Section 11A

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Section 11A

11A Purpose of the Financial Contributions Chapter

The purpose of the Financial Contributions Chapter is to provide for the taking of money and/or land to mitigate the effects of development within the City. Financial contributions may be imposed as conditions of subdivision or development, or required as conditions for permitted activities. Financial contributions are distinct from conditions of consent for subdivision, land use or development that require the mitigation of effects through works and services. In general terms, financial contributions are used to recoup the proportioned cost of the provision of infrastructure for subdivision, land use and development. This contributes to the sustainable development of the City.

Most contributions towards the cost of infrastructure are taken by the City as Development Contributions under the provisions of the Local Government Act 2002. There are however, four circumstances in which the Plan provides for the taking of financial contributions under the RMA to augment the Development Contributions system. These are:

a) To address the statutory exemption of the Crown from the provisions of the Local Government Act 2002, and so the Development Contributions system, by taking financial contributions for subdivision, land use and development undertaken by the Crown;

b) To enable the ongoing collection of and potential review of existing consent conditions that require a financial contribution;

c) To take contributions for local neighbourhood reserves and community infrastructure in existing urban growth areas and infill areas to mitigate the effects of greater population density resulting from subdivision, land use and development;

d) Special circumstances to mitigate the effects of the removal of a protected tree, landscape planting on industrial road frontages and parking impact fees to offset the physical provision of parking in the City Centre.

The method of calculating contributions set out in this Chapter is by the use of formulas that describe how the level of financial contribution will be determined. The inputs into these formulas are evolving with the changing prioritisation of infrastructure projects, which responds to the evolving priorities for, and patterns of, growth within the City. The prioritisation of these projects is undertaken through the Council’s Ten-Year Plan and Annual Plan processes.
11A.1 Objectives and Policies for Financial Contributions

11A.1.1 Objective – Mitigation of the Costs of Growth on Economic Wellbeing

The total costs of providing infrastructure to accommodate growth are mitigated through new development that uses the infrastructure making a fair and proportional financial contribution towards that infrastructure.

11A.1.1.1 Policy - Mitigation of the Costs of Growth on Economic Wellbeing

By ensuring that the cost of the provision of growth-related infrastructure is met by those creating the demand for the infrastructure through the process of subdivision, land use and development.

11A.1.1.2 Policy – Funding of Infrastructure

By recognising that the Council may choose to fund infrastructure where the benefits of that infrastructure extend beyond an individual site.

11A.1.1.3 Policy – Funding of Services

To mitigate the adverse economic effects of the funding of infrastructure through the taking of development contributions under the provisions of the Local Government Act 2002, and the taking of financial contributions where:

a) Subdivision, use or development in established urban growth areas by a non-exempted party generates a demand for local reserves, local community infrastructure or otherwise creates an effect that can be mitigated by a financial contribution;

b) Subdivision, use or development by an exempted party generates a demand for reserves, community infrastructure or network infrastructure or otherwise creates an effect that can be mitigated by a financial contribution.

11A.1.1.4 Policy - Fair and Equitable Contribution

By ensuring that the level of financial contribution is proportionate to the effect of the subdivision, use or development in terms of its infrastructure needs.

11A.1.1.5 Policy – Intergenerational Equity

By ensuring that the costs of infrastructure are spread fairly over time, Council may choose to adjust financial contributions in a manner so those contributions increase over time, taking into account general increases in price levels and incomes.

11A.1.1.6 Policy – Cost of Capital

The nett interest costs incurred in funding infrastructure required by growth may be included in the financial contribution payable as these are part of the total cost of providing infrastructure to accommodate the City’s growth.

11A.1.1.7 Policy – Relevance of Financial Contribution and Review of Costs

By ensuring that the amount of financial contribution required reflects the changing costs of growth over time through using consistent formulas for the calculation of financial contributions, and reviewing the inputs into those formulas on an annual basis.

11A.1.1.8 Policy – Provision of Land

By having the discretion to take land instead of money as a financial contribution in circumstances where:

a) The land is appropriately located to meet demand and Council’s level of service for active or passive open space;
b) The location of the land is consistent with the matters of control for the location of open space contained in Rule 12B.3.2 – Controlled Activities - Matters of Control and Conditions;

c) Where the site and the surrounding environment is being developed as a comprehensive development;

d) Where the land value is agreed between all parties;

e) Where the development of the land meets Council’s level of service for active or passive open space.

11A.1.1.9 Policy – Unforeseen Impacts

Ensuring that unforeseen effects of subdivision, use and development on infrastructure by an exempted party are able to be mitigated through financial contributions so that infrastructure continues to meet the functional needs of the community.

11A.1.1.10 Policy – Recreation Demands in Established Urban Growth Areas

By requiring subdivision, use and development that increases the density of population in established urban growth areas to provide a contribution towards the increased development of open space amenities and community facilities to maintain the Council’s level of service for the open space, recreation and leisure needs of the community. Established urban growth areas are shown on Diagram 5, Section 5 (Plan Maps, Part B) Financial Contribution Urban Growth Areas:

a) Bethlehem;
b) Ohauiti;
c) Welcome Bay;
d) Papamoa;
e) Pyes Pa;
f) Tauranga and Mt Maunganui Infill.

11A.1.1.11 Policy – Allocation of Costs

By allocating the total costs of infrastructure in an equitable manner over both existing and new users, and ensuring that such costs, including interest costs are not borne unfairly by the wider community or the growth community. Consideration of who causes the need to undertake infrastructure works and who will benefit from them will be considered when Council makes cost allocation decisions between different funding sources.
11A.2 Financial Contribution Rules

Note: City-Wide Infrastructure Contributions are payable as financial contributions only by exempted parties. Non-exempted parties pay City-Wide Infrastructure Contributions through Council’s Development Contributions Policy under the provisions of the Local Government Act 2002.

