

**CATEGORY 13: DRAFT DEVELOPMENT
CONTRIBUTIONS POLICY**

BATCH 1

Natascha Van Dien

From: Administration Support
Subject: FW: Consultation Document Submission

From: Submissions
Sent: Wednesday, 1 April 2015 9:41 p.m.
To: Administration Support
Subject: FW: Consultation Document Submission

From: Council Enquiries (Enquiry)
Sent: Wednesday, April 01, 2015 9:41:26 PM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:
Ruth Thomas

Organisation represented (if applicable):
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Montrose Drive, Atawhai

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steveandruth.nelson@gmail.com

Do you wish to speak in support of your submission at the public hearings?
No

If yes, would you like to attend an evening session?

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):
TO ENABLE AND ENCOURGARE THE DEVELOPMENT OF A COMMUNITY "HUB" IN ATAWHAI.

By "hub" I mean not only some sort of community venue, but moreover make Atawhai a destination on the Nelson bike track, add it into the "Taste Trail" by getting a great cafe, restaurant overlooking the water.

WHY SHOULD WE DO THIS?

- Atawhai, Wakapuwaka, the Glen and Hira are growing communities, but with no community venue/space to host a local market, a frundraiser, a celebration, festival.
- Make Atawhai a destination on the bike track. So many people enjoy biking to Brightwater or Wakefield on the weekends along the bike tracks to enjoy riding not on a road and to socialise at a cafe at the destination for coffee/brunch or lunch. Why not encourage the use of this bike track over the Northern side of town too? Bikers would enjoy great views of the sea and mountains out to Atawhai and then if there was a decent cafe or two to re fuel at, that would entice people to bike out this way. Great for locals and also tourists.

HOW SHOULD/COULD THE COUNCIL DO THIS?

The Council need to relook at the suburb of Atawhai. It has grown significantly in size since it was originally planned. It is not just a small suburb north of Nelson, but is a growing community with a

Submission 15

lot of families living here. Instead of socialising at a 'local' area, the people of Atawai have no real option other than heading into town for the closest, cafe, restuarant, bar etc, let alone wanting to see a Doctor, join a Yoga class etc etc.

In my submission, the Council need to make some land available to be developed for some type of community centre/venue area and also to market the land for sale as potential waterfront views cafe/restaurant, right on the bike track, that can link through to the " Taste Trail".

The Council could even consider improving the current bike track (in its very narrow footpath bits closer to Clifton Tce school) and then longer term extend the track all the way out to The Glen, the beginning of the Boulder Bank, another great tourist opportunity being under marketed at the moment.

Thank you for considering my submission, and I look forward to reading about any future plans the NCC may have for the Atawai community.

Would you like to upload a file in support of your submission?

How did you find out about the Consultation Document and Council's 10 Year Plan?

NCC have your say paper.

Would you like to be contacted by email with future Council feedback opportunities?

No

**CATEGORY 13: DRAFT DEVELOPMENT
CONTRIBUTIONS POLICY**

BATCH 2

Bev Mcshea

From: Submissions
Sent: Friday, 10 April 2015 9:39 a.m.
To: Administration Support
Subject: FW: Consultation Document Submission

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Bev, Long Term Plan 2015

From: Council Enquiries (Enquiry)
Sent: Friday, April 10, 2015 9:38:54 AM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:

Sanne Maas

Organisation represented (if applicable):

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0211581417

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sanne.m.maas@gmail.com

Do you wish to speak in support of your submission at the public hearings?

No

If yes, would you like to attend an evening session?

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):

As there are too many stores closing in Nelson and Richmond, i think the idea of having another retail centre near Mitre10 Mega is a bad idea. I believe we need a supermarket there. People who live in Tahunanui, and the tahuna side of Stoke have to travel a reasonably distance to the nearest supermarket.

Would you like to upload a file in support of your submission?

How did you find out about the Consultation Document and Council's 10 Year Plan?

Through friends

Would you like to be contacted by email with future Council feedback opportunities?

Yes

**CATEGORY 13: DRAFT DEVELOPMENT
CONTRIBUTIONS POLICY**

BATCH 3

Bev Mcshea

From: Administration Support
Subject: FW: Submission via email.

The following is to be considered a submission to the Development Contributions policy.

Susan Moore-Lavo
Policy Advisor
Nelson City Council/*Te Kaunihera o Whakatū*
03 545 8742
www.nelson.govt.nz

From: Trish Casey [<mailto:Trish.Casey@ntk.org.nz>]
Sent: Thursday, 16 April 2015 11:20 a.m.
To: Susan Moore-Lavo
Subject: RE: Just another thought...

Hi Susan

Under 5.10 in the report its noted that attachment 2 shows the list of current and proposed exemptions. I can't find attachment 2, but I did find the list of proposed exemptions under 7 in the draft policy. I think it is appropriate for Kindergartens to retain the exempt status. Kindergartens have amenity value to communities making it possible for families to access ECE in their community locale. Kindergarten Associations are "not for profit" charities so any requirement to fund development contributions would more than likely result in an inability for a Kindergarten to be built in a community.

Within the ECE sector, there are also "for-profit" ECE centres operating alongside Kindergartens, Playcentres and other charitable-status centres.

Thanks for the opportunity to comment.

Regards

Trish Casey
Chief Executive



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PHONE: 03 546 7683 EXT 714 | MOB: 027 4422 311 | WEB: www.ntk.org.nz

**CATEGORY 13: DRAFT DEVELOPMENT
CONTRIBUTIONS POLICY**

BATCH 4

Bev Mcshea

From: Administration Support
Subject: FW: Consultation Document Submission

From: Council Enquiries (Enquiry)
Sent: Monday, April 20, 2015 10:37:28 AM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:
James Purves

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0212741850

Email:
jamespurves@mac.com

Do you wish to speak in support of your submission at the public hearings?
No

If yes, would you like to attend an evening session?
No

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):
In support of Development Contributions waiver for Inner City Development. Don't limit the number to 30. The chances are very low that 30 will be exceeded anyway, having a limit will be unfair as to who gets it and who does not. If you do get more than 30 applications for inner city development and they are actually started within the two year time limit, won't that be a nice problem for Nelson to deal with! (Also, please stress to the media that this policy does not cost the council anything. If there are no applications for inner city development in any year then there is no revenue anyway.)

Good initiative, to effect the outcomes Nelson wants but make sure these initiatives are not cancelled out by other initiatives - recent requirements for acoustic insulation will cost approximately twice the saving from the waiver of development contributions per unit built - need to tell all council staff what the goal is going forwards.

Would you like to upload a file in support of your submission?
How did you find out about the Consultation Document and Council's 10 Year Plan?
Nelson Mail

Would you like to be contacted by email with future Council feedback opportunities?
No

Bev Mcshea

From: Submissions
Sent: Tuesday, 21 April 2015 10:46 a.m.
To: Administration Support
Subject: FW: 2015 - 2025 LTP SUBMISSION - MARSDEN PARK
Attachments: COMPLETE SUBMISSION.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Bev, Long Term Plan 2015

From: Graham Thomas Resource Management Consultants Ltd[SMTP:GRAHAM@TRM.NET.NZ]
Sent: Tuesday, April 21, 2015 10:45:31 AM
To: Submissions
Subject: 2015 - 2025 LTP SUBMISSION - MARSDEN PARK
Auto forwarded by a Rule

Please find attached a submission on the LTP for and on behalf of Marsden Park.
Thank you,
Graham Thomas

Graham Thomas
Resource Management Consultants Ltd
PO Box 3314
Richmond Nelson 7050

9a Cambridge Street
Richmond Nelson 7020

Telephone: +63 3 544 0310
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Email: graham@trm.net.nz
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NELSON CITY COUNCIL PUBLIC CONSULTATION SUBMISSION FORM

**WE WANT YOUR OPINION.
PLEASE TELL US WHAT YOU THINK.**

Please type or print clearly. Remember to read the submission writing guidelines before starting.

Name MARSDEN PARK Organisation represented (if applicable) _____

Address 96 PO Box 3314 RICHMOND 7050

Daytime phone 03-5440310 Email graham@trm.net.nz

Do you wish to be heard in support of your submission? Yes No # of pages 5.
If you do not tick either, we will assume you do not wish to be heard.

If yes, would you like to attend an evening session? Yes No Available day or evening.

Public information: All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.

My submission is: _____

See Attachment (4 sheets)

Please attach additional sheets if needed.

