

**OFFICER'S REPORT FOR:** Hearings Commissioners

**SUBJECT:** Proposed Waimakariri District Plan: Variation  
2 - Financial Contributions

**PREPARED BY:** Peter Wilson

**REPORT DATED:** 19 August 2024

**DATE OF HEARING:** Hearing Stream 7A (16-19 September 2024)

## Executive Summary

1. This report considers submissions received by the Waimakariri District Council in relation to the relevant objectives, policies, and rules of Variation 2 - Financial Contributions ('Variation 2') to the Proposed Waimakariri District Plan ('Proposed Plan'). The report outlines recommendations in response to the issues that have emerged from these submissions.
2. 137 submission points from 78 individual submitters were received. 17 submission points are in support, with 102 in opposition, 14 request amendments, and 4 express no relief.
3. There were 84 further submission points from 5 individual further submitters. Of the further submission points, 39 points are in support, with 18 in opposition. 27 points did not express support or opposition.
4. The following are considered to be the key issues in contention in the chapter:
  - Applicability of the provisions to the Whaitua Motuhake – Special Purpose Zone (Kāinga Nohoanga) (SPZ(KN)) at Tuahiwi – MR873; and
  - Technical aspects on how financial contributions are calculated.
5. This report addresses each of these matters, as well as any other issues raised by submissions.
6. I have recommended some changes to the Variation 2 provisions to address matters raised in submissions and are summarised below:
  - Minor changes to clarify the application of the financial contributions test.
7. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Variation 2 be amended as set out in section **Appendix A** of this report.
8. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
  - achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
  - achieve the relevant objectives of Variation 2, in respect to the proposed provisions.

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## Interpretation

9. Parts A and B of the Officers' reports utilise a number of abbreviations for brevity as set out in Table 1 below:

**Table 1: Abbreviations**

Abbreviation	Means
RMA	Resource Management Act 1991
District Council	Waimakariri District Council
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
ECan	Environment Canterbury/Canterbury Regional Council
ISSP	Intensification Streamlined Planning Process
LGA	Local Government Act
MDRS	Medium Density Residential Standards
NES	National Environmental Standard
NESAQ	National Environmental Standards for Air Quality 2004
NESCS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NESETA	National Environmental Standards for Electricity Transmission Activities 2009
NESF	National Environmental Standards for Freshwater 2020
NESPF	National Environmental Standards for Plantation Forestry 2017
NESSDW	National Environmental Standards for Sources of Drinking Water 2007
NESTF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSFM	National Policy Statement for Freshwater Management 2020
NPSUD	National Policy Statement on Urban Development 2020
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
RPS	Operative Canterbury Regional Policy Statement

## Introduction

### 1 Purpose

10. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on Variation 2 - Financial Contributions ('Variation 2') and to recommend possible amendments to Variation 2 in response to those submissions.
11. This report is prepared under section 42A of the Resource Management Act 1991 (RMA). It considers submissions received by the District Council on Variation 2 in relation to the relevant objectives, policies and rules in the Proposed Waimakariri District Plan ('Proposed Plan') that Variation 2 has amended or inserted. The report outlines recommendations in response to the key issues that have emerged from these submissions.
12. This report discusses general issues or topics arising, the original and further submissions received following notification of Variation 2, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to Variation 2 provisions based on the preceding discussion in the report.
13. This report is provided to assist the Hearings Panel in their role as Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
14. 137 submission points from 78 individual submitters were received. 17 submission points are in support, with 102 in opposition, 14 request amendments, and 4 express no relief.
15. There were 84 further submission points from 5 individual further submitters. Of the further submission points, 39 points are in support, with 18 in opposition. 27 points did not express support or opposition.

#### *Author*

16. My name is Peter Gordon Wilson. My qualifications and experience are set out in **Appendix C** of this report.
17. My role in preparing this report is that of an expert planner.
18. I was not involved with the preparation of the content of Variation 2 or the supporting s32 report.
19. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
20. The scope of my evidence relates to Variation 2 - Financial Contributions. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
21. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.

22. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## 2 Key Issues in Contention

23. I consider the following to be the key issues in contention in the chapter:

- Applicability of the provisions to the Special Purpose Zone (Kāinga Nohoanga) (SPZ(KN)) at Tuahiwi – MR873; and
- The relationship between financial contributions and development contributions.