11A.2.1 City-Wide Infrastructure Contributions – Residential

a) For each new or relocated dwelling unit or other residential activity an exempted party must pay to Council a sum not exceeding the city-wide infrastructure contribution calculated in accordance with the applicable formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure for the water, wastewater, transportation, community infrastructure and reserves infrastructure;

b) In circumstances where Council’s wastewater network is not available to service the dwelling unit or residential activity the wastewater component of the city-wide infrastructure contribution will not be required;

c) In circumstances where Council’s water supply network is not available to service the dwelling unit or residential activity the water component of the city-wide infrastructure contribution will not be required;

d) For a residential activity the financial contribution payable under Rule 11A.2.1 – City-Wide Infrastructure Contributions - Residential will be calculated for each dwelling unit equivalent in the development;

e) City-wide infrastructure contributions required under Rule 11A.2.1 – City-Wide Infrastructure Contributions - Residential are:

i) Calculated in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure, on the date a building consent is granted (approved);

ii) Payable immediately before a building consent is issued (released);

f) If a dwelling unit or other residential activity will have a significantly lesser impact or a significantly greater impact on infrastructure than the anticipated average demand on which the non-residential city-wide infrastructure contributions are based, a special assessment can be undertaken to determine the amount payable. This assessment can be undertaken where demand for a particular type or types of infrastructure is likely to be either 50% below or 100% above the anticipated average demand on which the contribution is based (thresholds for special assessments are shown in Table 11A.1: Residential City-Wide Infrastructure Contribution Special Assessment Thresholds, expressed in terms of demand per day per one bedroom dwelling, per two bedroom dwelling and per non-one or two bedroom dwelling). The city-wide infrastructure contribution payable under this rule for each type of infrastructure will not exceed double the amount of the contribution that would be payable under the city-wide infrastructure contributions in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure.

11A.2.2 City-Wide Infrastructure Contributions – One- and Two-Bedroom Dwellings

a) In determining the sum payable, a new or relocated one-bedroom dwelling or two-bedroom dwelling will attract a reduced city-wide infrastructure contribution than that calculated in accordance with the applicable formula/s set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure. The percentage of the city-wide infrastructure contribution that is payable to Council is:

i) 50% in relation to a one-bedroom dwelling;

ii) 65% in relation to a two-bedroom dwelling.

b) Alterations or extensions to a one-bedroom dwelling or a two-bedroom dwelling that was consented to on or after 1 November 2008 must pay to Council an additional financial contribution in the following circumstances:

i) Where a one-bedroom dwelling is being converted to a two-bedroom dwelling the contribution will be 15% of the city-wide infrastructure contribution calculated in accordance with the formula/s set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure;

ii) Where a one-bedroom dwelling no longer constitutes a one-bedroom dwelling or a two-bedroom dwelling the contribution will be 50% of the city-wide infrastructure contribution calculated in accordance with the applicable formula/s set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure;
Where a two-bedroom dwelling no longer constitutes a two-bedroom dwelling the contribution will be 35% of the city-wide infrastructure contribution calculated in accordance with the applicable formula/s set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure.

### Table 11A.1: Residential City-Wide Infrastructure Contribution Special Assessment Thresholds

<table>
<thead>
<tr>
<th></th>
<th>Low Demand Special Assessment Threshold</th>
<th>Average Demand</th>
<th>High Demand Special Assessment Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One Bedroom Dwelling</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>&lt;170 litres</td>
<td>340 litres</td>
<td>&gt;640 litres</td>
</tr>
<tr>
<td>Wastewater</td>
<td>&lt;125 litres</td>
<td>250 litres</td>
<td>&gt;500 litres</td>
</tr>
<tr>
<td>Transportation</td>
<td>&lt;2.5 vehicle movements</td>
<td>5 vehicle movements</td>
<td>&gt;10 vehicle movements</td>
</tr>
<tr>
<td>Community Infrastructure</td>
<td>&lt;0.64 people</td>
<td>1.27 people</td>
<td>&gt;2.54 people</td>
</tr>
<tr>
<td>Reserves</td>
<td>&lt;0.64 people</td>
<td>1.27 people</td>
<td>&gt;2.54 people</td>
</tr>
<tr>
<td><strong>Two Bedroom Dwelling</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>&lt;230 litres</td>
<td>460 litres</td>
<td>&gt;920 litres</td>
</tr>
<tr>
<td>Wastewater</td>
<td>&lt;170 litres</td>
<td>340 litres</td>
<td>&gt;680 litres</td>
</tr>
<tr>
<td>Transportation</td>
<td>&lt;3.25 vehicle movements</td>
<td>6.5 vehicle movements</td>
<td>&gt;13 vehicle movements</td>
</tr>
<tr>
<td>Community Infrastructure</td>
<td>0.86 people</td>
<td>1.71 people</td>
<td>3.42 people</td>
</tr>
<tr>
<td>Reserves</td>
<td>0.86 people</td>
<td>1.71 people</td>
<td>3.42 people</td>
</tr>
<tr>
<td><strong>Non-One Or Two Bedroom Dwelling</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>&lt;370 litres</td>
<td>740 litres</td>
<td>&gt;1,480 litres</td>
</tr>
<tr>
<td>Wastewater</td>
<td>&lt;275 litres</td>
<td>550 litres</td>
<td>&gt;1,100 litres</td>
</tr>
<tr>
<td>Transportation</td>
<td>&lt;5.5 vehicle movements</td>
<td>11 vehicle movements</td>
<td>&gt;22 vehicle movements</td>
</tr>
<tr>
<td>Community Infrastructure</td>
<td>1.37 people</td>
<td>2.74 people</td>
<td>5.48 people</td>
</tr>
<tr>
<td>Reserves</td>
<td>1.37 people</td>
<td>2.74 people</td>
<td>5.48 people</td>
</tr>
</tbody>
</table>