Date 21-4-15. Signature G. G. Thomas

Office Use Only			
		Submission Number	
File Ref		Initials	

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21 April 2015

This submission made on behalf of **MARSDEN PARK** relates to

The **DEVELOPMENT CONTRIBUTIONS POLICY**

AND

The **LTP PROGRAMME FOR ROAD CONNECTIONS**

DEVELOPMENT CONTRIBUTIONS

- The Draft Development Contributions Policy (DDCP) and Related Reports requires payment of Development Contributions (DC's) for subdivisions prior to release of the Completion Certificate [S224(c)] – refer to Section 2.6 of the DDCP.
- Marsden Park is seeking that the payment of the DC's is instead made at BUILDING CONSENT (BC) stage.
- The need for payment at BC stage can be made “visible” to purchasers of the new title by registration of a covenant (or other similar legal document) on that title.
- The current proposed Objection Process in Section 6 of the DDCP does not include the ability to seek a variation to the timing of DC payments as the “Policy” cannot be challenged under the Objection Process – hence this submission.

ROAD CONNECTIONS

- Marsden Park is currently in the process of seeking consent for development of the Homestead Block on the left hand [eastern] side of Marsden Valley Road.
- Council has shown an Indicative Road on the NRMP Maps that is to eventually extend through to Enner Glynn Valley.
- That road (known as a Collector Road) is required to be developed to a higher standard [wider road reserve, wider carriageway etc] than a standard residential road to service Marsden Park alone.
- The costs for the higher standard of road are significantly higher than for a normal subdivision road.
- The NRMP, as written, requires the developer to pay for this higher standard with NO RIGHT of compensation UNLESS the Indicative/Collector Road is on the Long Term Plan (LTP). A copy of Policy DO14.3.1 setting out this requirement is attached.
- That requirement for the developer to pay for an infrastructure component for the “greater good of the community” is challenged as being totally unrealistic and – it is suspected – not the intention of Council.
- Marsden Park is therefore seeking inclusion of this proposed Marsden Valley/Enner Glynn Valley connecting road in the LTP

AND

- For an agreement to be reached that Marsden Park shall be compensated for extra costs for provision of the higher standard or road connectivity.



policy

DO14.3.1 roading

Subdivision and development should provide for:

- a) *The integration of subdivision roads with the existing and future road network in an efficient manner, which reflects the function of the road and the safe and well-integrated management of vehicles, cyclists, and pedestrians, and*
- b) *Safe and efficient access to all lots created by subdivision and to all developments, and*
- c) *Roading connections as shown on Structure Plans and/or as described in Schedules in the NRMP, and*
- d) *Avoidance or mitigation of any adverse visual and physical effects of roads on the environment, and*
- e) *Public to private space relationships and roading design that represents a high quality urban streetscape, and*
- f) *The road network requirements to support the access and connectivity of future developments on other land in the Services Overlay.*
- g) *The road network required to service the subdivision or development in accordance with a) to e) above shall be funded and constructed by the consent holder and vested in Council as part of the development. Provision of the necessary road network in (f) shall be funded by the Council, if the project is provided for in the LTP. In this case, the relevant works have to be constructed prior to the section 224(c) certificate being sought for the development. In all other cases it is expected that the necessary roading shall be funded by the consent holder (with costs shared between benefiting landowners, where relevant).*

Explanation and Reasons

DO14.3.1.i Subdivision and development has the potential to result in a number of effects on the road network, including:

- a) Potential to change the function and efficiency of the road network through an increase in vehicle numbers and changes in travel patterns.
- b) Demand for new roads which are not able to be constructed or maintained in an economically sustainable manner justified by the development yield it serves.
- c) Changes to the function and connectivity of local roads which may lead to adverse effects on major routes, such as collector roads, principal arterials and state highways.
- d) Potential adverse effects on stormwater quality and quantity.
- e) Changes to streetscape and the formation of, and relationships with, public spaces which can lead to poor amenity and urban design outcomes.
- f) Inability to provide a well connected and efficient transport pattern.

DO14.3.1.ii Vehicle ownership levels mean that vehicular access must generally be provided to newly created lots. Road and access standards must reflect anticipated volume, function, connections, streetscape and relationship to public spaces values. Roads and access must integrate into the existing and future road system to provide safe, convenient, and efficient movement throughout Nelson. Subdivision requirements for roads and access need to provide for the development of a variety of systems for vehicle, passenger transport, cyclist, and pedestrian movement. Roads can also have major visual, stormwater and other effects and should be located and designed as far as possible to enhance the environment and minimise any adverse visual and other effects on topography, landscape and amenity values. Roads adjoining public spaces should be designed to directly relate to that space through the provision of sufficient frontage, landscaping, parking and, where possible, maximise efficient use of resources between the two public spaces, such as combined stormwater collection, treatment and disposal mechanisms.

DO14.3.1.iii When subdivision or development takes place, regard must be had to the likely future roading requirements of adjacent or nearby land, to avoid the land becoming 'land-locked', or inaccessible. If an adequate alternative is not available, the subdivision and development will be required to vest a legal road which is located in such a position and is of sufficient width, to provide suitable access to adjacent or nearby land.

Subdivision and development is required to vest legal road to provide connectivity to adjoining land with development potential. The cost of creating this connection at the time of subdivision shall either be funded through the LTP or funded by the developer. There may be circumstances whereby roading is funded and constructed by way of cost sharing agreements amongst landowners.

DO14.3.1.iv Road and access requirements on subdivision and development are also addressed in DO14.1.3 (orderly development), DO 13A.2 (improving connections), DO13A.3 (creating quality public spaces) and Chapter 6 (Financial Contributions). Land transport, including cycleways and walkways are dealt with under DO10.1 (land transport) as well. Structure Plans are a further method to provide integration to road, walkway and cycleway linkages.

Methods

DO14.3.1.v Rules in each zone and some overlays, controlling subdivision and development in relation to access to the road network; road design and alignment; site access, servicing, turning and parking; and transport, motor vehicle, pedestrian and cycle linkages.

DO14.3.1.vi Assessment criteria on applications.

DO14.3.1.vii Use of financial contributions (Chapter 6) and/or LTP development contributions to acquire or upgrade vehicle, passenger transport, pedestrian, cycling and amenity linkages where appropriate and not otherwise provided by the subdivision or development (note: these may also be provided by means other than financial contributions). The Council's Nelson Development Strategy will inform the prioritisation of the works and projects facilitated through the LTP to ensure development occurs in a sustainable manner.

DO14.3.1.viii The NCC Land Development Manual 2010.

**CATEGORY 13: DRAFT DEVELOPMENT
CONTRIBUTIONS POLICY**

BATCH 5

Bev Mcshea

From: Submissions
Sent: Thursday, 23 April 2015 3:23 p.m.
To: Administration Support
Subject: FW: Consultation Document Submission

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Bev, Long Term Plan 2015

From: Council Enquiries (Enquiry)
Sent: Thursday, April 23, 2015 3:22:59 PM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:
Ben Pearson

Organisation represented (if applicable):
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Do you wish to speak in support of your submission at the public hearings?
No

If yes, would you like to attend an evening session?
No

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):

I have a strong interest in and am support of recent conversations by NCC re Development Contribution incentives for development of "inner city living". I believe Nelson has the necessary "pull factors" that will support creation of a vibrant and attractive inner city residential culture. These factors include growing international-standard service provision such as cafe's, bars, entertainment venues, shops etc. The city's proximity to access points for immediately located leisure activities is also an asset. Socially, inner city safety, traffic advantages, increased economic benefit for retailers etc are important likely benefits. I note the draft plan notes concerns re infrastructural pressure and housing density. I am specifically commenting re good quality, higher value developments that add to the "vibe" of the inner city in this submission, not high density cheap apartments (for example). In this context, incentives for those seeking to build or renovate stock into such housing should have incentives to do so, given the wider benefits to the city.

I strongly urge the NCC to adopt generous Development Contribution incentives for inner city living.

We have recently purchased a commercial property in Nelson for the purpose of adapting into an inner city living property.

Would you like to upload a file in support of your submission?

How did you find out about the Consultation Document and Council's 10 Year Plan?

Speaking to a councillor

Would you like to be contacted by email with future Council feedback opportunities?

