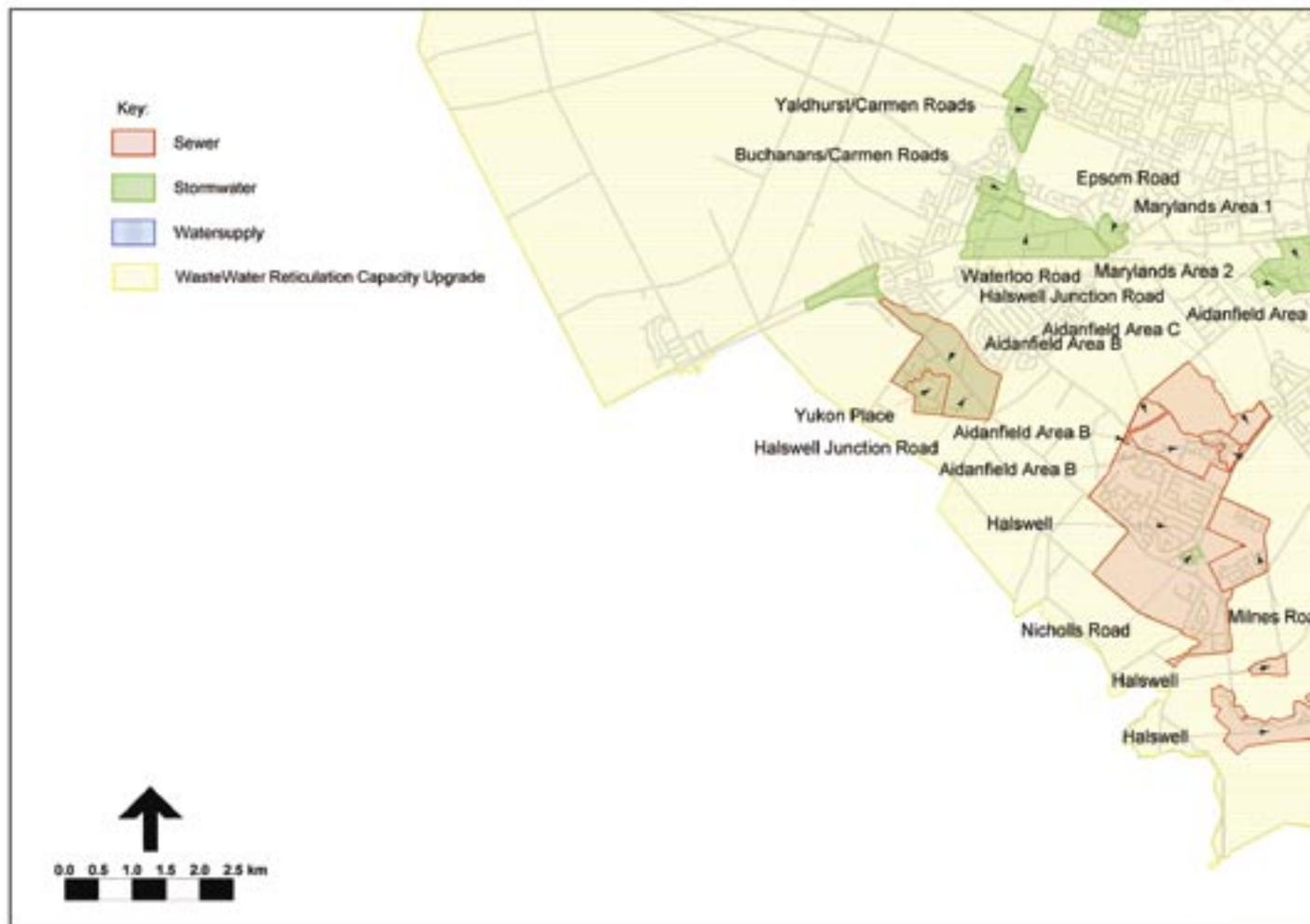


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**Appendix 4 : Existing Cost Share Areas : 1 July 2004**

