

# Schedule 1 - Part 1

## Circumstances when Development Contributions are required

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# Circumstances when Development Contributions are required

## 1.0 City-wide Infrastructure Development Contributions (Building Impact Fees)

### 1.1 Events and Circumstances when a City-wide Infrastructure Development Contribution is Payable

A city-wide infrastructure development contribution or contributions may be required where:

- (a) A particular development proposal generates a demand for reserves, network infrastructure or community infrastructure
- (b) The development (either alone or in combination with another development) requires new or additional assets or assets of increased capacity (reserves or infrastructure) which causes the Council to incur capital expenditure
- (c) The Development Contributions Policy provides for the payment of a contribution in the circumstances.

A city-wide infrastructure development contribution shall be payable in the following circumstances:

#### 1.1.1 Development of Household Units or Residential Activities

- (a) For any new or relocated household unit or other residential activity in a Residential A or H Zone, Wairakei Residential Zone, Town Centre (Wairakei) Zone, Future Urban Zone, Urban Marae Community Zone, Ngati Kahu Marae Zone, Education Centre Zone, Commercial Business Zone, Industrial Business Zone or Papamoa East Employment Zone, the owner shall pay to Council a sum not exceeding the City-wide Infrastructure Development Contribution stated in Table 2 of Schedule 1, subject to (f) and (c) below.
- (b) For any new or relocated household unit or other residential activity in a Rural Zone, Greenbelt Zone, Rural Residential Zone, Rural Marae Community Zone or Ngati Hangarau Papakainga Zone, the owner shall pay to Council a sum not exceeding the City-wide Infrastructure Development Contribution stated in Table 2 of Schedule 1, subject to (f) and (c) below. Provided that, where Council provided wastewater and/or water supply services are not available to service the subject site then these components shall be excluded from the payment.
- (c) In determining the sum payable, a new or relocated household unit that meets the definition in this Policy of a *one-bedroom dwelling* or a *two-bedroom dwelling* shall attract a reduced City-wide Infrastructure Development Contribution than that stated in Table 2 of Schedule 1. The percentage of the City-wide Infrastructure Development Contribution that is payable is as follows:
  - 50 percent for a one bedroom dwelling; and
  - 65 percent for a two bedroom dwelling.

This recognises that one bedroom dwellings are treated as 0.50 units of demand and two bedroom dwellings are treated as 0.65 units of demand in this Policy.

Applications for building consent to alter or extend a one bedroom dwelling or a two bedroom dwelling that was consented on or after the date that this clause became operative shall result in the payment of an additional contribution in the following circumstances:

#### One bedroom dwelling

- Dwelling to become a two bedroom dwelling as defined in this Policy – the contribution payable shall be 15 percent of the City-wide Infrastructure Development Contribution in Table 2 of Schedule 1 in force at the time the building consent is granted.

- Dwelling will no longer fit within the definition of a one bedroom dwelling or a two bedroom dwelling as defined in this Policy – the contribution payable shall be 50 percent of the City-wide Infrastructure Development Contribution in Table 1 of Schedule 2 in force at the time the building consent is granted.

Two bedroom dwelling

- Dwelling will no longer fit within the definition of a two bedroom dwelling as defined in this Policy – the contribution payable shall be 35 percent of the City-wide Infrastructure Development Contribution in Table 1 of Schedule 2 in force at the time the building consent is granted.
- (d) The payment of a City-wide Infrastructure Development Contribution shall not be required in circumstances where the new or relocated household is replacing an existing habitable household unit on the same site.
- (e) For residential developments the contribution payable under (a) or (b) above shall be calculated as applicable for each 'household unit equivalent' in the development.
- (f) The contribution payable under (a) or (b) above shall be determined in accordance with Table 2 of Schedule 1 of the Policy in force at the time the authorisation for service connection, building consent or land use consent is granted.
- (g) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.
- (h) Where a household unit or other residential activity is replacing an existing building on the subject site the units of demand associated with this building (if any) will be taken into account when assessing the City-wide Infrastructure Development Contribution payable. Units of demand are assessed at an activity level (water, wastewater, stormwater, transportation, community infrastructure and reserves) and are not transferable across activities. In circumstances where the units of demand being replaced are not fully exhausted by the new development they will be available for subsequent development on this site. Council will in no circumstances refund development contributions associated with credits that have not be exhausted by development.
- (i) Where a household unit or other residential activity is replacing a building that previously existed on the subject site the units of demand associated with this building (if any) will be taken into account when assessing the City-wide Infrastructure Development Contribution payable provided that the building or buildings existed when Council first introduced the City-wide Infrastructure Development Contribution for residential development. Units of demand are assessed at an activity level (water, wastewater, stormwater, transportation, community infrastructure and reserves) and are not transferable across activities. In circumstances where the units of demand being replaced are not fully exhausted by the new development they will be available for subsequent development on this site. Council will in no circumstances refund development contributions associated with credits that have not be exhausted by development.

**1.1.2 Development of Non-Residential Activities (Business, Low Demand Business and Community Organisation Activities)**

- (a) For any new business, low demand business or community organisation activity or additional floorspace to an existing business, low demand business or community organisation activity in any zone, the owner shall pay to Council a sum not exceeding the relevant City-wide Infrastructure Development Contribution (Building Impact Fee) per 100m<sup>2</sup> of gross floor area (base rate) stated in Table 2 of Schedule 1, subject to (e) below (see Table 4 for scaling factors).
- (b) The development contribution shall be paid on a pro rata basis for every 1m<sup>2</sup> of gross floor area. The minimum development contribution to be paid shall be based on a gross floor area of 1m<sup>2</sup>. No maximum development contribution exists.
- (c) The calculation of a City-wide Infrastructure Development Contribution shall apply a credit for existing gross floor area (or other units of demand) on the subject site. To avoid doubt a

contribution for any increase in gross floor area shall be calculated as set out under (a) above, subject to (e) below (see Table 4 for scaling factors).