24. I address each of these key issues in this report, as well as any other issues raised by submissions.

## 3 Procedural Matters

*Pre-hearing conferences etc*

25. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on Variation 2.

*Planning Process*

26. Variation 2 is a variation to the Proposed Plan within the meaning of cl 16A, **Part 1** to Schedule 1 of the RMA. Variation 2 was prepared and publicly notified separately, but at the same time as Variation 1 - Residential Intensification.

27. Variation 1 - Residential Intensification has been prepared under the provisions of the Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021, using the "intensification planning instrument" (or 'IPI') process.

28. Variation 2 is also a variation to the Proposed Plan, but has been prepared and publicly notified following the process under Part 6 to Schedule 1 of the RMA.

29. The two variations are related and connected with respect to addressing the mandatory MDRS requirements and giving effect to Policies 3 and 4 of the NPSUD, and follow similar processes (such as submissions, further submissions, hearings and recommendations).

30. For Variation 2, District Council decisions on the recommendations from the Hearing Panel follow the standard appeals process to the Environment Court.

## Statutory Considerations

### 4 Resource Management Act 1991

31. Variation 2 has been prepared in accordance with the RMA and in particular, the requirements of s77E that provides for the inclusion of a rule requiring financial contribution.

### 5 Section 32AA

32. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA . Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1) (c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1) (d) (ii).*

33. The required section 32AA evaluation for changes proposed as a result of consideration of submissions is inline below each recommendation for change, and below in respect of how the plan was notified.

*s32AA – Notification of plan*

34. Paragraph 6 on page 3 of the s32 evaluation for Variation 2<sup>1</sup> stated that Variation 2 would be publicly notified and assessed through the Intensification Streamlined Planning Process (ISSP) alongside Variation 1.
35. However, this did not occur, with the public notice<sup>2</sup> of 13 August 2022 outlining that the plan was notified for submissions pursuant to cl 5, Schedule 1 RMA, undertaking the usual plan approval process, and not the ISSP.
36. It would not have been legally possible to process both Variation 1 and 2 under the ISSP, as s80G (1)(a) RMA prevents a specified territorial authority from notifying more than one IPI. Financial Contributions may also apply to non-residential zones.
37. Apart from this error, I consider that the s32 evaluation describes the purpose of Variation 2, including the relevant RMA sections enabling it (ss 77E and 77T RMA) effectively.
38. I do not believe any member of the public or submitter has been affected by this error, as the public notice which advertised the variation, along with the submission processing, has been consistent with the standard Schedule 1 process.

<sup>1</sup> [https://www.waimakariri.govt.nz/\\_\\_data/assets/pdf\\_file/0016/140128/VARIATION-2-FINANCIAL-CONTRIBUTIONS-S32-REPORT.PDF](https://www.waimakariri.govt.nz/__data/assets/pdf_file/0016/140128/VARIATION-2-FINANCIAL-CONTRIBUTIONS-S32-REPORT.PDF)

<sup>2</sup> [https://www.waimakariri.govt.nz/\\_\\_data/assets/pdf\\_file/0015/140127/Variation-2-Public-Notice.pdf](https://www.waimakariri.govt.nz/__data/assets/pdf_file/0015/140127/Variation-2-Public-Notice.pdf)



## 6 Trade Competition

39. Trade competition is not considered relevant to the Variation 2 provisions of the Proposed Plan.

## Consideration of Submissions and Further Submissions

### 7 Background to Variation 2

40. The Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021 introduced s77E RMA to enable district plans to make rules requiring financial contributions for any class of activity other than a prohibited activity. This includes permitted activities.

41. S77E sets out that rules requiring financial contributions must specify the purpose and how the level of the contribution is to be determined, and when the financial contribution will be required.

42. Variation 2 reintroduces the ability for the District Council to take financial contributions for specific effects, compared to the Local Government Act (LGA) that provides for development contributions to be paid as part of development.

43. Variation 2 proposes changes to the following two chapters in the Proposed Plan:

- a. Te whakamahi māhere – How the plan works, under the heading of “Other relevant strategies, plans and policies”; and
- b. General district-wide matters, under the Koha pūtea – Financial contributions chapter.