Yes

From: [Submissions](#)
To: [Administration Support](#)
Subject: FW: Consultation Document Submission
Date: Tuesday, 28 April 2015 10:30:53 a.m.
Attachments: [SUBMISSION-TO-NCC.pdf](#)

From: Council Enquiries (Enquiry)
Sent: Tuesday, April 28, 2015 10:30:48 AM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:
Tony Alley

Organisation represented (if applicable):
on behalf of Solitaire Investments Ltd and Davis Ogilvie & Partners Ltd

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Daytime phone:
03 548 4425

Email:
nelson@do.co.nz

Do you wish to speak in support of your submission at the public hearings?
Yes

If yes, would you like to attend an evening session?
No

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):
Draft Development Contributions Policy 2015 -2025

Would you like to upload a file in support of your submission?
SUBMISSION-TO-NCC.pdf - [Download File](#)

How did you find out about the Consultation Document and Council's 10 Year Plan?
by public notice

Would you like to be contacted by email with future Council feedback opportunities?
Yes

**NELSON CITY COUNCIL
LOCAL GOVERNMENT ACT**

SUBMISSION ON DRAFT DEVELOPMENT CONTRIBUTIONS POLICY 2015

To: The Chief Executive
Nelson City Council
P O Box 645
Nelson 7040

Submitters

Solitaire Investments Ltd
Davis Ogilvie & Partners Ltd

Dated this 24th day of April 2015



.....
(Signed by the Submitters Authorised Agent)

Address for Service: Davis Ogilvie & Partners Ltd
277 Hardy Street
Nelson 7010
Attn: Tony Alley

Phone: (03) 548 4425
Email: nelson@do.co.nz

The Submission

This submission is by Davis Ogilvie & Partners. Solitaire Investments Ltd is responsible for about 50% or more of the future developments itemised in the Development Area as Map 1 – Development Areas under 10.1 maps of the draft Development Contributions (DC's) Policy.

The principle under the Act is that those who create the need for new and upgraded services to make fair and proportional payments which reflect the expected demand developments will have on Council infrastructure.

However, it cannot be said with any certainty that the system proposed by the Council that every HUD pays the same DC wherever it is located in the City is both fair and reasonable.

There is no selectivity in the draft policy where there remains considerable disparity of land values in the City and ability to pay.

To be fair and reasonable does not equate simply to the easiest system to administer. The land value rating system is touted as being albeit approximate to ability to pay with some adjustment through special purpose rates (e.g. water supply) and rate rebates for those least well off in society.

There does not appear to be any cogent reason why the Council, with its access to land values throughout the District and median values to set DC's on a percentage of land values as it has for financial contributions (reserves and community services).

In Nelson, land with lowest land values generally involves greatest development costs including carrying DC's.

Development on Nelson Hillside generally carries the extra cost of earthworks and coping with local drainage patterns. Such development is bordering on uneconomic and the DC's can, and are likely to be, the last straw that means it is not worth the risk involved to achieve the development.

The lower the land value, a greater percentage of DC's borne. For a lot of say \$110,000 which would be about the lowest land value available the DC's and financial contributions amount to about \$11,700 + \$6,050 = \$17,750 or 16% of allotment value.

If the value is at a median of say \$220,000 the contributions amount to about \$11,790 + \$12,000 = \$23,890 which is about 11% of allotment value.

Relief Sought

That the Council seriously examines and implements a system where DC's follow a similar system to financial Contributions based on a percentage of assessed land value. The examples above give a base indication that the DC's will be about the same level of financial contribution of 5.5% of the land value.

And that the Council changes this and, if necessary, submits a proposal to the public before the proposed DC policy is put into effect.

If this requires extra time, the present system can serve in the interim. The 1st July is still 2 months away.

Objections:

Although the Local Government Act has formally provided for objections to be lodged, they are of no practical value where DC's have been correctly calculated in accordance with the policy.

This means that the policy itself must make provision for application of exemptions.

Those that are relevant are: -

The development does not give rise to a requirement in whole or in part for public infrastructure, e.g. sewer, water supply, wastewater disposal in rural areas or in urban areas where such services are already adequate for the land and do not generate need for public funding.

It might be argued that Council has funded infrastructure in the past and is carrying forward loans which must be discharged. However, it must also be recognised that any such loans must be funded whether subsequent development take place or not and that new allotments commence to pay rates from the time they are created and become part of the public funding category.

This is a disguised form of double dipping.

In the light of the above comments the submitter also supports initiatives for affordable housing which the Council has delayed on the basis it is not fully informed on the effects of intensification. There is a need for intensification and affordable development throughout the City. There is a need for smaller units through the district to accommodate a growing elderly population with some downsizing of dwellings for young couples seeking a foot on the property ladder.

As an interim measure DC reductions could be made whereby one bedroom units be set at a 1/3 HUD and 2 bedrooms are set at 2/3 HUD to account for smaller demand of these on services rather than 0.5 and 0.75 HUD's for 1 and 2 bedrooms respectively as in 5.3.1 proposed in the Draft Development Contributions Policy.

Relief sought

That the draft policy include provisions which provide exemption in whole or in part from payment of DC's where

- i) Existing infrastructure adequate for the subdivision or development,
- ii) Where there is no call for publicly supplied infrastructure,
- iii) The development of land for infill housing or exemption for 2 or more household units to the level that requires 1/3 HUD for units of 1 bedroom and 2/3 HUD for units of 2 bedrooms,
- iv) The consent exemption remain that the Council has in place for nominated social housing groups and any new groups or organisation that provides for social housing in a similar non-profit manner.

Delay in Payment of Development Contributions and Financial Contributions

The Policy report at paragraph 6.9 rightly points out that comments have been received that payment of these levies be delayed from the current 224c Certificate for subdivision until a building consent is issued for each lot. The Council considers the status quo should remain because *"Council has to plan and fund projects ahead of developments and these costs cannot be delayed even though income from developers is not available. Interest costs would increase if delayed payment was allowed and the net effect would be that the cost of projects would increase"*.

Where is the fairness and equity in the Council receiving \$80 – 90,000/lot in services (including DC's and Financial Contributions) vested at the time of Section 224 certificates for subdivision for brand new services that should not require replacement or repairs for many years?

The continued increase of DC's by the Council is totally unrealistic and unfair that no credit is given for the infrastructure installed and vested in the Council. The ratcheting of Development Contributions year on year must stop.

Also comment is made that there would be an extra administrative burden trying to implement and manage a system for recovering levies at building consent stage or at time of lot sale.

In paragraph 6.9 we believe the financial consequences for delay of such payments are overstated.

The Council already has a system in place for assessing levies on building development.

The Council is not taking into account that at the time subdivision consent is given, all necessary services are in place or if upgrading or new services are required as a consequence of subdivision development agreements are likely to have been entered into or development could not proceed. The Council is treading on dangerous ground to install services significantly ahead of demand which will increase the cost significantly by interest payments.

DC's are generally paid for at 224c Certificate stage from loans having to be raised by the developers and with consequent interest costs and effect on allotment values.

Changing the time of payment to building consent will mean that land values will adjust accordingly with cheaper land development costs.

Therefore Council response or developer response to market demand needs to be more in the developers' hands to initiate rather than a slow or premature Council response or control.

Development Agreements with offsets against total levies is the appropriate method to employ. The remission of DC's can then recognise the benefits that may accrue to others served by the systems installed.

As an example, over twenty years ago the Council provided water supply and sewage disposal to Todd Valley and significant growth in the use of these services has only occurred within the past 7 years.

Relief sought

- i) That payment of DC's and Financial Levies be permitted to be deferred until a building consent is issued for each lot,
- ii) That levels of DC's be reduced to be no greater and preferably less than those which applied to the 2014 – 2015 financial year,
- iii) That the Council be required to consult developers over the upgrade or extension of existing systems and employ Development Agreements where this enables developers to install such systems with appropriate remission of DC's.

Items of Expenditure and levels of Development Contributions

In the activity lists there are numerous items which at best have a tenuous relationship to growth, rather being improvements or upgrading of existing services which will be carried out regardless. This seems to rest on undue inclusion in growth expenditure because the Council can, rather than is it reasonable.

A significant example is the Council providing for improved or upgraded cycling and pedestrian facilities. This is a result of enhancing or encouraging a culture of cycling and walking as a recreation and a form of transport, not of growth.

There are drainage works listed which maybe for no more reason than the Council has uprated its stormwater discharge requirements for climate change which affects the whole community.

We consider that items with less than about 15% attributable to growth are questionable and should be seriously examined for removal.

This may be the means the Council is able to keep its rates increases to an apparent level tolerated by the community.

It must not be forgotten that development leads to an increased rating base over the life of the long term plan and beyond, which will contribute to the welfare of existing ratepayers.

Further when it comes to housing affordability, especially for lower socio-economic groups, Local Authority financial contributions and consenting costs all feed into and cause increased land and property values over the whole district. This means that existing ratepayers have windfall gains in their property values. This is another reason that development contributions need to be reduced substantially.

There cannot be a rational, fair or equitable reason for a 19% increase in development levies for the coming financial year. This is unpalatable and unacceptable to developers, and means the Council must reduce the DC's to about 2014/15 levels or less, even if this means delaying some work in the programme and by culling works that are mainly community and not growth based, or which are nice to have but which the community could do without.

In Section 101(3) of the Draft Development Contribution Policy (b) it is stated: -

"Council believe that the level of contributions required do not place an overly burdensome requirement on developers. The use of contributions ensure that the existing community does not have to subsidise all growth

related costs through rates. Similarly the city-wide catchment approach ensues that the liability for revenue does not fall on a particular area of the development community."