A credit shall also be applied for gross floor area (or other units of demand) on the subject site that has been demolished, removed or destroyed by fire or other means that existed when the City-wide Infrastructure Development Contribution for commercial and industrial development was introduced at 1 July 2005. To avoid doubt a contribution for any increase in gross floor area shall be calculated as set out under (a) or (b) above, subject to (e) below (see Table 4 for scaling factors).

In exceptional circumstances Council may decide not to charge a City-wide Infrastructure Development Contribution where gross floor area is relocated from one site within Tauranga City to another site within Tauranga City on the basis that this does not increase demand for city-wide infrastructure. If this occurs it should be noted that a credit for the gross floor area that is relocated will not also be provided on the site from which it is removed.

- (d) In all circumstances a Reserves and Community Infrastructure Contribution is **not** required.
- (e) The contribution payable under (a) above shall be determined in accordance with Table 2 of Schedule 1 of the Policy in force at the time the authorisation for service connection, building consent or land use consent is granted.
- (f) Special assessments:

If a business or low demand business development is likely to have a significantly lesser impact on infrastructure or a significantly greater impact on infrastructure than the anticipated average demand on which the building impact fees are based, a special assessment may be undertaken at this discretion of Council to determine the amount of building impact fees payable.

In order to provide greater certainty, a special assessment may be undertaken at Council's discretion where demand for a particular activity or activities is likely to be either 50 percent below or 100 percent above the anticipated average demand on which the building impact fees are based. On this basis, the thresholds for special assessment are shown in the Table below in terms of demand per day per 100m<sup>2</sup> of gross floor area.

<b>Special assessment threshold</b>		
	<b>Low demand special assessment</b>	<b>High demand special assessment</b>
<b>Business activity</b>		
Water	< 80 litres	> 320 litres
Wastewater	< 74.5 litres	> 298 litres
Transportation	< 6.25 vehicle trips	> 25 vehicle trips
<b>Low demand business activity</b>		
Water	< 18 litres	> 72 litres
Wastewater	< 17.5 litres	> 70 litres
Transportation	< 6.25 vehicle trips	> 25 vehicle trips

A special assessment may be initiated by Council, the applicant or an agent working on behalf of an applicant. Applications for special assessment should be made in writing as follows:

Growth Funding & Policy Advisor  
 City Directions  
 Tauranga City Council  
 Private Bag 12022  
 Tauranga

The applicant may be required to provide detailed information of their development's present and anticipated demand on infrastructure. This additional information could be requested or provided at the pre-application stage, or as part of a further information request under section 92 of the Resource Management Act 1991 or sections 33 or 48 of the Building Act 2004.

Upon reasonable request from Council to the applicant for disclosure of relevant information the applicant's request for special assessment will be suspended until such time that the requested information has been disclosed.

To provide some certainty as to the outcome of a special assessment undertaken on a development that is likely to place significantly high demand on infrastructure the building impact fees payable for each individual activity will not exceed twice the building impact fees payable under the "business activity" category per 100m<sup>2</sup> of gross floor area as set out in Table 2 of the Development Contributions Policy.

- (g) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.
- (h) Unless expressly provided for elsewhere in this Policy, where in any particular case a business, low demand business or community organisation development will reduce the capacity of existing or planned city-wide infrastructure for water, wastewater or transportation, because of an exceptional demand (beyond those factors used in calculating the business activity contribution), the developer will be required to provide detailed calculations of the demand to enable Council to calculate the contribution in conjunction with the developer and with the final approval of the Chief Executive.

### **1.1.3 Development by Land Use Consents**

- (a) Prior to the commencement of a land use consent granted by Council (or such other time as specified in that consent) the consent holder shall pay to Council a development contribution calculated in accordance with Table 2 of Schedule 1 of the Policy in force at that time if the consent requires such a contribution.

### **1.1.4 Change of Use of an Existing Building**

- (a) In situations where the change of use of a building is proposed and the City-wide Infrastructure Development Contribution payable (if any), in accordance with this Policy, would differ from the City-wide Infrastructure Development Contribution that would be payable to establish the existing use at this time then a City-wide Infrastructure Development Contribution may be payable.
- (b) To determine the contribution payable (if any), the City-wide Infrastructure Development Contribution that would be payable to establish the existing use at this time will be compared against the City-wide Infrastructure Development Contribution payable to establish the proposed new use for each activity (water, wastewater, stormwater, transportation, community infrastructure and reserves). For each activity, to the extent that 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.
- (c) To avoid doubt, where the contribution payable to establish the proposed new use for an activity is lower than the contribution payable to establish the existing use, the difference cannot be used to offset contributions payable for another activity or activities. Likewise, a refund will not be provided where the total contribution that would be payable to establish the existing activity is less than the contribution payable to establish the proposed new activity.

**1.1.5 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 Development Contributions payable (if any).
- (b) Where connection to the water network is granted the City-wide Infrastructure Development Contribution for wastewater is payable.
- (c) Where connection to the wastewater network is granted the City-wide Infrastructure Development Contribution for wastewater is payable.
- (d) In all cases the City-wide Infrastructure Development Contributions for transportation, reserves and community infrastructure are not payable.