## 8 Report Structure

### *Overview*

44. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the evaluation firstly on a topic and issues basis. Most submissions focused on topics and issues, rather than specific provisions, however there are some submissions that have sought specific changes to the notified provisions. Where submissions have sought specific changes, I have addressed these in the specific changes section.

45. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out inline below the recommendations. I have provided a marked-up version of the Chapters with recommended amendments in response to submissions as **Appendix A**.

*Format for consideration of submissions*

46. For each identified topic, I have considered the submissions that are seeking changes to Variation 2 in the following format:

- Topics and issues raised by submitters
- Assessment
- Recommendations

47. The recommended amendments to the relevant chapter/s are set out in in **Appendix A** of this report where all text changes are shown in a consolidated manner.

48. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.

## **8.1 Effect of Rule FC-R2 - *Subdivision* on Special Purpose Zone (Kāinga Nohoanga) ('SPZ(KN)')**

### **8.1.1 Matters raised by submitters**

49. Submitters, many of whom are Ngāi Tahu descendants of Tuahiwi land raised concerns about how the financial contributions rules could disadvantage Māori landowners by increasing barriers for whanau who wish to build on and develop their land. These submitters, of which there were 67, are particularly concerned at how development capacity needed for the later or more gradual development of Māori owned land could be hampered by available servicing capacity being used up by more rapid developments in Woodend and Ravenswood.

50. These submitters are concerned that the cumulative effect of District Council regulation undermines the ability of descendants to occupy and use Māori Land for the purposes for which it was intended under Kemps Deed, and request the deletion of FC-R2, or to exclude the SPZ(KN) (i.e. MR873) from the application of this rule.

### **8.1.2 Assessment**

51. During the consultation undertaken while preparing the SPZ(KN) provisions, one of the matters under discussion held between Te Ngāi Tūāhuriri Rūnanga and the District Council, related to the manner in which development could be undertaken in the absence of District Council reticulated infrastructure and roading. Formal consultation was undertaken through the Mahi Tahi Joint Development Committee. A summary of the discussion process is set out in the s32 report for the SPZ(KN) and the main points are set out below:

- a. The ODP provisions, while appearing to enable development, contain a number of restrictions that effectively have the opposite effect of hampering development (including connecting to District Council reticulated infrastructure)<sup>3456</sup>;
  - b. Agreement that the rules in the Energy and Infrastructure chapter requiring connection to reticulated infrastructure would not apply to SPZ(KN);<sup>7</sup> and
  - c. Agreement that an outline development plan to integrate infrastructure with development of the SPZ(KN) is not required, that such infrastructure integration would be undertaken through the Mahi Tahi Committee.<sup>8</sup>
52. At the time of preparing the SPZ(KN), there were no financial contribution provisions proposed to be included in the Proposed Plan.
53. I have had regard to the following relevant objectives and policies of the Proposed Plan, in particular:
- a. SD-O2 *Urban development* (specifically clauses 3 and 8);
  - b. SD-O5 *Ngāi Tahu mana whenua / Te Ngāi Tūāhuriri Rūnanga*;
  - c. EI-P2 *Availability, provision and adequacy of, and connection to, energy and infrastructure*; and
  - d. SPZ(KN)-P2 *Land use and development* (specifically clause 1).
54. Given the limited reticulated services present within the SPZ(KN) I consider that upgrades and new services will be required in the event of substantial development, which are more likely to trigger the requirement for a financial contribution.
55. I note that subdivision of Māori freehold and collective land is excluded from the subdivision provisions set out in s11(2) *Restrictions on subdivision of land* of the RMA.
56. I do not agree with the concerns of submitters insofar as they state that servicing capacity would be first used up by developments in Woodend and Ravenswood, leaving little to none available for the later, more gradual development at Tuahiwi. Servicing for Tuahiwi is not dependent on what happens at Ravenswood and Woodend.
57. However, I do agree with submitters that given the enabling provisions for development at Tuahiwi that specific funding arrangements for infrastructure provision at Tuahiwi need to be determined and agreed, and that reliance on the financial contributions regime alone through subdivision applications (FC-R2) would be unlikely on its own to fund the step-change infrastructure that is required. I do not have information on when infrastructure upgrades to Tuahiwi are likely to occur, and how they will be funded, so for the time being I do not recommend changes to the financial contribution provisions accordingly, but I note that if and