Firstly the levels of contributions do not generally form a burden to developers who recover costs within a reasonable return and limits and which ultimately fall on the purchasers increasing base land values and which give windfall benefits in land values to the whole community as described above. Without this return development would not occur.

Secondly this shows the "*comfortable*" one sided participation of Council to convince itself that fairness and equity prevail. The proposed increased level of DC's and the timing of such payments are unfair and inequitable. The Council is turning a blind eye to the effect that the imposition of its decisions have upon development.

Under Section 197AA of the Local Government Act: -

"The purpose of the development contribution provision in this Act is to enable territorial authorities to recover from those persons undertaking development a fair, equitable and proportional portion of the total capital expenditure necessary to service growth over the long term." (emphasis added)

And Section 197 AB (g) provides that :-

"The Council may group together development by geographical area or categories of land use provided

- (i) The grouping is done in a manner that balances practical and administrative effectiveness with consideration of fairness and equity; and*
- (ii) Grouping by geographic area avoids grouping across an entire district wherever practical."*

Apart from a bold statement like that quoted from Section 101 (3) (b) above, the Council have dodged the bullet without clear and reasoned statements which is required by the Act.

Council has for years assessed financial contributions by allotment value and it does not seem insurmountable to follow suit with DC's. The Council must have access to land values across the District as the basis of its rating and of median values to be used as the basis to establish a dollar rate of DC payments.

Relief sought

- i) We reiterate that the Council must implement a system of DC's that recognises that the impact of levies do not fall equitable on various developments in the District, and that a system will have greater equity if it is based on a land value system as for Financial Contributions,

- ii) The Council must as a minimum reduce the Development Contributions rate to or below the levels set for the 2014/15 financial year,
- iii) That all items of proposed expenditure in the 10 year plan be re-examined for their relevance to growth. If they will be done regardless and which apply to future ratepayers input rather than costs of development they be culled from the list of works or be delayed to the next 10 year plan.

Conclusion

While the Act provides for imposition of Development Contributions the powers conferred by the legislation do need to be applied in a reasonable and cost effective way.

For something to be fair and practical does not necessarily mean the cheapest or least complex way.

Rather than the Council pre-empting development, the use of development agreements may well see developers negotiating to provide these services from their own resources with appropriate discount of DC's and potential lowering of loans finance required by the Council.

As a matter of principle the Council does need to reduce its loan indebtedness to reduce the real cost of service provision.

An alternative method of assessing DC's needs to be seriously considered by the Council because the one size fits all DC is not fair nor equitable especially where lower value and more difficult hillside land exists in the City.

DC's are a significant factor in housing unaffordability and there is need to give all of Society a fair go in putting a roof over their heads.

The ability to have reduced DC's for smaller dwelling unit needs to be encouraged through the community rather than discouraged and may see developers provide routinely for small lots and smaller dwellings mingled in their subdivisions.

As a society, too long in the ¼ acre paradise, there is a need to recognise that smaller dwellings will be required as our population ages. We need to recognise, that contrary to the Nelson Resource Management Plan (NRMP), the *"scaled down house on the scaled down allotment"* will significantly meet these needs. An apartment in the inner city is not relevant to such needs. They will not be cheap and there is less reason for not imposing DC's than in many other circumstances as detailed above. This is in a plan that makes

subdivision and resource consents more difficult and expensive for the lesser use of resources needed to provide suitable housing for often obscure amenity and character issues.

It seems that fairness and equity changes with the Council's strategic objectives.

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Importance: High

From: leonie[SMTP:LEONIE@STAIGSMITH.CO.NZ]
Sent: Tuesday, April 28, 2015 11:58:49 AM
To: Submissions
Subject: SUBMISSION TO NCC LONG TERM PLAN
Importance: High
Auto forwarded by a Rule

Good morning,

Please find attached three submissions on the Long Term Plan relating to Development Contributions for the following parties:

1. Nelson Marlborough Institute of Technology
2. Staig & Smith Ltd
3. Adcock Properties Ltd

Please accept this as formal service within the submission period closing at midday on 28th of April. Hard copies will be forwarded in the mail.




Regards,
Leonie Bloxham
Office Manager
Phone (03) 548 4422

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Surveying, Planning, Engineering & Resource Management

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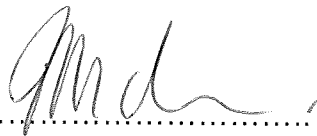
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**NELSON CITY COUNCIL
LONG TERM PLAN
DEVELOPMENT CONTRIBUTIONS POLICY**

To: The Chief Executive
Nelson City Council
PO Box 645
Nelson 7040

Submitter: Nelson Marlborough Institute of Technology

Dated this 28th day of April 2015



.....
(Signed by the Submitters Authorised Agent)

Address for Service: Staig & Smith Ltd
PO Box 913
NELSON 7040
Attn: J McNae

Phone: (03) 548-4422
Fax: (03) 548-4427
Email: jackie@staigsmith.co.nz

1.0 SUBMISSION

- 1.1 Nelson Marlborough Institute of Technology (NMIT) wishes to make a submission on the Development Contributions Policy (DCP) as it relates to the exemptions set out in Section 7 of the Draft DCP.

2.0. REASONS FOR SUBMISSION

- 2.1. NMIT has had to pay DCs to the Council on a range of development projects. In relation to some of those projects there has been significant debate with the Council as to the appropriateness of charging such DCs.
- 2.2. NMIT has had input into a range of DCPs under successive Long Term Plans (LTPs) seeking that this issue be addressed. In the last LTP Review the Council adopted the submissions of NMIT and specifically included NMIT in the Exemptions List consistent with the inclusion of other educational providers.
- 2.3. In the current review of the DCP, including the Exemptions Policy, it is understood that advice has been received that there is no need to list NMIT specifically in the Exemptions because the Crown and its entities are exempt from paying DCs. If the Council is of the view that NMIT has been exempt from paying DCs then why have DCs been charged to NMIT over a range of developments. If Council is now confirming that NMIT should have always been exempt from the DC's, then there needs to be a review of the DCs that have been paid and identify whether refunds should be made.
- 2.4. There has always been an issue as to what is considered a 'Crown Entity' in regards to NMIT, as not all of the landholdings are owned by the Crown, many of the landholdings are owned by NMIT and not the Crown. This is acknowledged in the Council's Designations, where land that has been owned by the Crown has been land that is designated, and shown on the Nelson Resource Management Plan (NRMP) Planning Maps, as Designated. In terms of land that is in the direct ownership of NMIT, this has not been Designated land. Land owned by NMIT has been treated like any other land resources in terms of statutory requirements under the NRMP, including DCs and Financial Contributions.
- 2.5. It is for the very reason that a significant proportion of landholdings held by NMIT, and in other cases leases held by NMIT (The Brook), that the issue of DCs has been raised over successive developments and why it was a specific issue of submission by NMIT to previous DCPs until finally the Council agreed to include NMIT as an exemption along with other educational facilities.
- 2.6. It is of concern therefore that this exemption has been removed. However it is understood that the removal is not because the Council has decided NMIT should be paying DCs, but rather that the advice has been that entities of the Crown do not pay and there has been an assumption that NMIT is fully covered by Crown exemptions. Clearly in the past Council has been of the view that NMIT is not exempt because of the Crown exemption and we seek to have NMIT reinstated on the specific Exemption List under Section 7.

- 2.7. As has been noted above, a significant proportion of the NMIT landholdings are owned outright by NMIT. In recent times there have been changes in the ownership structure of the landholdings that have been specifically held by the Crown. The Crown has been going through a process of '*transfer*' of land and buildings from the Crown to NMIT. This process places a further question mark over a portion of the landholdings, as to when a landholding and building is deemed to be an entity of the Crown and when it is not.
- 2.8. In the past developments undertaken by NMIT have incurred quite substantial DCs and this has been a significant issue of debate. The current DCP finally put to rest that debate over DCs being applicable for NMIT by specific listing in the Exemption List. NMIT needs to maintain that certainty through listing in the Exemptions List, and the current Crown transfer process underscores the need for absolute certainty over exemption from payment of DCs by NMIT.

Relief Sought

Add NMIT to the Exemptions List under Section 7 of the Development Contributions Policy.

3.0 NMIT wish to be heard in respect of this Submission.

Dated this 28th day of April 2015



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(Signed by the Submitters Authorised Agent)

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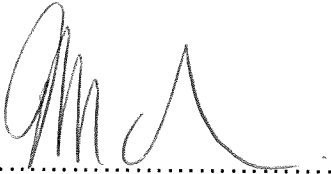
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**NELSON CITY COUNCIL
LONG TERM PLAN
DEVELOPMENT CONTRIBUTIONS POLICY**

To: The Chief Executive
Nelson City Council
PO Box 645
Nelson 7040

Submitter: Staig & Smith Limited

Dated this 28th day of April 2015



.....
(Signed by the Submitters Authorised Agent)

Address for Service: Staig & Smith Ltd
PO Box 913
NELSON 7040
Attn: J McNae

Phone: (03) 548-4422
Fax: (03) 548-4427
Email: jackie@staigsmith.co.nz

1.0 SUBMISSION

1.1 Staig & Smith Ltd seek to make submissions on the following matters.

- Contributions payable for infrastructure as a Financial Contribution as opposed to a Development Contribution.
- Reductions in Development Contributions payable for smaller residential units.
- When reduced Development Contributions are applicable in relation to higher density development.