## 2.0 Local Infrastructure Development Contributions (Subdivision Impact Fees)

### 2.1 Events and Circumstances When a Local Infrastructure Development Contribution is Payable

A local infrastructure contribution or contributions may be required where:

- (a) A particular subdivision or development proposal generates a demand for reserves, network infrastructure or community infrastructure
- (b) The subdivision or development (either alone or in combination with another development) requires new or additional assets or assets of increased capacity (reserves or infrastructure) which causes the Council to incur capital expenditure
- (c) The development contributions policy provides for the payment of a contribution in the circumstances.

The local infrastructure development contribution shall be payable in the following circumstances:

#### 2.1.1 Subdivision of Land in Urban Growth Areas

- (a) The creation of an additional allotment or allotments in **all** zones (except for non-residential lots in the Commercial Business, Industrial Business and Port Business zones within the Tauranga and Mt Maunganui infill areas) within the Urban Growth Areas (UGAs) that are planned to receive local infrastructure services provided by the Council. Provided that:
  - Where in Rural Residential Zones Council provided wastewater, stormwater, reserve and community infrastructure services are not planned to be available to service the subject site these component(s) shall be excluded from the payment; and
  - The reserve and community infrastructure contributions in the Bethlehem, Welcome Bay, Ohauiti, Papamoa, Pyes Pa, Tauranga infill and Mount Maunganui infill urban growth areas only apply to resource consents that were lodged between 1 July 2004 and 30 June 2009 and development that does not require resource consent for which building consent or service connection is granted on or after the same date. Otherwise the reserve and community infrastructure contributions in these urban growth areas are taken as financial contributions pursuant to Council's District Plan.

To avoid doubt, where more than one household unit or household unit equivalent exists on the subject site each household unit or household unit equivalent will be recognised as if it was an additional allotment on a plan of subdivision.

- (b) The contribution payable shall be that as set out in Table 2 of Schedule 1, subject to (c) below. For Commercial and Industrial zone allotments the contribution payable is set out in Table 3 of Schedule 1.
- (c) For all subdivision consents the contribution shall be determined in accordance with Table 2 or 3 as applicable of Schedule 1 of the Policy in force at the time the section 224 completion certificate under the Resource Management Act 1991 is granted by Council. Payment is required immediately before the section 224 completion certificate is released. The certificate will not be released until the contribution is paid in full to Council. To avoid doubt this includes unit title and cross lease subdivision at the time of the application for a Certificate to enable the survey plan to be deposited (see sections 2.1.4 and 2.1.5). Where an application for a section 224 completion certificate relates only to a particular stage or certain lots within a subdivision, the contributions payable for subsequent stages or lots not included with that application will be determined later, at the time the application for a section 224 completion certificate relating to the subsequent stage/lots is granted.
- (d) Where the subdivision is in the **Pyes Pa West Urban Growth Area** Residential zones only, development contributions required to be paid in accordance with this section of the policy for land to be developed by one developer comprising an aggregate area of 100 hectares or more,

may be paid by way of cash or the equivalent value in land or works, or by a combination of these methods to the extent required to complete the projects identified in the Services Project Schedules: Pyes Pa West.

### 2.1.2 Subdivision and Development of Land Not In Urban Growth Areas

(a) The creation of an additional allotment or allotments in **all** zones **not** in the Urban Growth Areas (UGAs) that are planned to receive local infrastructure services provided by Council. Provided that:

- The reserve and community infrastructure contributions in the Bethlehem, Welcome Bay, Ohauiti, Papamoa, Pyes Pa, Tauranga infill and Mount Maunganui infill urban growth areas only apply to resource consents that were lodged between 1 July 2004 and 30 June 2009 and development that does not require resource consent for which building consent or service connection is granted on or after the same date. Otherwise the reserve and community infrastructure contributions in these urban growth areas are taken as financial contributions pursuant to Council's District Plan.

To avoid doubt, where more than one household unit or household unit equivalent exists on the subject site each household unit or household unit equivalent will be recognised as if it was an additional allotment on a plan of subdivision.

(b) The contribution payable shall be that shown for Tauranga or Mount Maunganui infill areas as set out in Table 2 of Schedule 1, subject to (c) below.

(c) For all subdivision consents the contribution shall be determined in accordance with Table 2 of Schedule 1 of the Policy in force at the time the section 224 completion certificate under the Resource Management Act 1991 is granted by Council. Payment is required immediately before the section 224 completion certificate is released. The certificate will not be released until the contribution is paid in full to Council. To avoid doubt this includes unit title and cross lease subdivision at the time of the application for a Certificate to enable the survey plan to be deposited (see sections 2.1.4 and 2.1.5). Where an application for a section 224 completion certificate relates only to a particular stage or certain lots within a subdivision, the contributions payable for subsequent stages or lots not included with that application will be determined later, at the time the application for a section 224 completion certificate relating to the subsequent stage/lots is granted.

### 2.1.3 Development of Multi Unit Residential (prior to subdivision or where no subdivision is involved)

(a) For any second or further additional household unit or other residential activity (whether new or relocated to the site) in all zones and regardless of the intensity of use consented to, (other than those covered by specific contributions in Papamoa Business zones, Pyes Pa West Business zones or Ngati Kahu Papakainga zone), the owner shall pay to Council a sum not exceeding the Local Infrastructure Development Contribution stated in Table 2 of Schedule 1, subject to (c) below, for each additional allotment (i.e.; depending on whether the site is in an Urban Growth Area or not) as though the erection of the household unit, or the household unit equivalent, was an additional allotment on a plan of subdivision provided that:

- The reserve and community infrastructure contributions in the Bethlehem, Welcome Bay, Ohauiti, Papamoa, Pyes Pa, Tauranga infill and Mount Maunganui infill urban growth areas only apply to resource consents that were lodged between 1 July 2004 and 30 June 2009 and development that does not require resource consent for which building consent or service connection is granted on or after the same date. Otherwise the reserve and community infrastructure contributions in these urban growth areas are taken as financial contributions pursuant to Council's District Plan.