### 11A.2.3 City-Wide Infrastructure Contributions – Non-Residential Building

*Note: City-Wide infrastructure contributions – non-residential building impact fees are only payable as financial contributions by exempted parties. Non-exempted parties pay city-wide infrastructure contributions – non-residential building impact fees through Council’s Development Contributions Policy under the provisions of the Local Government Act 2002.*

a) For any new business activity, low-demand business activity or community organisation, or when gross floor area is added to an existing business activity, low-demand business activity or community organisation, an exempted party will pay to Council a sum not exceeding the relevant city-wide infrastructure contribution per 100m² of new gross floor area or part thereof, calculated on a pro-rata basis for every 1m² of gross floor area and in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure for the water, wastewater and transportation infrastructure;

b) In all circumstances to which Rule 11A.2.3 a) – City-Wide Infrastructure Contributions – Non-Residential Building applies a city-wide infrastructure contribution for the community infrastructure and reserves infrastructure is not payable;
c) In circumstances where a connection to Council’s water network is not available the contribution for water infrastructure is not payable;

d) In circumstances where a connection to Council’s wastewater network is not available the city-wide infrastructure contribution for wastewater infrastructure is not payable;

e) If a business activity or low-demand business activity will have a significantly lesser impact or a significantly greater impact on infrastructure than the anticipated average demand on which the non-residential city-wide infrastructure contributions are based, a special assessment can be undertaken to determine the amount payable. This assessment can be undertaken where demand for a particular type or types of infrastructure is likely to be either 50% below or 100% above the anticipated average demand on which the contribution is based (thresholds for special assessments are shown in Table 11A.2: Non-Residential City-Wide Infrastructure Contribution Special Assessment Thresholds, expressed in terms of demand per 100m² of gross floor area per day). The city-wide infrastructure contribution payable under this rule for each type of infrastructure will not exceed double the amount of the contribution that would be payable under the business activity category in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure;

f) City-wide infrastructure contributions required under Rule 11A.2.3 – City-Wide Infrastructure Contributions – Non-Residential Building are:

i) Calculated in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure, on the date a building consent is granted (approved);

ii) Payable immediately before a building consent is issued (released).

Table 11A.2: Non-Residential City-Wide Infrastructure Contribution Special Assessment Thresholds

<table>
<thead>
<tr>
<th>Business Activity</th>
<th>Low Demand Special Assessment Threshold</th>
<th>Average Demand</th>
<th>High Demand Special Assessment Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>&lt;80 litres</td>
<td>160 litres</td>
<td>&gt;320 litres</td>
</tr>
<tr>
<td>Wastewater</td>
<td>&lt;74.5 litres</td>
<td>149 litres</td>
<td>&gt;298 litres</td>
</tr>
<tr>
<td>Transportation</td>
<td>&lt;6.25 vehicle movements</td>
<td>12.5 vehicle movements</td>
<td>&gt;25 vehicle movements</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Business Activity</th>
<th>Low Demand Special Assessment Threshold</th>
<th>Average Demand</th>
<th>High Demand Special Assessment Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>&lt;18 litres</td>
<td>36 litres</td>
<td>&gt;72 litres</td>
</tr>
<tr>
<td>Wastewater</td>
<td>&lt;17.5 litres</td>
<td>35 litres</td>
<td>&gt;70 litres</td>
</tr>
<tr>
<td>Transportation</td>
<td>&lt;6.25 vehicle movements</td>
<td>12.5 vehicle movements</td>
<td>&gt;25 vehicle movements</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Community Organisation</th>
<th>Low Demand Special Assessment Threshold</th>
<th>Average Demand</th>
<th>High Demand Special Assessment Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>&lt;91 litres</td>
<td>182 litres</td>
<td>&gt;364 litres</td>
</tr>
<tr>
<td>Wastewater</td>
<td>&lt;91 litres</td>
<td>182 litres</td>
<td>&gt;364 litres</td>
</tr>
<tr>
<td>Transportation</td>
<td>&lt;1.0 vehicle movements</td>
<td>2.0 vehicle movements</td>
<td>&gt;4.0 vehicle movements</td>
</tr>
</tbody>
</table>

11A.2.4 City-Wide Infrastructure Contributions – Change of Use of an Existing Building

a) In circumstances where the change of use of an existing building is proposed and the city-wide infrastructure contribution payable (if any) to establish the proposed new use, in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure would differ from the contribution to establish the existing use, a city-wide infrastructure contribution may be required from an exempted party.

b) To determine the amount of the contribution payable (if any), changes will be compared to the city-wide infrastructure contribution payable to establish the proposed new use for each type of infrastructure (water, wastewater, stormwater, transportation, community infrastructure and reserves). If the amount payable to establish the proposed new use is greater than the amount payable to establish the existing use, then this amount will be payable to Council – for each type of infrastructure.
c) Where the contribution payable to establish the proposed new use is lower than that to establish the existing use, the difference cannot be used to offset city-wide infrastructure contributions payable for another type of infrastructure. Likewise, a refund will not be provided where the contribution to establish the existing activity is less than the contribution to establish the proposed new activity.

d) City-wide infrastructure contributions required under Rule 11A.2.4 – City-Wide Infrastructure Contributions – Change of Use of an Existing Building are:
   i) Calculated in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for city-wide infrastructure, at the time specified in the relevant condition of a land-use resource consent or, if no land use consent is required, at the date a building consent is granted;
   ii) Payable at the time specified as a condition of a land-use resource consent and will be before the start of an activity under that consent or, if no land-use consent is required, immediately before a building consent is issued.

11A.2.5 City-Wide Infrastructure Contributions – Service Connection to Council’s Water and or Wastewater Network

a) In situations where a service connection is granted to connect an existing building to Council’s water or wastewater network the building will be treated as if it was a new development for the purposes of assessing the city-wide infrastructure contribution payable by an exempted party;

b) In circumstances where connection to the water network is granted the contribution for water infrastructure is payable;

c) In circumstances where connection to the wastewater network is granted the contribution for wastewater infrastructure is payable;

d) City-wide infrastructure contributions required under Rule 11A.2.5 – City-Wide Infrastructure Contributions – Service Connection to Council’s Water and or Wastewater Network are:
   i) Calculated in accordance with the formulas on the date an authorisation for service connection is granted (approved);
   ii) Payable immediately before an authorisation for service connection is issued (released).