<sup>3</sup> Section 2.4, paragraph headed 'Chapter 14 – Rural Zones', page 8

<sup>4</sup> Section 2.4, paragraph under heading 'Residential Activities', page 9

<sup>5</sup> Section 2.5 – Information and Analysis, bullet point paragraph headed 'Reticulated services', page 10

<sup>6</sup> Section 2.6 – Consultation Undertaken, page 11

<sup>7</sup> Section 2.6 Consultation Undertaken, under the heading 'Clarification with respect to connecting to Reticulated Infrastructure', page 14

<sup>8</sup> Section 3.3.1 Canterbury Regional Policy Statement, page 20

when infrastructure upgrades occur at Tuahiwi, then the opportunity exists for a specific funding regime at Tuahiwi.

58. I also note the 2012 Memorandum of Understanding between Runanga and Council that recognises the need for active protection of the interests of the members of Te Ngāi Tūāhuriri Rūnanga<sup>9</sup>.
59. In order to appropriately reflect these matters, and to provide for the use and development of land within MR-873 as set out in SPZ(KN-01) I consider an amendment to FC-R2 to recognise the specific context of development within the SPZ(KN) that is provided.
60. I consider that Council has some discretion with how it applies the financial contribution rules, but that in the case of Tuahiwi, particular discretion could be given on how they may apply in any particular situation. This would thus ensure that the Proposed Plan does not override any future agreements that might occur around the provision of infrastructure to Tuahiwi.
61. I note the following objectives set requirements in respect of the SPZ(KN):

### **SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga**

Te Ngāi Tūāhuriri Rūnanga's role in the management of natural and physical resources is recognised, so that:

1. Ngāi Tūāhuriri's historic and contemporary connections, and cultural and spiritual values, associated with the land, water and other taonga are recognised and provided for;
2. the values of identified sites and areas of significance to Ngāi Tūāhuriri are protected;
3. Ngāi Tūāhuriri can retain, and enhance access to sites of cultural significance;
4. Māori land is able to be occupied and used by Ngāi Tūāhuriri for its intended purposes and to maintain their relationship with their ancestral land;
5. recognised customary rights are protected;
6. Ngāi Tūāhuriri are able to carry out customary activities in accordance with tikanga; and
7. Te Ngāi Tūāhuriri Rūnanga are able to actively participate in decision-making and exercise kaitiakitanga.

### **SPZ(KN)-O1 Use and development of Te Ngāi Tūāhuriri Rūnanga Māori land**

Te Ngāi Tūāhuriri Rūnanga exercise kaitiakitanga in the use and development of ancestral land for their social, cultural and economic well-being.

62. I note that SD-O5(4) and SPZ(KN)-O1 provide support for ensuring that the particular circumstances of the SPZ(KN) are taken into account when considering financial contributions for subdivision activities in those areas.

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<sup>9</sup> Pg 4, 2012 Memorandum of Understanding

63. For clarity, financial contributions for new residential units at Tuahiwi are not within the scope of FC-R1, which applies only to new residential units within the Medium Density Residential Zone, and not the SPZ(KN).