To avoid doubt, where more than one household unit or household unit equivalent exists on the subject site each household unit or household unit equivalent will be recognised as if it was an additional allotment on a plan of subdivision.

- (b) For other residential activities the contribution payable under (a) above shall be calculated as applicable for each household unit equivalent.
- (c) The contribution payable under (a) above shall be determined in accordance with the Table 2 of Schedule 1 of the Policy in force at the time the authorisation for service connection or building consent is granted.
- (d) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. In circumstances where a service connection and/or building consent has already been granted and the reserve contribution was to be paid at the time of subdivision consent in accordance with Council's Development Contributions Policies that were in force between 1 July 2004 and 30 June 2008 the reserve contribution will still be required immediately before the relevant section 224 certificate is granted. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development, withholding a certificate under section 224(c) of the Resource Management Act 1991 and preventing the commencement of a resource consent under the Resource Management Act 1991.

#### 2.1.4 Cross Lease Situation

- (a) For the avoidance of doubt where any lease area on a cross lease plan is an "allotment" (as defined by Section 218 of the Resource Management Act) the provisions of this policy and schedule shall apply to such an allotment for the payment of a development contribution (see sections 2.1.1 or 2.1.2).
- (b) Additions or alterations to existing households under a cross lease subdivision, or the conversion of an existing cross lease that defines a household unit situation that existed prior to 26 January 1996 to another form of tenure, as permitted by Rule 19.2.6 of the operative District Plan, shall not be subject to payment of a contribution.

#### 2.1.5 Unit Title Situation

- (a) To avoid doubt where any unit on a unit plan is an "allotment" (as defined by Section 218 of the Resource Management Act) the provisions of this policy and schedule shall apply to such an allotment for the payment of a development contribution (see sections 2.1.1 or 2.1.2).

#### 2.1.6 Development of Non-Residential Activities in Residential Zones, Rural Residential Zone, Urban Marae Community Zone, Education Centre Zone

- (a) In circumstances where a **non-residential** development receives consent to establish in the Residential A or H zone, Wairakei Residential zone, Rural Residential zone, Urban Marae Community zone or Education Centre zone (other than as stated in the special circumstances for Pyes Pa West or West Bethlehem), the owner shall pay to Council a contribution calculated as follows: calculated on the basis of the household unit equivalents that may be accommodated on the subject site (at the expected dwelling unit density for the urban growth area as stated in clause 2.0 of the Units of Demand section, except in Rural Residential zone which shall be at an average of 1.6 independent household units per hectare. In the Tauranga and Mt Maunganui infill areas an average of 15 household units per hectare is expected) as **though** the erection of the household unit or household unit equivalent was an additional allotment on a plan of subdivision, or such greater unit of demand to meet the infrastructure requirements of the activity where the demand is shown to be greater than the level of service provided.
- (b) In circumstances where a **non-residential** development receives consent to expand onto a vacant lot in the Residential A or H zone, Wairakei Residential zone, Rural Residential zone, Urban Marae Community zone or Education Centre zone (other than as stated in the special circumstances for Pyes Pa West or West Bethlehem), the owner shall pay to Council a contribution calculated as follows: calculated on the basis of the household unit equivalents that may be accommodated on the subject site (at the expected dwelling unit density for the urban growth area as stated in clause 2.0 of the Units of Demand section, except in Rural Residential zone which shall be at an average of 1.6 independent household units per hectare. In the

Tauranga and Mt Maunganui infill areas an average of 15 household units per hectare is expected) as **though** the erection of the household unit or household unit equivalent was an additional allotment on a plan of subdivision, or such greater unit of demand to meet the infrastructure requirements of the activity where the demand is shown to be greater than the level of service provided.

- (c) To avoid doubt, for the purposes of clause 2.1.6 the expansion of an existing non-residential activity that occurs wholly within the boundaries of the lot or lots on which this activity is currently located will not attract any local infrastructure development contributions.
- (d) In all circumstances a Reserves and Community Infrastructure Contribution is **not** required.
- (e) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.

#### **2.1.7 Development of Non-Residential Activities in the Tauranga Infill Area within the Commercial Business, Industrial Business and Port Business Zones**

- (a) In circumstances where a non-residential development (business activity, low demand business activity or community organisation) receives consent to establish in the Commercial Business zone, Industrial Business zone or Port Business zone within the Tauranga Infill area the owner shall pay to Council a contribution amount in accordance with that set out in Table 3 for the Tauranga Infill area.
- (b) Payment is required immediately before the service connection authorisation or building consent is uplifted, or other such time as specified in the land use consent. Where development contributions are not paid or made, Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.

#### **2.1.8 Upgrading of Local Infrastructure: Unforeseen Infrastructure Impacts of Subdivision and Development of Land**

- (a) Unless expressly provided for elsewhere in this Policy, where in any particular case a subdivision or development will reduce the capacity of existing and planned local infrastructure in the general locality, a development contribution may be required.
- (b) In assessing any such additional contribution Council shall take into account:
  - the level of service provided for or planned for the locality under this Policy and the Schedule;
  - the standards for services set out in Council's Code of Practice for Development applied to the subdivision or development proposal; and
  - the extent to which the additional units of demand created by the proposal require 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 the contribution in conjunction with the developer and with the final approval of the Chief Executive.
- (d) The contribution payable shall be calculated as applicable for each household unit equivalent or additional allotment.
- (e) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the

Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.