11A.2.6 City-Wide Infrastructure Contributions – Credits Offsetting Fees

a) Rule 11A.2.1 – City-Wide Infrastructure Contributions - Residential through Rule 11A.2.5 – City-Wide Infrastructure Contributions – Service Connection to Council’s Water and or Wastewater Network are subject to Rule 11A.2.6 – City-Wide Infrastructure Contributions – Credits Offsetting Fees in relation to the recognition of credits that offset the amount of financial contributions payable;

b) Where a development is replacing an existing building the city-wide infrastructure contribution (if any) that would be payable to establish the existing building at that time will be deducted from the amount payable;

c) Where a development is replacing a building that previously existed on the site the city-wide infrastructure contribution (if any) that would be payable at that time to establish the building that previously existed will be deducted from the contribution payable in accordance with the formulas set out in Rule 11A.2.8 – Financial Contribution Formulas for City-Wide Infrastructure, provided the building existed on-site either on or after the date Council first started charging the particular contribution (either as a financial contribution or as a development contribution under the Local Government Act 2002);

d) Credits are deducted at an infrastructure level and are not transferable across types of infrastructure. In circumstances where the credits are not fully exhausted by the new development they will be available for subsequent development on the subject site;

e) Council will in no circumstances refund financial contributions associated with credits that have not been exhausted by development.
11A.2.7 Components of City-Wide Infrastructure Contributions Formula

11A.2.7.1 Interpretation

For the purposes of the \textit{financial contribution} formulas set out below, terms used have the following meaning:

\textbf{CAPEX} means the growth-related portion of the inflation-adjusted capital expenditure for a project. It applies only to projects where the growth-related capital expenditure will be partly funded by development that occurs in the current financial year through \textit{financial contributions} pursuant to this chapter and/or development contributions pursuant to the Local Government Act 2002. The financial year runs from 1 July to 30 June. Projects are detailed in the \textit{Council's} Development Contributions Policy, which is updated annually through the Annual Plan and Ten-Year Plan.

CAPEX includes only the growth-related portion of a project’s cost as determined by \textit{Council}. Among other things, this excludes the portion, if any, of a project’s cost that is allocated to renewal or backlog.

CAPEX is based on \textit{Council’s} best available knowledge and, among other things, takes into account known or likely \textit{construction} costs and land values. At the beginning of each financial year capital expenditure estimates will be updated.

CAPEX may be calculated for projects that are completed, projects that are partially completed, and projects which have not yet begun. Where actual costs are known these will be used in the calculation of the contributions payable. Where actual costs are unknown these will be estimated and used in the calculation of \textit{financial contributions} payable.

The range in the level of accuracy for cost estimates, from least reliable to most reliable, is:

\begin{enumerate}
\item[A)] A desktop assessment of the cost based on knowledge and experience of similar projects;
\item[B)] An estimate based on a walkover of the \textit{site} and a reasonably accurate understanding of the extent of the work;
\item[C)] An engineer’s estimate prepared after the project has been designed;
\item[D)] A contract price for the work.
\end{enumerate}

The cost estimates for each project will be based on the most appropriate of the methodologies discussed above, dependent on the state of the project.

The cost estimates for projects where capital expenditure is planned beyond the current financial year are inflation adjusted. This ensures that costs relate to what \textit{Council} actually expects to pay at the time capital expenditure is incurred, as opposed to what \textit{Council} would expect to pay if the project was undertaken in the current financial year.

Only the inflation related to the portion of a project’s cost to be funded by growth is included in the calculation of the contributions payable.

The inflation rates used are drawn from work specifically done for Local Government in New Zealand. The inflation rates used will be reviewed annually to ensure they remain appropriate.

\textbf{INT} means the sum of the interest costs that \textit{Council} incurs (earns) in relation to the provision of CAPEX.

This is calculated by taking into account the expected timing of capital expenditure and the expected timing of contribution revenue (both development contributions and \textit{financial contributions}) at a project level.

The interest rates used in the calculation of the cost of capital are based on the best information available to \textit{Council}. The interest rates used are reviewed annually to ensure they remain appropriate.

Interest costs that are incurred on the non-growth related portions of project costs are not included in the calculation of \textit{financial contributions}.

\textbf{TIME} means the adjustment of the dollar amount of the INT component of \textit{financial contributions} in respect of the \textit{city-wide infrastructure contributions}. This adjustment is to exclude interest costs that are expected to be incurred beyond the ten year period of the \textit{Council’s} operative Long Term Plan. Over time as new Long Term Plans are adopted by the \textit{Council}, these interest costs will progressively come within the calculation of these \textit{financial contributions}. This will lead to these \textit{financial contributions} increasing over time.

\textbf{LOW} means the adjustment to the amount of \textit{city-wide financial contributions} payable for residential development to ensure that the treatment of \textit{one bedroom dwelling} and \textit{two bedroom dwellings} as less than one \textit{unit of demand} does not lead to the under-collection of growth-related costs. It is expressed in percentage terms.
**SCALE** means the scaling factor used to convert a financial contribution for a dwelling unit into financial contributions for other types of development.

The scaling factors for city-wide infrastructure are: one-bedroom dwellings [ONE], two-bedroom dwellings [TWO], business activities [BUS], low-demand business activities [LBUS] and community organisations [COM].

The scaling factors are based on the average demand generated by an infrastructure relevant to the average demand generated by a typical residential dwelling. As such the scaling factors may differ across each type of infrastructure.

**GROWTH** means the number of units of demand over which the growth-related portion of a project’s cost is to be funded. Units of demand are the sum of the number of dwelling units and the number of dwelling unit equivalents. Units of demand are calculated on a district-wide basis for city-wide infrastructure financial contributions. Units of demand may vary from project to project as appropriate to ensure there is a reasonable nexus between growth and the funding of the project.

\[ \sum \] Means that the formula applies to each project individually with the outcomes summed together to give the financial contribution for a particular type of infrastructure.