2.0 SUBMISSION 1 – CONSISTENCY BETWEEN FINANCIAL CONTRIBUTIONS FOR INFRASTRUCTURE AND DEVELOPMENT CONTRIBUTIONS FOR INFRASTRUCTURE

- 2.1 The situation in the current Policy and this Draft Policy for Development Contributions (DCs) requires any subdivisions that were lodged and approved after 31 December 2006 to be assessed as DCs in accordance with the DCP current. This has meant that under the current Policy the DC for Infrastructure on a new allotment has been \$9935 and under the proposed DC Policy will be \$11,790. For a subdivision that was lodged prior to 31 December 2006 Infrastructure Contributions are paid as a Financial Contribution (FC) and are charged at the Building Consent stage at 2% of the estimated building value less \$91,974.
- 2.2 The purpose behind these payments is that each new 'HUD' pays a fair and appropriate proportion of growth costs in relation to Infrastructure. However it has become clear that the percentage based infrastructure payment for allotments lodged or approved prior to 31 December 2006, are in many instances, paying considerably more than the current or proposed DC for Infrastructure. This is not fair, nor equitable, nor proportional, which in both cases for FCs and DCs, was the purpose that was sought to be achieved.
- 2.3 The difficulty is that a percentage figure is a blunt instrument when the value of different residential units varies significantly. However no matter what the cost of a particular residential building, for example a three bedroom residential building, the effect on the infrastructure network, on average, is likely to be the same.
- 2.4 There have been some examples that we have been involved with, where higher priced residential units have been charged substantially more than what a DC for Infrastructure would have been, if that had been the applicable method.
- 2.5 In some recent cases where this has arisen, cases have been put to the Council for review and reduction, and in some cases that has been successful. However in other cases it is likely that substantially more has simply been paid.
- 2.6 Payment of substantially more in contributions in one method compared to another was not an intended outcome, and is not an outcome that comfortably sits within the Policy framework of FCs nor DCs. As such to ensure that there is always consistency and fairness in the imposition of Infrastructure contributions be they through the DC method or FC method, the total amount payable under FCs for Infrastructure should not exceed the amount payable as a DC. The contributions required have gone through a clear methodology of Council setting out the projects

for which Contributions are collected and this is based on the total predicted new HUDs over a 10 year period and the range of infrastructure projects that need to be provided to meet that growth. As such, whatever the method, DCs or FCs, what is required should be no greater than the amount specified in the DCP.

Relief Sought

Ensure within the Policy framework that any development that is required to pay a contribution for infrastructure under the 2% estimate of building value method shall not exceed the DC payable for infrastructure that is current at the time the FC is payable.

3.0 SUBMISSION 2 – REDUCTION FOR SMALLER RESIDENTIAL UNITS

3.1 The Submitter congratulates the Council for introducing into the DCP a reduction for smaller residential units. This is a matter that we have been advocating for some time should form part of the DCP, given that the DCP should be based on a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth. It is fundamental therefore in terms of achieving this purpose that there is recognition of proportionate payments for smaller units. It is disappointing though to note the very limited scope of the remissions and that is commented on in Submission 3.

3.2 The proportions identified in the Policy are 0.5 of HUD for a one bedroom unit, 0.75 of a HUD for two bedroom unit and for a three or more bedroom unit a full HUD is payable. It is considered that in terms of a fair, equitable and proportionate portion of the share in the cost of expenditure necessary to service growth, that the proportions should be 1/3, 2/3 and the full HUD for a one bedroom, two bedroom and three plus bedroom residential unit.

Relief Sought

That the reduction for DCs be adjusted to 0.33 of a HUD for one bedroom residential unit, 0.67 of a HUD for a two bedroom unit, and for a three bedroom plus residential unit a full HUD is payable.

4.0 SUBMISSION 3 – WHEN THE REDUCTION FOR MORE INTENSIVE DEVELOPMENT APPLIES

4.1 Table 3 within the DCP sets out when reductions will apply for smaller, more intensive residential development. Smaller residential allotments are not provided with any remission and the provision in respect of a subdivision, no matter what the size of the allotment, is for a full HUD to apply. In respect of residential buildings, the reduction only applies where there is an additional residential unit placed on a title of land. As such the applicability of the remission is very limited to perhaps a an additional unit for a family member on an existing title, and it would also apply to a housing development where there were multiple small rental units on the one title, which is quite a rare situation in the City, Such a scenario would only apply in situations such as some retirement villages where there is not title made available to the unit occupier, and in situations of some social housing, most of which are exempt in any event from the payment of DCs.

- 4.2 It is disappointing that the Policy is being introduced in such limited circumstances, as it provides little or no incentive for higher density residential development through high density subdivision including development utilising unit and strata title arrangements. As such the introduction of the Policy will not address new apartment and other intensive townhouse type development where there may be a range of one and two bedroom residential units. Under such a development, a one bedroom unit that is provided with a unit title will not qualify for the reduction in the payment of a HUD and will pay a full HUD in terms of Table 3 as it is currently drafted. Payment of a full HUD for a one bedroom residential unit is not fair, equitable, nor a proportionate portion of cost to capital expenditure to service growth.
- 4.3 The Council has been talking for some time about promoting more intensive forms of urban development to address a range of needs in the Community for housing size, housing type and housing affordability. The introduction of the Policy for reductions for units on the same title has been introduced in a very discriminatory way and in a manner which addresses a very minor proportion of development, which is very disappointing after many years of seeking that the Council addresses in a meaningful way the need to encourage intensification of development within the City. The provision does not achieve what is stated by the Council in Section 5 of the DC Policy, which states the following:

“New residential units on one title over and above 1 HUD, shall be assessed as follows:

- *0.5 HUD for a one bedroom residential unit,*
- *0.75 HUD for a two bedroom residential unit,*
- *1 HUD for a residential unit of three or more bedrooms.*

Council believes this is the fairest and simplest way to acknowledge that a smaller residential unit places a lower demand on Council’s infrastructure, compared to a typical dwelling. This also achieves Councils strategic outcome of promoting intensification for residential development throughout the city, encourages greater housing choice and may also affect housing affordability. “

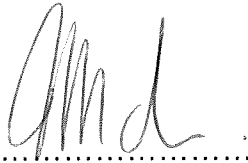
- 4.4 Council states above that you wish to acknowledge that smaller residential units place a lower demand on infrastructure compared to a typical dwelling. Why then, does Council limit the reduction only to units placed on an existing title that already has one residential unit existing. Council wishes to see intensification of the urban land supply and wishes to encourage high density development, including a range of small one and two bedroom units, those units where they are created on separate Freehold Titles, separate Unit Titles or other Strata Titles, should be treated the same as a small unit on a title where there is already an existing dwelling. The reduced impact on infrastructure applies in both scenarios.

Relief Sought

Amend Table 3 so that there is a reduction in DCs payable for subdivision and for residential buildings where an allotment is to be used for either a one or two bedroom residential unit in those situations. The amount payable for DCs should be 0.33% and 0.67% respectively.

5.0 The Submitter seeks to be heard in respect of this Submission.

Dated this 28th day of April 2015

A handwritten signature in cursive script, appearing to read 'AMD', positioned above a dotted line.