- (f) For subdivision the contribution shall be calculated at the time the Section 224 Completion Certificate under the Resource Management Act 1991 is granted by Council and the Section 224 Completion Certificate shall not be released until the contribution required is paid in full to Council.
- (g) To avoid doubt, this approach recognises that it is not always possible to foresee all the possible permutations and special circumstances which arise in the growth of the city. Some subdivision or development circumstances may warrant a specific development contribution response by Council in consultation with the developer.

### **2.1.9 Special Local Infrastructure Development Contributions: Subdivision and Development of Land in Pyes Pa West and Tauriko Business Estate Urban Growth Area**

#### **Industrial/Commercial Business Zones**

- (a) The creation of any allotment or allotments within the specific Pyes Pa West or Tauriko business zones that are planned to receive local infrastructure services provided by Council.
- (b) The contribution payable shall be pro rated on the cost per hectare rate set out in Table 3 of Schedule 1, subject to (f) below.
- (c) In circumstances where no subdivision is involved, as a condition of a land use consent or on the granting of a building consent or service connection authorisation (whichever comes first) for a **non-residential** development the owner shall pay to Council a contribution pro rated on the cost per hectare rate set out in Table 3 of Schedule 1, subject to (f) below.
- (d) In circumstances where no subdivision is involved for a **residential** development if permitted within these zones, that involves a household unit or other residential activity (whether new or relocated on the site) the owner shall pay to Council a contribution set out in Table 2 of Schedule 1, subject to (f) below, as **though** the erection of the household unit, or the household unit equivalent was an additional allotment on a plan of subdivision.
- (e) For other residential activities the contribution payable under (a) above shall be calculated as applicable for each household unit equivalent.
- (f) The contribution payable under (a) or (b) above shall be determined in accordance with the Table 2 or 3 as applicable of Schedule 1 of the Policy in force at the time the authorisation for service connection or building consent is granted.
- (g) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.
- (h) For subdivision the contribution shall be calculated at the time the section 224 completion certificate under the Resource Management Act 1991 is granted by Council and determined by Table 2 or 3 of Schedule 1 of the Policy in force at the time the section 224 completion certificate is granted. The Section 224 Completion Certificate shall not be released until the contribution required is paid in full to Council.

#### **Residential Zones: Non-Residential Activities at Pyes Pa West**

- (a) In circumstances where a **non-residential** development receives consent to establish in the Residential A zone or Large Lot Residential zone at Pyes Pa West, the owner shall pay to Council a contribution calculated as follows; calculated on the basis of the equivalent number of residential units that may be accommodated on the subject site (at an average of 15 independent household units per hectare) as set out in Table 2 of Schedule 1 of the Policy in force at the time the service connection authorisation, building consent or land use consent is granted, or such greater amount to meet the infrastructure requirements of the activity where the demand is shown to be greater than the level of service provided.
- (b) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.
- (c) To avoid doubt, development contributions for local infrastructure for **residential** subdivision or multi-unit residential type development (where no subdivision is involved) in the Pyes Pa West Urban Growth Area are covered by sections 2.1.1, 2.1.3; 2.1.4, or 2.1.5 of this Policy as applicable.

#### **2.1.10 Special Local Infrastructure Contribution: Subdivision or Development of Land in Papamoa Business Zones**

- (a) The creation of an additional allotment or allotments within the Papamoa Business zones at Gravatt Road (south) and Parton Road (south) – as identified in Chapter 20 of the Tauranga District Plan – that are planned to receive local infrastructure services.
- (b) The contribution payable shall be that set out in Table 3 of Schedule 1 of the Policy in force at the time the subdivision consent is granted by Council.
- (c) In circumstances where **no** subdivision is involved, for any additional household unit or other residential activity (whether new or relocated to the site), or when a subdivision is involved for a non-business activity, the owner shall pay to Council a sum not exceeding the Local Infrastructure Development Contribution stated in Table 2 of Schedule 1 of the Policy in force at the time service connection authorisation, building consent or land use consent is granted, for each additional allotment **as though** the erection of the household unit, or the household unit equivalent, was an additional allotment on a plan of subdivision.
- (d) To avoid doubt, the reserve land and community infrastructure components of this development contribution are additional to the amenity reserves to be vested through subdivision under Rule 20.3.1.3 of the Tauranga District Plan.
- (e) For other residential activities the contribution payable under (a) above shall be calculated as applicable for each 'household unit equivalent'.
- (f) Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.
- (g) For subdivision the contribution shall be calculated at the time the Section 224 Completion Certificate under the Resource Management Act 1991 is granted by Council and the Section 224 Completion Certificate shall not be released until the contribution required is paid in full to Council. To avoid doubt this includes unit title and cross lease subdivision at the time of the application for a Certificate to enable the survey plan to be deposited.