### 8.1.3 Recommendations:

64. I recommend the following outcome for submissions:

- Te Ngāi Tūāhuriri Rūnanga [1.1], Heni Te Whakaako [10.1], Halle Pitama [11.1], Eruera Tarena [12.1], Elric Thane Clarke-Beatson [13.1], Elisha Ann Marie Mako [14.1], Arapeta Hohepa Te Au Reuben [15.1], Amber Paula Siu Clarke [16.2], Gaynor Hakaria [17.1], Breana Nga Wai Kao [18.1], Aroha Abraham [19.1], Te Kaharoa Irirangi Manihera [2.1], Dalin Te Whata Kururangi [20.1], Kiri-Ann Te Whata [21.1], Ariana Laureen Te Whetu [22.1], Joseph Jason Kaio [23.1], Donal Stuart Mackenzie [24.1], Suzanne Clarke [25.1], Hadley Hayden Osborn [26.1], Ben Wicksteed [27.1], Ben Reriti-Jones [28.1], Lexi Jean Reuban [3.1], Ruiha Meronea Caldwell [30.1], Katarina Ngawaka Tupaea Majorie Caldwell [31.1], Russell Stanton Caldwell [32.1], Olivia Chessum [33.1], Tyler Sadler [34.1], Caleb William Pollard [35.1], Savannah Kerrie Bonnet-Hunter [36.1], Joel Phillips [37.1], Darien Nicholls [38.1], Reuben John Marsden [39.1], Samantha Purvis [4.1], Kieran Taituna [40.1], Amber Li [42.1], Giahnnii Paul Paruku [43.1], Francis Hare [44.1], Ngapiu Tainui-Maclure [45.1], Te Matau Flanagan [46.1], Mangaia Pasene-Hughes [47.1], Dee Henry [48.1], Aporonia Arahanga [49.1], Paekitawhiti Rawi Muriwai [5.1], Waipounamu Te Karu [50.1], Jamie Ruwhiu [51.1], Trevor John McGlinchey [52.1], Takarei Norton [53.1], Tania Nutira [54.1], Maatakiwi Wakefield [55.1], Tiresa Jerome [56.1], Julia Keogh-Cope [57.1], Maia Abraham [58.1], Kaya Renata-Staples [59.1], Mere-Ana Michelle Brennan [6.1], Jemma Danielle Wiki [60.1], Jak Pickering [61.1], Jacqueline Barry [62.1], Manea Tainui [63.1], Ngareta Frost [64.1], Simone Riana Pitama [65.1], Lynette Hanata Te Aika [7.1], Rana King [78.1], Jadah Pitama [8.1], Hunter Kahutia Te Rangi Halbert-Pere [9.1], Juliet Dalley [74.1], Wiremu Harry Michael Caldwell [75.1] are **accepted in part**

65. I recommend the following changes to Variation 2, as set out in Appendix A:

- That the first part of Rule FC-R2 is amended to applying to all zones apart from the SPZ(KN); and
- An additional part of Rule FC-R2 is created, with the same content as FC-R2, but which emphasises that particular discretion is given on how it applies in the SPZ(KN).

### S32AA Evaluation

66. I consider that the changes better implement the objectives, particularly SD-O5 and SPZ(KN)-O1 to ensure that Te Ngāi Tūāhuriri Rūnanga are able to use Māori land for its intended purposes.

## 8.2 Retirement Industry submission

### 8.2.1 *Matters raised by submitters*

67. Retirement industry submitters, such as the Retirement Villages Association of New Zealand [73.1, 73.2] have requested a retirement village specific regime that takes into account their substantially lower demand profile compared with standard residential developments. They cite lower demand in reserves, transport, water/wastewater, and note that their industry constructs public infrastructure. They request to ensure that the dual financial and development contributions will not result in double-dipping.

68. Ryman Healthcare [72.1] and Summerset [41.1] also request in support of the Retirement Villages Association.

69. Kainga Ora [FS 5] support the Retirement Villages Association.

### 8.2.2 *Assessment*

70. I agree that the provisions should be clarified to ensure they cannot be misread, however I consider that this is best addressed in standards FC-S1-S4, as there is already wording in these standards around the interface with development contributions.

### 8.2.3 *Recommendations*

71. I recommend the following outcome for submissions:

- Retirement Villages Association [73.1,73.2], Ryman Healthcare [72.1], Summerset [41.1] are **accepted in part**
- Further submission Kainga Ora [FS 5] are **accepted**

## 8.3 Relationship with development contributions and proportionality

### 8.3.1 *Matters raised by submitters*

72. A consistent theme for submitters is the relationship between LGA development contributions and RMA financial contributions. Submitters have requested consistency with the LGA development contributions policy, to remove duplication with the development contributions, and to replace references to 'offset' or 'offsetting' with 'mitigate', or 'contribute towards'.

73. Kainga Ora [77.1, 77.12, 77.13] consider that the plan provisions need to provide greater transparency about cost and how these will be calculated and proportioned, and greater clarity in how the financial contributions will be implemented. Kainga Ora [77.14, 77.15, 77.16, 77.17, 77.18, 77.19] also request the following:

- Provide transparency on how financial contributions are made and make such a determination capable at any stage in the development process;
- Concerned that the requirement for developers to check water, sewer, stormwater, and roading networks will create uncertainty;

- Seek removal of financial contributions on permitted developments and/or the introduction of an objections process;
- Question how cumulative effects are addressed in the provisions and how costs will be proportioned across multiple sites equitably;
- Seek that the District Council test run a number of development proposals through an amended financial contributions calculation assessment; and
- Amend the Introductory section to clearly state that financial contributions are required where the costs of development are not otherwise covered by development contributions or other funding sources available to the District Council.