.....
(Signed by the Submitters Authorised Agent)

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NELSON CITY COUNCIL
LONG TERM PLAN
DEVELOPMENT CONTRIBUTIONS POLICY

To: The Chief Executive
Nelson City Council
PO Box 645
Nelson 7040

Submitter: Adcock Properties Limited

Dated this 28th day of April 2015



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(Signed by the Submitters Authorised Agent)

Address for Service: Staig & Smith Ltd
PO Box 913
NELSON 7040
Attn: J McNae

Phone: (03) 548-4422
Fax: (03) 548-4427
Email: jackie@staigsmith.co.nz

1.0 INTRODUCTION

- 1.1 Adcock Properties Ltd own approximately 14ha of land with access from Toi Toi St and frontage to Montreal Rd and Princes Drive. Under the Nelson Resource Management Plan (NRMP), their land is zoned Residential and is subject to a Services and Landscape Overlay over portions of the property.
- 1.2 The submitter has a proposal to develop this landholding, which has been named Toi Toi Grove, for a comprehensive residential development. A concept was developed by the Submitter for a comprehensive residential development for a range of allotments including standard density allotments, high density allotments and mixed use allotments. The proposed development would produce in excess of 200 mixed density residential units. Back in 2009/2010 the Submitter, and his project team, worked with the Councils Major Projects Team and Urban Design Panel over a design concept that reached the stage of a Draft Application with draft concept servicing and earthworks plans and specialist assessments on traffic and landscape issues. The project though was placed on hold in 2010 because of the financial and economic viability of the project, particularly in light of the global financial crisis and the uncertainties in the market place at that time.
- 1.3 In more recent times the Submitter has been reviewing the viability of the development and giving further consideration to the project and issues that need to be addressed to move the project forward in its current form with greater certainty over the economic feasibility of the development. The alternative is simply to subdivide the property into a small number of, say 6, large allotments and just service them with a Right of Way.
- 1.4 Issues identified with the project in terms of its viability are the roading costs and in particular the costs of the full formation of Montreal Rd opening up the majority of the paper road section, of this unformed road, through to Princes Drive.
- 1.5 The Councils Major Projects Team and Urban Design Panel considered a connection through to Princes Drive was necessary in terms of connectivity of the roading network. While in principle the issue of connectivity is supported, this needs to be done on the basis of the costs of such connection being proportional to the benefits received from the connection.
- 1.6 In terms of the Long Term Plan (LTP) and the Development Contributions Policy (DCP) the Submitters wish to have this issue of roading infrastructure addressed through the LTP and the financing of this addressed as appropriate through the DCP.
- 1.7 The range of issues that the Submitter seeks to address through this Submission are as follows:
 - Identification of the Toi Toi development area to be included within the development areas catered for under the DCP.
 - Montreal Rd linkage to Princes Drive.
 - DCs in respect of higher density development.

2.0 SUBMISSION 1 – TOI TOI DEVELOPMENT AREA

- 2.1 Under the Draft DCP, the Toi Toi Development Area is excluded as a development area under Table 4. This is despite the assessment process that was undertaken to rank various growth areas in terms of a range of factors which included cost of services

required to meet growth compared to lot yield, along with consideration of factors such as proximity to schools, transport routes, recreation and strategic outcomes. Unfortunately in the exercise undertaken by the Council in terms of the Summary Tables produced, there were significant errors in identifying what was required to address infrastructure needs as the Toi Toi Development Area was bundled into the same growth areas as Emano and Murphy St which have different infrastructure requirements. Further the identified lot yield used in the Table was also incorrect, as it was far too low.

- 2.2 The summary Tables identified that there were stormwater issues to be addressed and that is not the case for the Toi Toi Development Area, and this is an issue acknowledged by Council staff in a meeting held with the Submitter to discuss infrastructure issues and DCP. Had the correct infrastructure information being inputted along with section yield, then it would have become apparent that the infrastructure projects that were necessary to be added to the project list are relatively minor and relate only to transport projects.
- 2.3 The transport projects that were identified were a potential intersection upgrade to improve safety at the Toi Toi/Vanguard St intersection. This project involved a project cost of \$300,000 of which 27% was identified as required for growth. However the Submitter's Traffic Assessment from 2010 identified that 210 allotments could be developed before any further work was required. A further project identified was the Toi Toi/St Vincent St roundabout and potential upgrade for traffic light control in this project was identified as having a \$750,000 cost, but again analysis from the Traffic Assessment undertaken by the Submitters confirmed that 210 allotments could be developed before there was any need for such an upgrade. The only other roading project identified was the Toi Toi St upgrade which would involve speed calming and pedestrian improvements, with a total project cost of \$450,000, again with 27% of that \$121,500 being identified as the growth component. However the Traffic Analysis identified that 100 allotments could proceed before that upgrade was necessary.
- 2.4 Given that the Traffic Analysis undertaken confirms that, of the transport projects that had been identified, only one of these is necessary to support the full development of the Toi Toi Grove subdivision, it is clear that the Submitter's land should be included within Table 4 as a Development Area to be catered for under the DCP.

Relief Sought

Amend Table 4 to include the Toi Toi Grove Development Area as part of the areas to be catered for under the Policy. Include in the Infrastructure projects list the Toi Toi St upgrade to be part of one of the projects in the 10 year plan noting that 100 lots can proceed prior to this being a requirement.

3.0 SUBMISSION 2 – MONTREAL RD LINKAGE TO PRINCES DRIVE

- 3.1 As has been noted in the introductory comments, the identified requirement for a road linkage requiring the full formation of Montreal Paper Rd through to Princes Drive is a significant financial cost on the proposed Toi Toi Grove subdivision when the benefits of this linkage do not solely fall on the Submitter's development. While the Submitter considers that such connectivity can be positive, it is not a necessity for the proposed development. The current layout of the concept development includes this linkage, but there would be other design options available that would not place such a significant cost burden on the development, but would still adequately service the developments roading needs.

- 3.2 The Submitter acknowledges the potential benefits for the wider Community to have a linkage from Princes Drive through the development enabling a range of traffic to then access more directly the Central City area, the Hospital, the Victory area and the range of Schools in this locality. However as the DCP stands and the Councils Long Term Infrastructure Projects stand, there would be no contribution from the Council to this road linkage, it would fall to be fully funded by the Submitter. On top of that the Submitter would also be expected to pay full Rooding Contributions set out in the DCP. This is not fair, equitable and proportional contribution to roading costs to be met solely by Toi Toi Grove, given the wider community benefits to the community from Princes Drive accessing this option as a transport route to Victory, the Hospital, the City and Schools. Further it would open up other land for development on the downhill side of the Montreal legal road.
- 3.3 Discussions with Council staff regarding inclusion of Montreal Rd formation as a DC project has resulted in advice from Council staff that the project would not qualify as a DC roading project. But it is quite clear, particularly in the absence of any other currently formed connection from Princes Drive down to the St Vincent St area that this linkage would provide a more direct transport route for many within the Princes Drive catchment through to the various destination points in the central City, the Hospital and schooling in the Victory area.
- 3.4 It would seem that the options available are to either identify Montreal Rd as a Infrastructure Project for which there is both benefit to private development and wider community benefit as has been outlined, or to give clear direction in terms of a Private Developer Agreement (PDA) that could be made for the particular circumstances of this project. It is acknowledged that a PDA may, in respect of Montreal Road extension allow more flexibility to negotiate a fair sharing of costs, given there are some quite particular design and construction issues involved, including a range of retaining walls, some specifically required because of the Princes Drive linkage, there are substantial earthworks required to form Montreal Road, but the cut material is to be reutilised as fill within the development. The Submitter though, needs a clear signal from Council as to whether at a political level, given the nature of this development, which addresses a number of Council's Strategic Outcomes, including Urban Intensification, residential unit size and style choice, housing affordability and mixed use development, you support the development, and in principle agree there should be a sharing of costs proportional to the benefits gained by creating a full link road to Princes Drive.

Relief Sought

Either place Montreal Road extension to Princes Drive on the list of DC projects, or provide a clear signal to the Submitter that Council will enter into negotiations for a PDA with a view to sharing the costs of formation of the Montreal Road extension through to Princes Drive on a fair, proportional basis as to the benefit received.

4.0 SUBMISSION 3 – WHEN THE REDUCTION FOR MORE INTENSIVE DEVELOPMENT APPLIES

- 4.1 Table 3 within the DCP sets out when reductions will apply for smaller, more intensive residential development. Smaller residential allotments are not provided with any remission and the provision in respect of a subdivision, no matter what the size of the allotment, is for a full HUD to apply. In respect of residential buildings, the reduction only applies where there is an additional residential unit placed on a title of land. As such the applicability of the remission is very limited to perhaps a an additional unit for a family

member on an existing title, and it would also apply to a housing development where there were multiple small rental units on the one title, which is quite a rare situation in the City, Such a scenario would only apply in situations such as some retirement villages where there is not title made available to the unit occupier, and in situations of some social housing, most of which are exempt in any event from the payment of DCs.

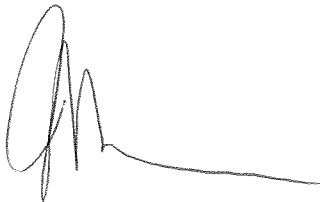
- 4.2 It is very disappointing to Adcock Properties Ltd that the Policy is being introduced in such limited circumstances, as it provides little or no incentive for higher density residential development through high density subdivision including development utilising unit and strata title arrangements. Adcock Properties Ltd development concept for Toi Toi Grove includes significant provision for comprehensive residential development alongside standard residential development. It is proposed to include duplex development and other high density development which will potentially include one and two bedroom units which will have a significantly lower impact on the infrastructure network than a three plus bedroom standard residential home. Despite this, the proposed Policy is not seeking to provide the same reductions as are proposed for second units on existing titles. This is clearly out of step with Councils strategic outcomes of seeking urban intensification which is what Toi Toi Grove seeks to achieve. The Policy as drafted discriminates in terms of forms of intensification.