### 2.1.11 Special City Wide and Local Infrastructure Development Contributions: Subdivision and Development of Land in West Bethlehem

- (a) For any new household unit equivalent or Ngati Kahu Kaumatua household unit equivalent (that is; two Ngati Kahu Kaumatua household units built together (See definition) in the Ngati Kahu Papakainga zone, West Bethlehem, the owner shall pay to Council a sum not exceeding the Local Infrastructure Development Contribution stated in Table 2 of Schedule 1, subject to (h) below, as **though** the erection of the household unit, household unit equivalent or Ngati Kahu Kaumatua household unit equivalent, was an additional allotment on a plan of subdivision.
- (b) To avoid doubt, Ngati Kahu Kaumatua household units comprising a floor area of 50m<sup>2</sup> or less shall pay 50 percent of **both** the Ngati Kahu Local Infrastructure development contribution under Section 2.1.11 (a) (above) and the City-wide Infrastructure Development Contribution under Section 1.1 of this Policy.
- (c) Applications for building consent for Ngati Kahu Kaumatua household units shall only be accepted by Council in multiples of two, as the development contributions received by Council must total the sum of the Local Infrastructure and City-wide Infrastructure Contributions specified in Section 2.1.11 (a) and (b) above.
- (d) Applications for building consent to add additional gross floor area (habitable room only) to a consented Ngati Kahu Kaumatua household unit (above the 50m<sup>2</sup> allowable) shall result in the payment of an additional contribution. This additional contribution shall equate to 50 percent of both the Local Infrastructure Contribution and 50 percent of the City-wide Infrastructure Contributions in recognition of the increased demand on infrastructure services created by the development.
- (e) In circumstances where a **non-residential** activity receives consent to establish in the Ngati Kahu Papakainga zone, the owner shall pay to Council a contribution calculated as follows: calculated on the basis of the household unit equivalents that may be accommodated on the subject site (at an average of 12 independent household units per hectare) as **though** the erection of the household unit was an additional allotment on a plan of subdivision, or such greater unit of demand to meet the infrastructure requirements of the activity where the demand is shown to be greater than the level of service provided.
- (f) The Local Infrastructure Development Contribution for reserves and community infrastructure only as set out in Table 2 of Schedule 1 shall **not** apply to new subdivision and development consents on land within Reserve Catchment Block D shown on Structure Plan SP 12. This recognises the greenspace and marae facilities provided for Block D catchment by the Ngati Kahu land trusts.
- (g) In circumstances where a **non-residential** activity receives consent to establish in the Residential A zone of the West Bethlehem Urban Growth Area, the owner shall pay to Council a contribution calculated as follows: calculated on the basis of the equivalent number of household units that may be accommodated on the subject site (at an average of 12 independent household units per hectare) as **though** the erection of the household unit or the household unit equivalent was an additional allotment on a plan of subdivision, or such greater unit of demand to meet the infrastructure requirements of the activity where the demand is shown to be greater than the level of service provided.
- (h) This contribution is calculated on the basis of Table 2 of Schedule 1 of the Policy that is in force at the time the service connection authorisation, building consent or land use consent is granted by Council. Payment is required immediately before the service connection authorisation or building consent is uplifted, or such other time as specified in the land use consent. Where development contributions are not paid or made Council may exercise its powers under section 208 of the Local Government Act 2002 which include withholding a code of compliance certificate under section 95 of the Building Act 1991, withholding a service connection to the development and preventing the commencement of a resource consent under the Resource Management Act 1991.

#### **2.1.12 Local Reserve and local community infrastructure contributions in and around the Rural Marae Community, Urban Marae Community and Ngati Kahu Papakainga zones**

- (a) Local infrastructure reserve contributions and local infrastructure community infrastructure contributions for local reserve development are not payable in the Rural Marae Community, Urban Marae Community and Ngati Kahu Papakainga zones.
- (b) Local infrastructure reserve contributions and local infrastructure community infrastructure contributions are not payable for development on multiple-owned Maori land within 500 metres of a Rural Marae Community, Urban Marae Community or Ngati Kahu Papakainga zone provided that Council is satisfied that the development is to provide housing for the shareholders of each block of multiple-owned Maori land and/or their wider families.
- (e) To avoid doubt, 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 reserve contributions and local infrastructure community infrastructure contributions are payable provided that:
  - The reserve and community infrastructure contributions in the Bethlehem, Welcome Bay, Ohauiti, Papamoa, Pyes Pa, Tauranga infill and Mount Maunganui infill urban growth areas only apply to resource consents that were lodged between 1 July 2004 and 30 June 2009 and development that does not require resource consent for which building consent or service connection is granted on or after the same date. Otherwise the reserve and community infrastructure contributions in these urban growth areas are taken as financial contributions pursuant to Council's District Plan.

#### **2.1.13 Change of Use of an Existing Building**

- (a) In situations where the change of use of a building is proposed and the Local Infrastructure Development Contribution payable (if any), in accordance with this Policy, would differ from the Local Infrastructure Development Contribution that would be payable to establish the existing use at this time then a Local Infrastructure Development Contribution may be payable.
- (b) To determine the contribution payable, the Local Infrastructure Development Contribution that would be payable to establish the existing use at this time will be compared against the Local Infrastructure Development Contribution payable to establish the proposed new use for each activity (water, wastewater, stormwater, transportation, community infrastructure and reserves). For each activity, to the extent that 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.
- (c) To avoid doubt, where the contribution payable to establish the proposed new use for an activity is lower than the contribution payable to establish the existing use, the difference cannot be used to offset contributions payable for another activity or activities. Likewise, a refund will not be provided where the total contribution that would be payable to establish the existing activity is less than the contribution payable to establish the proposed new activity.

#### **2.1.14 Connection to Council's Water and/or Wastewater Network**

- (e) 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 Local Infrastructure Development Contributions payable (if any).
- (f) Where connection to the water network is granted the Local Infrastructure Development Contribution for wastewater is payable.
- (g) Where connection to the wastewater network is granted the Local Infrastructure Development Contribution for wastewater is payable.
- (h) In all cases the Local Infrastructure Development Contributions for stormwater, transportation, reserves and community infrastructure are not payable.

### 3.0 Summary of Development Contributions: Relevant Financial Year

Refer to Tables following.