11A.2.7.2 Calculation

Where a particular formula applies to more than one type of infrastructure, the financial contribution will be calculated individually for each type of infrastructure in accordance with the formula.

11A.2.8 Financial Contribution Formulas for City-Wide Infrastructure

a) The following formulas apply to a dwelling unit or other residential activity for the provision of water, wastewater, transportation, community infrastructure and reserves infrastructure:

i) The contribution amount per non one bedroom dwelling or two-bedroom dwelling for each type of infrastructure is calculated as follows:

\[ \sum (CAPEX + INT) / GROWTH \times (1 + LOW) + TIME \]

ii) The contribution amount per two-bedroom dwelling for each type of infrastructure is calculated as follows:

\[ ((\sum (CAPEX + INT) / GROWTH) \times (1 + LOW) + TIME) \times SCALE[TWO] \]

iii) The contribution amount per one-bedroom dwelling for each type of infrastructure is calculated as follows:

\[ ((\sum (CAPEX + INT) / GROWTH) \times (1 + LOW) + TIME) \times SCALE[ONE] \]

b) The following formula applies to a business activity for the provision of water, wastewater and transportation infrastructure. The contribution amount per 100m\(^2\) of gross floor area for each type of infrastructure is calculated as:

\[ ((\sum (CAPEX + INT) / GROWTH) + TIME) \times SCALE[BUS] \]

c) The following formula applies to low-demand business activities for the provision of water, wastewater and transportation infrastructure. The contribution amount per 100m\(^2\) of gross floor area for each type of infrastructure is calculated as:

\[ ((\sum (CAPEX + INT) / GROWTH) + TIME) \times SCALE[LBUS] \]

d) The following formula applies to community organisations for the provision of water, wastewater and transportation infrastructure. The contribution amount per 100m\(^2\) of gross floor area for each type of infrastructure is calculated as:

\[ ((\sum (CAPEX + INT) / GROWTH) + TIME) \times SCALE[COM] \]
11A.2.9 Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas

a) For each additional allotment created within an urban growth area other than non-residential allotments in the Commercial Business, Industrial Business and Port Business Zones within the Tauranga and Mt Maunganui infill urban growth areas identified in Diagram 5, Section 5, Financial Contribution Urban Growth Areas (Plan Maps, Part B) any exempted party must pay to Council a sum not exceeding the local infrastructure contribution calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure for the water, wastewater, transportation, stormwater, community infrastructure and reserves infrastructure;

b) For each additional residential allotment created in an urban growth area any non-exempted party must pay to Council a sum not exceeding the local infrastructure contribution calculated in accordance with the formula set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure for the community infrastructure and reserves infrastructure in the following urban growth areas identified in Diagram 5, Section 5, Financial Contribution Urban Growth Areas (Plan Maps, Part B):

i) Bethlehem;
ii) Ohauiti;
iii) Welcome Bay;
iv) Papamoa;
v) Pyes Pa;
vi) Tauranga and Mt Maunganui Infill.

c) Notwithstanding Rule 11A.2.9 a) and b) - Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas for the wastewater, stormwater, community infrastructure and reserves infrastructure are not payable in the Rural, Rural-Residential and Rural Marae Community Zones;

d) Notwithstanding Rule 11A.2.9 a) and b) - Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas for community infrastructure and reserves infrastructure are not payable in relation to:

i) Development in the Urban Marae Community Zone and Ngati Kahu Papakainga Zone;
ii) Development on multiple-owned Maori land within 500 metres of the Rural Marae Community, Urban Marae Community and Ngati Kahu Papakainga Zones provided that Council is satisfied the development is to provide housing for the shareholders of each block of multiple-owned Maori land and/or their wider families;
iii) Circumstances where more than one dwelling unit exists on an allotment and each dwelling unit is subdivided on to its own allotment.

Note: Where multiple-owned Maori land is being developed for the purpose of commercial gain or requires a subdivision consent under the RMA local infrastructure contributions for the community infrastructure and reserves infrastructure are payable.

e) Local infrastructure contributions for each type of infrastructure are not payable for the further subdivision of land where local infrastructure contributions either as financial contributions or development contributions under the Local Government Act 2002 have already been paid on a site area basis.

f) Local infrastructure contributions required under Rule 11A.2.9 - Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas are:

i) Calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure at the time a certificate under section 224(c) of the RMA is granted (approved), or at a time otherwise specified as a condition of resource consent;

ii) Payable immediately before a certificate under section 224(c) of the RMA is issued (released), or at a time otherwise specified as a condition of resource consent.

g) In the case of staged subdivisions with multiple 224(c) certificates the calculation and payment of local infrastructure contributions will apply to the additional allotment or allotments created by each 224(c) certificate individually.
11A.2.10 Local Infrastructure Contributions – Subdivision and Development of Land Not in Urban Growth Areas

a) The creation of each additional allotment outside an urban growth area is exempt from the payment of local infrastructure contributions except in circumstances where those allotments require the local infrastructure provided within a particular urban growth area. In this case, for the purposes of financial contributions, each additional allotment will be treated as if it is located within the urban growth area from which it is being serviced, and subject to the provisions of Rule 11A.2.9 - Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas;

b) Any local infrastructure contributions required under Rule 11A.2.10 – Local Infrastructure Contributions – Subdivision and Development of Land Not in Urban Growth Areas are calculated and payable as prescribed in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure.