Relief Sought

Amend Table 3 so that there is a reduction in DCs payable for subdivision and for residential buildings where an allotment is to be used for either a one or two bedroom residential unit in those situations. The amount payable for DCs should be 0.33% and 0.67% respectively.

5.0 The Submitter seeks to be heard in respect of this Submission.

Dated this 28th day of April 2015



.....
(Signed by the Submitters Authorised Agent)

From: [Submissions](#)
To: [Administration Support](#)
Subject: FW: Fax data from lewis@ncc.govt.nz
Date: Tuesday, 28 April 2015 1:04:59 p.m.
Attachments: [28042015113033-0001.pdf](#)

From: Customer Service Team
Sent: Tuesday, April 28, 2015 1:04:56 PM
To: Submissions
Subject: FW: Fax data from lewis@ncc.govt.nz
Auto forwarded by a Rule

Received at 11:31am 28/04/15

Customer Service Team
Nelson City Council / Te Kaunihera o Whakatu
03 546 0200
www.nelson.govt.nz

-----Original Message-----

From: lewis@ncc.govt.nz [<mailto:lewis@ncc.govt.nz>]
Sent: Tuesday, 28 April 2015 11:31 a.m.
To: NCC Main Fax
Subject: Fax data from lewis@ncc.govt.nz

NELSON CITY COUNCIL PUBLIC CONSULTATION SUBMISSION FORM

**WE WANT YOUR OPINION.
PLEASE TELL US WHAT YOU THINK.**
Please type or print clearly. Remember to read the submission writing guidelines before starting.


Name Gibbons Agency Limited. Organisation represented (if applicable) on over
Address P.O. Box 7004 Nelson
Daytime phone 03 5483039 Email Bob@Gibbons.co.nz

Do you wish to be heard in support of your submission? Yes No # of pages 7
If you do not tick either, we will assume you do not wish to be heard.
If yes, would you like to attend an evening session? Yes No

Public information: All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.

My submission is: As attached

Please attach additional sheets if needed.

Date 28/04/15 Signature 

Office Use Only			
		Submission Number	
File Ref		Initials	

**ANNEXURE TO SUBMISSION:
GIBBONS PROPERTY LIMITED**

**CONSULTATION DOCUMENT FOR NELSON CITY COUNCIL
LONG TERM PLAN 2015-2025**

Submission 1:

- 1. Provisions for a waiver of up to 30 development contributions per year for residential development in the inner city.
The way the Policy is presently drafted, it extends only to *"inner city residential intensification"* on the basis of 30 remissions to be available each year for the first five years, and allocated on the first-come, first-served basis. The inner part of Nelson City whilst lending itself well to residential intensification, has lost its vitality and with the number of earthquake prone buildings, sites requiring of redevelopment, and a necessity to spark up Nelson City centre so that it becomes an attractive place to work, shop, and do business, the Policy should be extended to include commercial development in the city centre. What is choking Nelson is the matter of access to the City (time delays) and vitality. 30 free of DCs houses will not change that – Council should be dealing with the infrastructure issues which will only be exacerbated by residential intensification. If to revitalise the City – then the development contribution waiver should be City wide.

Relief sought:

Widen the Policy to include non-residential (i.e. commercial and retailing, office) so as to assist in the revitalisation of Nelson City.

(Note report 19 March 2015 – Section 2.2, 2.5 of the Draft Policy)

- 2. The Policy includes some aspects of flood protection within the costs of stormwater infrastructure. The Consultation Document asks the question:

"How much work should ratepayers fund to reduce the flood risk to city assets and private property?"

And identifies that \$82 million is the amount estimated (based on Council's infrastructure strategy) to undertake an appropriate level of flood risk mitigation works (to protect against 1:100 year events for water ways and 1:20 year events for

the pipe network. Council proposes to focus works in the areas already extensively modelled “where risk to people and assets is high”. \$30 million more than the last LTP is proposed for works in the central city (including works in the Maitai River and the Brook, York and Little Go streams, Saxton Creek including for minor works in risk reduction).

The change in the latest LTP appears to be that Council is passing on to property developers a share in the cost associated with addressing existing flood risks even although future development is unlikely to add to existing flooding issues. Development Contributions are limited to addressing the effects of growth – the Maitai Catchment difficulties can hardly be laid at the door of future growth.

The current Policy in the present LT Plan states”

“As a unitary authority, some stormwater projects include a flood protection component. These are projects associated with parts of rivers and streams within the City’s urban area, as identified in the Flood Protection Section in Volume 1 of the Long Term Plan. Flood Protection is a regional council function and the cost for flood protection projects cannot be collected through development contributions.

In order to exclude the flood protection costs in these projects, it is assumed that the stormwater component of these projects are 75% and flood protection is 25%. This is based on the relationship between Q15 and Q50 designed capacity and the rainfall intensity of each design.”

The 2015-2025 LTP exhibits a paradigm shift, an additional \$30 million is proposed above what was forecast in the current LTP and that will be used for works in the Maitai River, the Brook, York and Little Go stream, Saxtons Creek and other areas, and future development is proposed to contribute to that by way of DCs. It is inappropriate to land the costs of existing shortcomings on developers in the name of “future growth” when works to such as the Maitai does not address future growth at all.

Relief sought:

Delete the provision. Further consideration and/or analysis is required to establish whether the expenditure proposed to be funded by development contributions should be so funded, or whether it should be met through the general rate, by all ratepayers. It is unfair and unreasonable and potentially unlawful to charge developers by way of development contributions for the cost of works already requiring to be done (or done) and not occasioned by growth.

(Section 2.2 Draft Policy)

- 3. The Consultation Document proposes the adoption of a stormwater and flood protection rate broken into two components – 50% a fixed charge of \$144.60 per rating unit, and a 50% variable charge based on the capital value of the rating unit. The rationale given is that the higher the capital value of the rating unit, the more there is to protect and hence the ratepayer should pay a higher proportion of the rate.

It is said that:

“One of the consequences of this proposal would be that utilities such as power companies, commercial properties and Council itself, would pay a much higher proportion of this rate as previously. The commercial differential has been increased in response to this.”

That heralded change in rating is unfair and unreasonable, because:

- (i) Council has (hidden amongst all the words) changed the basis of its rating from land to capital value;
- (ii) The fixed charge is applied across the board as a contribution towards stormwater and flood protection, but the other half is based on the capital value of the rating unit on the basis that *“the higher the capital value of the rating unit, the more there is to protect”*. That is a blunt tool – a higher valued property may not be in an area with flooding difficulties, or which is requiring of protection, for example the highest priced properties in Nelson are on the Port Hills, they are not a flood risk, many of the lower valued properties are in Washington Valley and , they are at less a flood risk than

is The Wood (from the Maitai), but the charge is still made against the properties of higher capital values. This "hybrid" system provides an unfair and unreasonable outcome.

- (iii) It has not been communicated through the draft contribution document what this actually means in terms of charges against ratepayers individual property – ratepayers are working blind and that is not fair – what must result is a substantial rates increase.

Relief Sought:

Delete the provision.

(Page 31 Consultation Document)

- 4. Development Contributions for transportation now include growth costs of all major transports such as walking, cycling and public transport (Section 2.2 page 5 Draft Policy). The Development Contributions Policy includes transportation as an integrated activity that includes all modes of transport on the basis that it is:

"...a change from the previous policy where the various transport modes of walking, cycling, private motor vehicle and public transport were considered an isolation to the more current thinking of an integrated network."

Cycleways (such as St Vincent Street) are largely within the road formation. If cycle lanes are created through such as the industrial areas of Tahuna, this is not occasioned by "growth" but by a wish on the part of Council to extend its cycleway. That is a wish on the part of the Council to occur presently, and not occasioned by growth. It is not appropriate to try and hide existing activity development under the guise of "growth". In addition, the Draft Development Contributions Policy regards "walking" as "transportation" – it is difficult to see how "walking" fits in with *"...the provision of roads and other transport"*.

Relief sought:

The percentages of charges proposed on growth should be appropriate to growth and those set out in the document are not.

Examples where growth is being used as a determinative charge are:

- (i) Transportation Railway Reserve/Princes Drive crossing – 100% funded by Development Contributions i.e. growth;
- (ii) "Sundry land purchases" – \$1,151,240 – 100% funded by Development Contribution i.e. growth;
- (iii) Marsden Valley/Ridgeway upgrade - \$2,759,569 – 100% funded by Development Contribution i.e. growth
- (iv) Tahunanui cycle network - \$465,327 – 14% occasioned by growth

And why are DCs being used to fund what can only be maintenance and enhancement of existing services i.e:

- (i) Historic – transportation funds by land purchasers - \$150,000 - \$100,000;
- (ii) Transportation Ridgeway connection - \$1,466,266 – 32%
- (iii) Transportation Maitai shared path - \$615,336 – 16%
- (iv) Water supply – historic – Atawhai Reservoir and pump - \$21,470 – 100%;
\$179,205 – 100%

5. The Policy (6.2) allows for a right of objection to Development Contribution changes but a report of \$2,750 plus GST plus all costs incurred are payable by the Applicant. This does not, but should, reflect that if an objection is successful the costs should be borne by the Council.