**Table 2:** Development Contributions: Building Impact Fees and Residential Subdivision Impact Fees

**Table 3:** Development Contributions: Industrial/Business Zone Subdivision Impact Fees

**Table 4:** Calculation of Business Activity and Community Organisation Building Impact Fees

**Table 2 - Development Contributions (Building Impact Fees and Residential Subdivision Impact Fees)**

	Water	Wastewater	Stormwater	Transportation	Community Infrastructure	Reserves	TOTAL (gst excl.)	TOTAL (gst incl.)
<b><u>CITY WIDE INFRASTRUCTURE DEVELOPMENT CONTRIBUTION (BIF) 2009/10</u></b>								
Residential (non one or two bedroom dwelling)	\$3,184.05	\$3,201.46	\$0.00	\$432.86	\$4,386.22	\$1,541.57	\$12,746.17	\$14,339.44
Residential (two bedroom dwelling)	\$2,069.63	\$2,080.95	\$0.00	\$281.36	\$2,851.04	\$1,002.02	\$8,285.01	\$9,320.63
Residential (one bedroom dwelling)	\$1,592.02	\$1,600.73	\$0.00	\$216.43	\$2,193.11	\$770.79	\$6,373.08	\$7,169.72
Business activities (per 100m <sup>2</sup> gfa)	\$715.45	\$929.18	\$0.00	\$506.58	\$0.00	\$0.00	\$2,151.20	\$2,420.11
Low demand business activities (per 100m <sup>2</sup> gfa)	\$178.86	\$209.81	\$0.00	\$506.58	\$0.00	\$0.00	\$895.26	\$1,007.16
Community organisations (per 100m <sup>2</sup> gfa)	\$804.88	\$809.28	\$0.00	\$81.05	\$0.00	\$0.00	\$1,695.22	\$1,907.12
<b><u>LOCAL INFRASTRUCTURE DEVELOPMENT CONTRIBUTION (SIF) FOR RESIDENTIAL DEVELOPMENT 2009/10</u></b>								
<b><u>PER ADDITIONAL LOT OR PER DWELLING IN A MULTI-UNIT DEVELOPMENT</u></b>								
BETHLEHEM	\$597.43	\$5,830.38	\$2,721.74	\$3,457.40	\$644.55	\$0.00	\$13,251.50	\$14,907.94
PYES PA	\$434.06	\$4,692.11	\$1,066.40	\$1,841.25	\$1,005.55	\$2,007.31	\$11,046.68	\$12,427.51
OHAUITI	\$4,423.25	\$5,276.65	\$620.54	\$1,259.29	\$751.42	\$2,130.73	\$14,461.88	\$16,269.61
WELCOME BAY	\$1,481.04	\$6,223.55	\$980.57	\$1,579.35	\$1,013.32	\$1,436.55	\$12,714.39	\$14,303.68
PAPAMOA	\$255.02	\$1,072.80	\$3,152.18	\$3,758.40	\$837.51	\$2,633.12	\$11,709.04	\$13,172.67
TAURANGA INFILL	\$654.52	\$6,103.04	\$0.00	\$0.00	\$1,109.61	\$311.69	\$8,178.86	\$9,201.21
MT. MAUNGANUI INFILL	\$405.27	\$2,120.76	\$0.00	\$0.00	\$576.26	\$872.54	\$3,974.83	\$4,471.68
WEST BETHLEHEM	\$168.28	\$8,489.96	\$4,545.91	\$13,671.84	\$943.15	\$7,421.72	\$35,240.86	\$39,645.97
PYES PA WEST	\$626.56	\$6,352.51	\$5,173.90	\$3,715.02	\$484.09	\$3,843.92	\$20,195.99	\$22,720.49

**NOTES:**

- 1) Wastewater and water supply components for local infrastructure are not payable within the "Serviced Area" of Papamoa as defined in the Papamoa Structure Plans.
- 2) Wastewater and stormwater development contributions are not payable in the Rural Residential zone (BIFs and SIFs). The community infrastructure and reserves SIFs are not payable in this zone either or in the Rural Marae Community, Urban Marae Community or Ngati Kahu Papakainga zones.
- 3) For development within the SP 13, 2ha Commercial Business zone, only residential activities will pay the reserves and community infrastructure contributions.
- 4) Gfa means gross floor area as defined in the definitions section of this Policy which begins on page 2.
- 5) The business activity and low demand business activity BIFs are charged on a pro rata basis in circumstances where the gross floor area of a development is not exactly 100m<sup>2</sup> or a multiple of 100m<sup>2</sup>.
- 6) The minimum charge for business activity or low demand business activity BIFs is based 1m<sup>2</sup> of gross floor area.
- 7) The reserve contributions and community infrastructure contributions for the Bethlehem, Welcome Bay, Ohauiti, Papamoa, Pyes Pa, Tauranga infill and Mt Maunganui infill urban growth areas are shown for information purposes only in relation to resource consents that were lodged on or after 1 July 2009 and development that does not require resource consent for which building consent or service connection is granted on or after the same date. These contributions are taken as financial contributions under Council's District Plan rather than development contributions pursuant to this Policy. As such, the reserve and community infrastructure contributions for the Bethlehem, Welcome Bay, Ohauiti, Papamoa, Pyes Pa, Tauranga infill and Mt Maunganui infill urban growth areas will only be taken as development contributions pursuant to this Policy in circumstances where a resource consent for a development was granted on or before 30 June 2009.