Map : ad00109a.gws  
Layout : 94-2  
Date : 17/02/2004

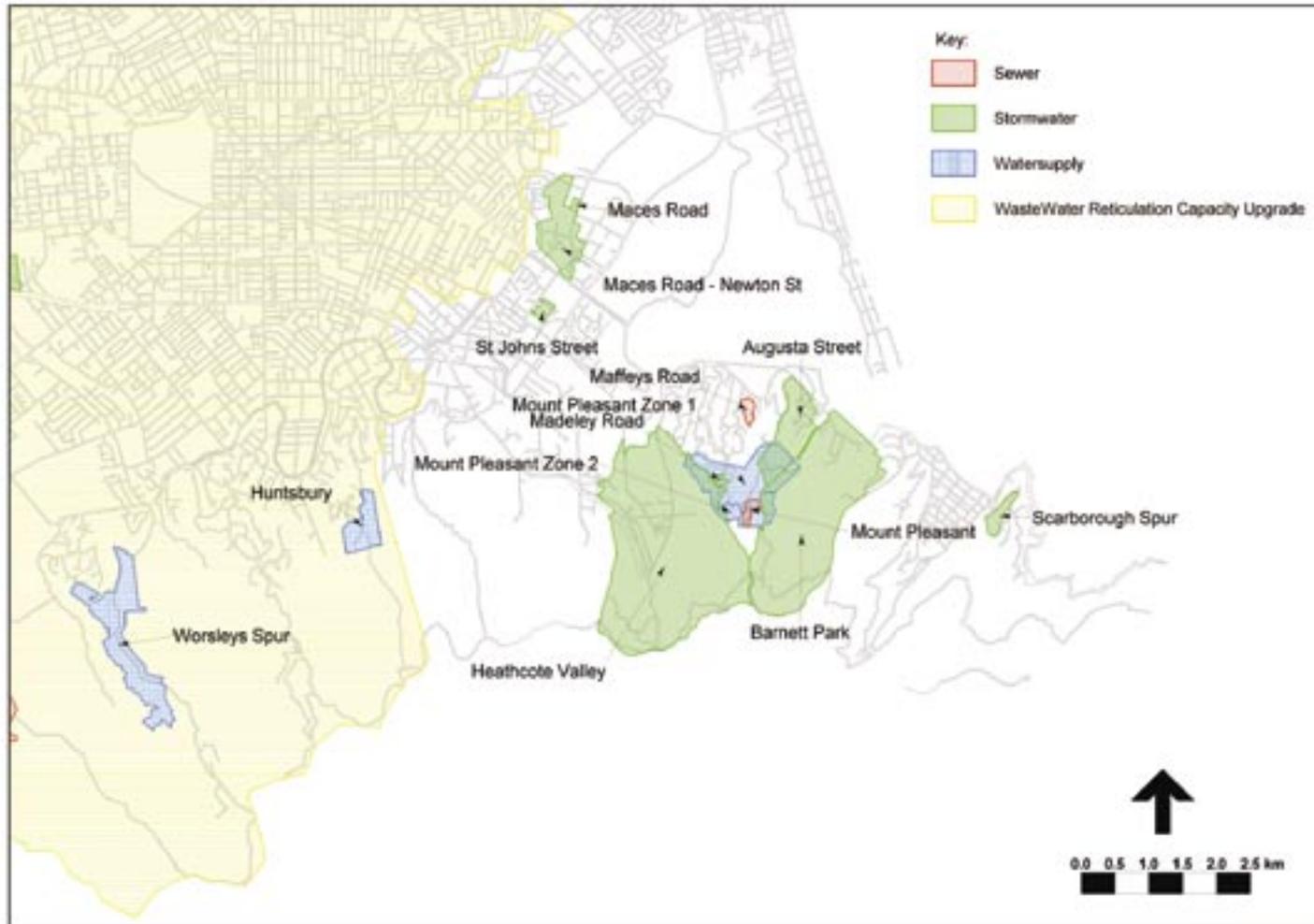
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**Appendix 4 : Existing Cost Share Areas : 1 July 2004**

Map : ad001006.gws  
Layout : 94-3  
Date : 17/02/2004



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**Appendix 4 : Existing Cost Share Areas : 1 July 2004**

Map : ad00109a.gws  
Layout : 94-4  
Date : 17/02/2004