11A.2.11 Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision

a) For any second or further additional dwelling unit, or dwelling unit equivalent associated with a residential activity (whether new or relocated to the site) within an urban growth area any exempted party will pay to Council a sum not exceeding the local infrastructure contribution for the water, wastewater, stormwater, transportation, community infrastructure and reserves infrastructure for each additional allotment as if each dwelling unit or dwelling unit equivalent was an additional allotment on a plan of subdivision;

b) For any second or further additional dwelling unit (whether new or relocated to the site), or dwelling unit equivalent associated with a residential activity, in the Bethlehem, Pyes Pa, Ohauti, Welcome Bay, Papamoa, Mt Maunganui Infill and Tauranga Infill urban growth areas identified in Diagram 5, Section 5, Financial Urban Growth Areas (Plan Maps, Part B), any non-exempted party will pay to Council a sum not exceeding the local infrastructure contribution for the community infrastructure and reserves infrastructure for each additional allotment as if each additional dwelling unit or dwelling unit equivalent was an additional lot on a plan of subdivision calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure;

c) Notwithstanding Rule 11A.2.11 a) – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without subdivision, the local infrastructure contributions for the wastewater, stormwater, community infrastructure and reserves infrastructure are not payable in the Rural, Rural-Residential or Rural Marae Community Zones;

d) Notwithstanding Rules 11A.2.11 a) and b) – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision local infrastructure contributions for the community infrastructure and reserves infrastructure are not payable for:
   i) Development in the Urban Marae Community and Ngati Kahu Papakainga Zones;
   ii) Development on multiple-owned Maori land within 500 metres of the Rural Marae Community, Urban Marae Community and Ngati Kahu Papakainga Zones if the development is to provide housing for the shareholders of each block of multiple-owned Maori land and/or their wider families;
   iii) In circumstances where more than one dwelling exists on an allotment and each dwelling is subdivided on to its own allotment.

Note: Where multiple-owned Maori land is being developed for the purpose of commercial gain or requires a subdivision consent under the Resource Management Act 1991 the local infrastructure contribution for the community infrastructure and reserves infrastructure are payable.

e) For residential activities the financial contribution required under Rule 11A.2.11 – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision will be calculated for each dwelling unit equivalent in the development;

f) Local infrastructure contributions required under Rule 11A.2.11 – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision are:
   i) Calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure at the time a building consent is granted (approved);
   ii) Payable immediately before a building consent is issued (released).
11A.2.12 Local Infrastructure Contributions – Land in a Commercial or Industrial Zone Before or Without Subdivision

a) Where the development of land within a commercial zone or industrial zone occurs without, or before, the subdivision of that land, any exempted party will pay to Council a sum not exceeding the local infrastructure contribution calculated in accordance with the formula set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure for the water, wastewater, stormwater and transportation infrastructure as though subdivision of the full site area of the relevant allotment(s) had occurred.

b) Any local infrastructure contributions required under Rule 11A.2.12 – Local Infrastructure Contributions – Land in a Commercial or Industrial Zone Before or Without Subdivision are calculated and payable as prescribed in Rule 11A.2.11 f) – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision.

11A.2.13 Local Infrastructure Contributions – Development of Non-Residential Activities in Non-Commercial or Non-Industrial Zones

a) In circumstances where a non-residential development receives consent to establish in all zones within all urban growth areas except the commercial zone or industrial zone, any exempted party will pay to Council a contribution calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure for the water, wastewater, stormwater and transportation infrastructure on the basis of the number of dwelling unit equivalents that may be accommodated on the subject site (based on the expected residential yield for that site);

b) Any local infrastructure contributions required under Rule 11A.2.13 – Local Infrastructure Contributions – Development of Non-Residential Activities in Non-Commercial or Non-Industrial Zones are calculated and payable as prescribed in Rule 11A.2.11 f) – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision.

11A.2.14 Local Infrastructure Contributions – Upgrading of Local Infrastructure Due to Unforeseen Impacts of Subdivision and Development

a) Unless expressly provided for elsewhere in this Chapter, when a subdivision or development by an exempted party will reduce the capacity of existing and planned local infrastructure in a particular urban growth area, an additional local infrastructure contribution may be required;

b) In assessing any such additional local infrastructure contribution Council will take into account:
   i) The level of service provided for or planned for the urban growth area by Council;
   ii) The standards for services set out in Council’s Infrastructure Development Code applied to the subdivision or development proposal;
   iii) The extent to which each additional unit of demand created by the proposal requires the existing services to be extended or upgraded.

c) The developer will be required to provide detailed calculations of the demand on local infrastructure to enable Council to calculate an appropriate local infrastructure contribution in conjunction with the developer;

d) In circumstances where Rule 11A.2.14 – Local Infrastructure Contributions – Upgrading of Local Infrastructure Due to Unforeseen Impacts of Subdivision and Development is applied in relation to a building consent, local infrastructure contributions are payable in accordance with Rule 11A.2.11 f) – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision;
In circumstances where Rule 11A.2.14 – Local Infrastructure Contributions – Upgrading of Local Infrastructure Due to unforeseen Impacts of Subdivision and Development is applied in relation to subdivision, local infrastructure contribution are payable in accordance with Rule 11A.2.9 f) and g) - Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas.

Note: This approach recognises that it is not always possible to foresee all the permutations and special circumstances which arise in the growth of the City. Some subdivision or development circumstances may warrant a specific financial contribution response by Council in consultation with the developer.