- 8) The contributions for each individual activity (e.g. water and wastewater) are shown exclusive of gst.
- 9) These Development Contributions are applicable from 1 July 2009 until 30 June 2010.
- 10) Council resolved to reduce the total amount of subdivision impact fees in West Bethlehem back to the average 2008/09 level of \$35,240.87 plus gst. The amount includes an estimate of the reserve contribution payable of \$12,203.20 as per page 268 of the 2008/09 Development Contributions Policy. Because the reserve and the community infrastructure subdivision impact fees for the 2009/10 year have reduced these lower amounts were adopted to avoid the over-collection of fees. To make up the difference between the lower 2009/10 fees and the higher 2008/09 fees the difference was allocated on a pro rata basis across the other activities. If you would like more information about this please contact Council on (07) 577 7000.

**Table 3 – Development Contributions  
(Industrial / Business Zone Subdivision Impact Fees)**

1) **PAPAMOA**

Component	Papamoa SIF	Business Zone Scaling Factor	Cost per 900m <sup>2</sup> of Business Lot (GST Excl)	Cost per 900m <sup>2</sup> of Business Lot (GST Incl)
Water	\$255.02	1.8	\$459.04	\$516.42
Wastewater	\$1,072.80	1.2	\$1,287.36	\$1,448.28
Transportation	\$3,758.40	1	\$3,758.40	\$4,228.21
Stormwater	\$3,152.18	2.2	\$6,934.80	\$7,801.65
<b>TOTAL COST / 900M<sup>2</sup></b>			<b>\$12,439.60</b>	<b>\$13,994.55</b>

2) **TAURIKO**

Component	Cost per Unit (GST Excl)	HUE Equivalent per Ha	Cost per Ha (GST Excl)	Cost per Ha (GST Incl)
Water	\$1,212.03	19	\$23,028.52	\$25,907.09
Wastewater	\$5,957.98	19	\$113,201.67	\$127,351.87
Transportation	\$4,115.31	35	\$144,035.86	\$162,040.34
Stormwater – Others*	\$1,441.50	22	\$31,713.02	\$35,677.15
Stormwater – Catchment B1* (Catchment B1 plus Other)	\$5,127.22	22	\$112,798.84	\$126,898.70
Stormwater – Catchment C * (Catchment C plus Other)	\$4,014.60	22	\$88,321.11	\$99,361.25
Total including – Catchment Other	<b>\$12,726.82</b>	<b>TOTAL COST / Ha</b>	<b>\$311,979.07</b>	<b>\$350,976.45</b>
Total Including – Catchment B1	<b>\$16,412.54</b>	<b>TOTAL COST / Ha</b>	<b>\$393,064.89</b>	<b>\$442,198.00</b>
Total Including – Catchment C	<b>\$15,299.92</b>	<b>TOTAL COST / Ha</b>	<b>\$368,587.16</b>	<b>\$414,660.55</b>

\* This fee will vary. Refer "Application of Contributions" at front of Tauriko Business Estate Stormwater section.

3) **PYES PA WEST (Neighbourhood Centre – 2ha)**

Component	Pyes Pa West SIF	HUE Equivalent per Ha	Cost per Ha (GST Excl)	Cost per Ha (GST Incl)
Water	\$626.56	19	\$11,904.64	\$13,392.72
Wastewater	\$6,352.51	19	\$120,697.66	\$135,784.86
Transportation	\$3,715.02	35	\$130,025.56	\$146,278.76
Stormwater	\$5,173.90	22	\$113,825.74	\$128,053.96
<b>TOTAL COST / Ha</b>			<b>\$376,453.60</b>	<b>\$423,510.31</b>

4) **TAURANGA INFILL**

<b>Component</b>	<b>Cost per 100m<sup>2</sup> gross floor area (GST excl.)</b>	<b>Cost per 100m<sup>2</sup> gross floor area (GST incl.)</b>
Water	\$0.00	\$0.00
Wastewater	\$581.43	\$654.11
Stormwater	\$0.00	\$0.00
Transportation	\$0.00	\$0.00
<b>TOTAL COST / 100m<sup>2</sup> gfa</b>	<b>\$581.43</b>	<b>\$654.11</b>

Note:

- These fees also apply to community organisations.
- They are not payable for the subdivision of land.
- They only apply in the Commercial Business, Industrial Business and Port Business zones.

**Table 4  
Calculation of Business Activity and Community Organisation  
Building Impact Fees**

<b>Category &amp; Activity</b>	<b>Rate Per HUE</b>	<b>Scaling Factor</b>	<b>Fee Per 100m<sup>2</sup> of GFA (gst excl.)</b>	<b>Fee Per 100m<sup>2</sup> of GFA (gst incl.)</b>
<b>Business activities</b>				
Water	\$2,981.04	0.24	\$715.45	\$804.88
Wastewater	\$2,997.34	0.31	\$929.18	\$1,045.32
Transportation	\$405.26	1.25	\$506.58	\$569.90
		<b>TOTAL</b>	<b>\$2,151.20</b>	<b>\$2,420.11</b>
<b>Low demand business activities</b>				
Water	\$2,981.04	0.06	\$178.86	\$201.22
Wastewater	\$2,997.34	0.07	\$209.81	\$236.04
Transportation	\$405.26	1.25	\$506.58	\$569.90
		<b>TOTAL</b>	<b>\$895.26</b>	<b>\$1,007.16</b>
<b>Community organisations</b>				
Water	\$2,981.04	0.27	\$804.88	\$905.49
Wastewater	\$2,997.34	0.27	\$809.28	\$910.44
Transportation	\$411.98	0.20	\$81.05	\$91.18
		<b>TOTAL</b>	<b>\$1,695.22</b>	<b>\$1,907.12</b>

Note:

- The rate per HUE used in the Table above is before the low demand dwelling adjustment has been made to the residential building impact fees.