Relief Sought:

As above.

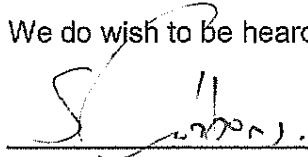
6. Development Contributions may only be required if the effects or cumulative effects of developments will, or have created a requirement to provide or have provided new or additional assets of increased capacity. This does not allow a "wish list" but something required by development.

7. The Development Contribution Policy does not accord with the principles set out in Section 197AB of the Local Government Act 2002. The purpose of Development Contributions in this Act is to enable territorial authorities to recover from those persons undertaking development a fair, equitable, and proportionate portion of

the total cost of capital expenditure necessary to service growth over the long term.

8. "*Consultation*" means meeting with other people with a view to hearing their views before any decision is made. What Nelson City Council has done is to use a process where there is insufficient time to fully consider and tease out the views of others, so as to adopt the LTP 2015-2025 before July 2015. What Council should have done is hold work shops so that people were adequately informed and their input considered before the LTP was notified. This was done with the first Nelson Resource Management Plan and by doing things on a rolling basis the NRMP was the first operative Plan in New Zealand.

We do wish to be heard on this submission.



Gibbons Property Limited

Dated 28 March 2015

Bev Mcshea

From: Submissions
Sent: Tuesday, 28 April 2015 10:13 a.m.
To: Administration Support
Subject: FW: Consultation Document Submission

Categories: Long Term Plan 2015

From: Council Enquiries (Enquiry)
Sent: Tuesday, April 28, 2015 10:12:49 AM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:
Kent Inglis

Organisation represented (if applicable):
Address:
9 Ajax Ave, Nelson 7010

Daytime phone:
021496556

Email:
inglis.kent@gmail.com

Do you wish to speak in support of your submission at the public hearings?

No

If yes, would you like to attend an evening session?

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):

I am in support of the proposed Development Contributions Policy.

I have evidence of significant demand for inner city accommodation (which can be provided on request).

With the substantial planning costs and complexity of (generally multi-unit) inner city/city fringe developments, potential development contribution relief will encourage developers to embark on these higher risk projects.

The occupants of these additional units will in add vibrancy to our inner city.

It can be clearly demonstrated that inner city development does not have the same impact on areas such as stormwater, transport etc as do stand alone housing units in greenfield developments.

Would you like to upload a file in support of your submission?

How did you find out about the Consultation Document and Council's 10 Year Plan?

Would you like to be contacted by email with future Council feedback opportunities?

Bev Mcshea

From: Submissions
Sent: Tuesday, 28 April 2015 10:25 a.m.
To: Administration Support
Subject: FW: Consultation Document Submission

Categories: Long Term Plan 2015

From: Council Enquiries (Enquiry)
Sent: Tuesday, April 28, 2015 10:24:37 AM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:
Joyce Inglis

Organisation represented (if applicable):
N/a

Address:
50 Rowling Road Little Kaiteriteri RD2 Motueka 7197

Daytime phone:
0274476755

Email:
joyce.inglis@xtra.co.nz

Do you wish to speak in support of your submission at the public hearings?

No

If yes, would you like to attend an evening session?

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):

I write in support of the draft plan re the removal of some inner city Development Contributions.

Would you like to upload a file in support of your submission?

How did you find out about the Consultation Document and Council's 10 Year Plan?

Media

Would you like to be contacted by email with future Council feedback opportunities?

Yes

Bev Mcshea

From: Submissions
Sent: Tuesday, 28 April 2015 10:32 a.m.
To: Administration Support
Subject: FW: Consultation Document Submission

Categories: Long Term Plan 2015

From: Council Enquiries (Enquiry)
Sent: Tuesday, April 28, 2015 10:31:30 AM
To: Submissions
Subject: Consultation Document Submission
Auto forwarded by a Rule

Name:

Tom Inglis

Organisation represented (if applicable):

Address:

50 Rowling Rd Little Kaiteriteri RD2 Motueka

Daytime phone:

035278483

Email:

tom.inglis@xtra.co.nz

Do you wish to speak in support of your submission at the public hearings?

No

If yes, would you like to attend an evening session?

No

My submission is: (please ensure you clearly state the issue or project (s) you are submitting about):

As a Nelson City rate payer I write in support of the draft plan re the removal of some inner City development contributions.

Would you like to upload a file in support of your submission?

How did you find out about the Consultation Document and Council's 10 Year Plan?

media

Would you like to be contacted by email with future Council feedback opportunities?

No

Bev Mcshea

From: Bev Mcshea
Sent: Wednesday, 29 April 2015 7:06 a.m.
To: Administration Support
Subject: FW: Development Contributions Policy

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Shirley, Long Term Plan 2015

Hi Bev

Can you count this as a submission please. Thanks.

Susan Moore-Lavo

Policy Advisor
Nelson City Council/*Te Kaunihera o Whakatū*
03 545 8742
www.nelson.govt.nz

From: Peter Reynolds [<mailto:ceo@ecc.org.nz>]
Sent: Tuesday, 28 April 2015 3:38 p.m.
To: Susan Moore-Lavo
Cc: Laree Taula
Subject: RE: Development Contributions Policy

Dear Susan,

Thank you for the opportunity to respond to the proposals in your draft Development Contributions Policy.

The Early Childhood Council is the largest membership body for independent early childhood education centres in New Zealand. 70% of our members are privately-owned small businesses and 30% are community-owned.

We support the inclusion of the exemption proposed in section 7 (g), (h) and (i).

The provision of quality early childhood education services in communities throughout New Zealand is essential to give pre-school-aged children the best possible start in life and to give parents the opportunity to re-join the paid workforce in a manner that is meaningful to them. There is ample evidence, both nationally and internationally, to demonstrate the developmental and economic benefits to communities like Nelson as a result of support for quality early childhood education services.

We trust our submission will therefore be well-received. We would also be happy to provide further information in support of our submission if required.

Regards,

Peter Reynolds

Chief Executive Officer
Early Childhood Council
Phone 0800 742 742 option 3
DDI 04 471 0392
Mobile 028 2582 2322
Skype peter.ecc
Website: www.ecc.org.nz

P O Box 5649
Lambton Quay
Wellington 6145
New Zealand

Suite 2, Level 2 Greenock House
39 The Terrace
Wellington
New Zealand



**- JOIN US IN QUEENSTOWN FOR OUR 2015
CONFERENCE! DETAILS AT WWW.ECC.ORG.NZ**

From: Susan Moore-Lavo [<mailto:Susan.Moore-Lavo@ncc.govt.nz>]
Sent: Wednesday, 22 April 2015 10:25 a.m.
To: Peter Reynolds
Subject: FW: Development Contributions Policy

Good morning

Just a follow up on this email from a couple weeks back, if your organisation wished to make a submission on the importance of the exemption for paying development contributions to your organisation's members, the consultation closes on Tuesday. As this was an area that Council were unsure of, your perspective would be useful to their considerations. If you prefer, an email to me would suffice as a submission if this is easier for you.

Thanks.

Susan Moore-Lavo
Policy Advisor
Nelson City Council/*Te Kaunihera o Whakatū*
03 545 8742
www.nelson.govt.nz

From: Susan Moore-Lavo
Sent: Tuesday, 14 April 2015 2:20 p.m.
To: 'ceo@ecc.org.nz'
Subject: Development Contributions Policy

Good afternoon

Nelson City Council has released its draft Development Contributions Policy 2015 and is inviting submissions on its content. The information can be accessed on the Council's website:

<http://nelson.govt.nz/assets/Our-council/Downloads/ltp-2015-2025/LTP-2015-Draft-Development-Contributions-Policy.pdf>

Consultation is open until midday 28 April 2015. Information on how to make a submission can be found here <http://nelson.govt.nz/council/plans-strategies-policies/long-term-plan-2015-25/>

If you prefer, you can instead send an email directly to me letting us know your views on the policy. The draft currently has an exemption clause whereby childcare / daycare centres do not have to pay development contributions, regardless of whether they are run as a business or as a community organisation.

If you have any queries, please do contact me.

Regards

Susan Moore-Lavo

Policy Advisor

Nelson City Council/*Te Kaunihera o Whakatū*

03 545 8742

www.nelson.govt.nz

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