11A.2.15 Local Infrastructure Contributions – Change of Use of an Existing Building

a) In circumstances where the change of use of a building is proposed and the local infrastructure contribution payable (if any) to establish the proposed new use would differ from the local infrastructure contributions that would be payable to establish the existing use at that time then a local infrastructure contribution may be payable;

b) To determine the amount of the contribution payable (if any) by an exempted party, the local infrastructure contribution that would be payable to establish the existing use at that time will be compared against the fee payable to establish the proposed new use for each type of infrastructure (water, wastewater, stormwater, transportation, community infrastructure and reserves). For each type of infrastructure, the extent that the amount payable to establish the proposed new use is greater than the amount payable to establish the existing use will determine the amount will be payable to Council;

c) To determine the amount of the contribution payable (if any) by a non-exempted party, the local infrastructure contribution that would be payable to establish the existing use within the Bethlehem, Pyes Pa, Ohauti, Welcome Bay, Papamoa, Mt Maunganui Infill and Tauranga Infill urban growth areas at that time will be compared against the fee payable to establish the proposed new use for the community infrastructure and reserves infrastructure. For each type of infrastructure, the extent that the amount payable to establish the proposed new use is greater than the amount payable to establish the existing use will determine the amount will be payable to Council;

d) Where the contribution payable to establish the proposed new use for a type of infrastructure is lower than the contribution payable to establish the existing use, the difference cannot be used to offset contributions payable for another type of infrastructure. A refund will not be provided where the financial contribution that would be payable to establish the existing activity is less than that payable to establish the proposed new activity;

e) Local infrastructure contributions required under Rule 11A.2.15 – Local Infrastructure Contributions – Change of Use of an Existing Building are:
   i) Calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure, at the time specified as a condition of resource consent or, in the event that no resource consent is required, at the date a building consent is granted;
   ii) Payable at the time specified as a condition of a land use resource consent and before the start of a resource consent or, in the event that no land use consent is required, immediately before a building consent is issued.

11A.2.16 Local Infrastructure Contributions – Connection to Council’s Water and/or Wastewater Network

a) In circumstances where a service connection is granted to connect an existing building to Council’s water or wastewater network the building will be treated as if it was a new development for the purposes of assessing the local infrastructure contribution (if any);

b) Where connection to the water network is granted the local infrastructure contribution for water is payable;

c) Where connection to the wastewater network is granted the local infrastructure contribution for wastewater is payable;
d) **Local infrastructure contribution** required under Rule 11A.2.16 – Local Infrastructure Contributions – Connection to Council’s Water and/or Wastewater Network are:
   i) Calculated in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure on the date an authorisation for service connection is granted (approved);
   ii) Payable immediately before an authorisation for service connection is issued (released).

### 11A.2.17 Local Infrastructure Contributions – Credits Offsetting Fees

a) **Rule 11A.2.9 - Local Infrastructure Contributions – Subdivision and Development of Land in Urban Growth Areas** through Rule 11A.2.16 – Local Infrastructure Contributions – Connection to Council’s Water and/or Wastewater Network are subject to Rule 11A.2.17 – Local Infrastructure Contributions – Credits Offsetting Fees in relation to the recognition of credits that offset the financial contribution payable;

b) Where a development is replacing an existing building on the subject site the local infrastructure contribution (if any) that would be payable to establish the building at that time will be deducted from the fee in accordance with the applicable formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure;

c) Where a development is replacing a building that previously existed on the subject site the local financial contribution (if any) to establish the building that previously existed at this time will be deducted from the contribution payable in accordance with the formulas set out in Rule 11A.2.20 – Financial Contribution Formulas for Local Infrastructure, provided the building existed on-site either on or after the date Council first started charging the particular contribution;

d) Credits are deducted at an infrastructure level and are not transferable across types of infrastructure. In circumstances where the credits are not fully exhausted by the new development they will be available for subsequent development on the subject site;

e) Council will under no circumstances refund local infrastructure contribution associated with credits that have not been exhausted by development.

### 11A.2.18 Local Infrastructure Contributions – Provision of Land in Lieu of Money

Council may accept land in lieu of the full or partial payment of a local infrastructure contribution for reserves infrastructure in the following circumstances:

a) Where only one developer is involved in the development and requirement for reserve land;

b) Where the area is being developed as a comprehensive development area;

c) Where the land value is able to be negotiated to an agreement acceptable to both parties involved;

d) Where the land meets Council’s Open Space Level of Service Policy requirements;

e) Where the development of the land meets Council’s level of service requirements.

### 11A.2.19 Components of Local Infrastructure Contribution Formulas

#### 11A.2.19.1 Interpretation

For the purposes of the financial contribution formulas set out below, terms used have the following meaning:

**CAPEX** means the growth-related portion of the inflation-adjusted capital expenditure for a project that relates to a specific urban growth area. It applies only to projects where the growth-related capital expenditure will be partly funded by development that occurs in the current financial year through financial contributions pursuant to this Chapter and/or development contributions pursuant to the Local Government Act 2002. Projects are detailed in the Council’s Development Contributions Policy, which is updated annually through the Annual Plan and Ten-Year Plan under the Local Government Act 2002. The financial year runs from 1 July to 30 June.

**CAPEX** includes only the growth-related portion of a project’s cost as determined by Council. Among other things, this excludes the portion, if any, of a project’s cost that is allocated to renewal or backlog.
CAPEX is based on Council’s best available knowledge and, among other things, takes into account known or likely construction costs and land values. At the beginning of each financial year capital expenditure estimates will be updated.

CAPEX may be calculated for projects that are completed, projects that are partially completed, and projects which have not yet begun. Where actual costs are known these will be used in the calculation of the contributions payable. Where actual costs are unknown these will be estimated and used in the calculation of financial contributions.

The range in the level of accuracy for cost estimates, from least reliable to most reliable, is:

a) A desktop assessment of the cost based on knowledge and experience of similar projects;
b) An estimate based on a walkover of the site and a reasonably accurate understanding of the extent of the work;
c) An engineer’s estimate prepared after the project has been designed;
d) A contract price for the work.

The cost estimates for each project will be based on the most appropriate of these methodologies, dependent on the state of the project.

The cost estimates for projects where capital expenditure is planned beyond the current financial year are inflation adjusted. This ensures that costs relate to what Council actually expects to pay at the time capital expenditure is incurred as opposed to what Council would expect to pay if the project was undertaken in the current financial year.

Only the inflation related to the portion of a project’s cost to be funded by growth is included in the calculation of the contributions payable.

The inflation rates used are drawn from work specifically done for Local Government in New Zealand. The inflation rates used will be reviewed annually to ensure they remain appropriate.

INT means the sum of the interest costs that Council incurs (earns) in relation to the provision of CAPEX.

This is calculated by taking into account the expected timing of capital expenditure and the expected timing of contribution revenue (both Development Contributions and financial contributions) for each project.

The interest rates used in the calculation of the cost of capital based on the best information available to Council. The interest rates used will be reviewed annually to ensure they remain appropriate.

Interest costs that are incurred on the non-growth related portions of project costs are not included in the calculation of financial contributions.

TIME means the adjustment of the dollar amount of the INT component of financial contributions in respect of the Southern Pipeline wastewater project, the local infrastructure contributions for the Wairakei urban growth area and the local infrastructure contributions for new urban growth areas that are subsequently rezoned for development. This adjustment is to exclude interest costs that are expected to be incurred beyond the ten year period of the Council’s operative Long Term Plan. Over time as new Long Term Plans are adopted by the Council, these interest costs will progressively come within the calculation of these financial contributions. This will lead to these financial contributions increasing over time.

SCALE means the scaling factor used to convert a financial contribution for a dwelling unit into financial contributions for other types of development.

The only scaling factor for local infrastructure is for the development on non-residential zoned land [NONRES].

The scaling factors are based on the average demand generated by an infrastructure type relevant to the average demand generated by a typical residential dwelling. As such the scaling factors may differ across each type of infrastructure.

GROWTH means the number of units of demand over which the growth-related portion of a project’s cost is to be funded.

Units of demand are the sum of the number of dwelling units and the number of dwelling unit equivalents or the total amount of developable land within each urban growth area.

Units of demand are calculated individually for each urban growth area for local infrastructure contributions. Units of demand may vary from project to project as appropriate to ensure there is a reasonable nexus between growth and the funding of the project.
[UGA] means a particular urban growth area.

\[ \text{Means that the formula applies to each project individually with the outcomes summed together to give the financial contribution for a particular type of infrastructure.} \]

11A.2.19.2 Calculation

Where a particular formula applies to more than one type of infrastructure, the financial contribution will be calculated individually for each type of infrastructure in accordance with the formula.

11A.2.20 Financial Contribution Formulas for Local Infrastructure

a) Formula for residential development – water, wastewater, stormwater, transportation, community infrastructure and reserves infrastructure. The contribution per additional residential allotment (or dwelling unit or dwelling unit equivalent in relation to Rule 11A.2.11 – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision or Rule 11A.2.13 – Local Infrastructure Contributions – Development of Non-Residential Activities in Non-Commercial or Non-Industrial Zones for each type of infrastructure is calculated as follows:

\[ = \left( \sum (\text{CAPEX} + \text{INT}) / \text{GROWTH}[\text{UGA}] \right) \times \text{TIDE} \]

This formula applies to multi-unit residential development as per Rule 11A.2.11 a) and b) – Local Infrastructure Contributions – Multi-Unit Residential Development Before or Without Subdivision, and to non-residential development in residential zones as per Rule 11A.2.13 – Local Infrastructure Contributions – Development of Non-Residential Activities in Non-Commercial or Non-Industrial Zones.

b) Formula for the development on non-residential zoned land – water, wastewater, stormwater and transportation infrastructure in all urban growth areas except the Tauranga Infill area identified in Diagram 5, Section 5, (Plan Maps Part B) (Financial Contribution Urban Growth Areas). The contribution per hectare of site area for each type of infrastructure is calculated as follows:

\[ = \left( \sum (\text{CAPEX} + \text{INT}) / \text{GROWTH}[\text{UGA}] \right) \times \text{SCALE}[\text{NONRES}] \]

c) Formula for the local infrastructure contribution for wastewater infrastructure in the Tauranga Infill urban growth area, identified on Diagram 5, Section 5, (Plan Maps Part B) (Financial Contribution Urban Growth Areas) for non-residential development in commercial zones and industrial zones. The contribution per additional 100m^2 of gross floor area for a business activity, low-demand business activity or community organisation, located in a non-residential zone is calculated as follows:

\[ = \left( \sum (\text{CAPEX} + \text{INT}) / \text{GROWTH}[\text{UGA}] \right) \times \text{SCALE}[\text{NONRES}] \]

11A.2.21 Industrial Street Landscape Planting Contribution

a) On the erection of any new or relocated building on a site in a industrial zone, other than those sites specified in Rule 18A.12.2 - Streetscape, the owner shall pay to Council a sum not exceeding $45.50 plus GST per linear metre of site frontage, or proportion thereof, as a contribution (Landscaping Impact Fee) toward the provision of street landscaping along the street servicing the site or streets in the vicinity of the site. The Landscaping Impact Fee is a base rate as at 1 July 2009, and shall be increased annually on 1 July in accordance with the Consumer Price Index;

b) The payment of the Landscaping Impact Fee specified in Rule 11A.2.21 a) – Industrial Street Landscape Planting Contribution shall not be required in circumstances where a street landscaping contribution (either in money or planting within the streets of the subdivision to Council’s specification) has already been made either:

i) On a preceding subdivision of the land;

ii) On those sites where frontage landscaping comprising a mix of trees, shrubs and ground cover has been established contiguous to, and to a width of at least 2 metres measured from, the road frontage boundary, exclusive of permitted vehicle accessways;

c) For the purposes of Rule 11A.2.21 a) and b) – Industrial Street Landscape Planting Contribution, street landscaping means street trees to be planted or planted in accordance with the minimum requirements for street trees set out in the Infrastructure Development Code.
11A.2.22 Removal of Protected Tree Contributions

Where an application is made to remove a tree listed in Appendix 6E: Notable Trees Register or Appendix 7C: Register of Heritage Trees, the Council, in giving consideration to granting consent, may specify as a condition of consent that a financial contribution to offset the value of the tree(s) be made. The value of the contribution shall be calculated as the median price (excluding GST) established from not less than two recognised nursery suppliers for a replacement PB95 grade tree(s) of the same or similar species and the costs associated with planting of any such tree(s).