74. This is supported by further submissions from Ravenswood Developments Ltd [FS 1], Retirement Villages Association [FS 3], and Ryman Healthcare [FS 2].

### 8.3.2 Assessment

75. I agree with submitters that that relationship between financial contributions and development contributions requires clarification. Although the difference between Financial Contributions and Development Contributions was spelt out in the S32 Financial Contributions report.

76. The s32 report states that:

*"The District Council has policies for both development contributions and financial contributions. These mechanisms differ in the purposes that they are collected for."*

77. In practice, duplication cannot occur as differing legislation and District Council processes prevent it, however I have proposed additional wording in the introduction section to explain this interface, and I have addressed this issue in the objectives, policies, and standards in response to submitters in response to those submissions below.

78. I considered the requests for some form of proportionality test or assessment, but given the myriad of potential resource consent applications for development or subdivision and the types of financial contributions that could be required, including future proposals, I do not consider it possible to write such a condition or test. Development Contributions are for growth of existing infrastructure, Financial Contributions are for environmental effects of the activity, and not for existing infrastructure.

### 8.3.3 Recommendations

79. That the following outcome for submissions occurs:

- Kainga Ora [77.1, 77.4, 77.12,77.13, 77.15,77.16,77.17,77.18,77.19] are **rejected**
- Further submissions Ravenswood Developments Ltd [FS 1], and Retirement Villages Association [FS 3] Ryman Healthcare [FS 2] are **rejected**

## 8.4 Balance of whole of Variation 2 submissions

### 8.4.1 Matters raised by submitters

80. Ravenswood Developments Ltd [71.1, 71.5] consider that the Variation 2 provisions are too broad and do not provide appropriate specificity as to the basis on which financial contributions will be sought. This includes the explanatory text. No specific relief is sought.
81. Ravenswood Developments Ltd [71.3] state that the Variation 2 provisions do not expressly identify a "purpose" for which financial contributions will be required. The purposes in FC-O1 and O2 are broad, which provides very little indication to developers or the public of the scope of the scope of financial contributions that may be sought, or the purposes for which they will be required. No specific relief is sought.
82. Ravenswood Developments Ltd [71.6, 71.7] generally state that a proportion of costs of the upgrade, extension, or new infrastructure will be required, corresponding to the demand generated by the development and request amendment to FC-S2, FC-S3,FC-S4 to clarify how financial contribution value, including attribution of proportions is determined.
83. This is supported with a further submission from Kainga Ora [FS 5].
84. Ravenswood Developments Ltd [71.8] seek amendments to Variation 2 to better meet the requirements of s77E RMA. Specifically, Ravenswood [71.4] states that FC-O2, policy FC-P2 and assessment standard FC-S1(c) provide for financial contributions to "mitigate the effects on the environment". No detail is provided as to what effects would be assessed or for what purposes and outcomes the contributions would be used for. No specific relief is sought.
85. This is supported in further submission by Kainga Ora [FS 5].
86. Rolleston Industrial Development Ltd [76.1] oppose all Variation 2 provisions, citing inconsistencies with s77E RMA, a lack of transparency, clarity and certainty on the calculation and magnitude of the financial contribution. They request the deletion of Variation 2 in its entirety. Kainga Ora [77.1] make a similar submission, requesting changes to ensure that Kainga Ora can carry out its statutory duties.
87. These are supported by Ravenswood Developments Ltd [FS 1].
88. Bellgrove Rangiora Ltd [66.1] request that emphasis and clarification on how existing development contributions apply is placed throughout the chapter. They request specific introductory wording stating that a financial contribution is not required to provide for the full recovery of services in relation to an activity for which a resource consent (or permitted activity) is required. Instead, it is a contribution paid to partly mitigate or compensate for the impacts of a development over and above any development contribution.
89. This is supported in further submissions by Kainga Ora [FS 5] and Momentum Land Ltd [FS 4].



90. 199 Johns Rd et al [68.2, 68.3, 68.7], Eliot Sinclair and Partners [69.1, 69.6] generally support Variation 2 and a specific financial contributions chapter and request no specific relief.

#### **8.4.2 Assessment**

91. For Ravenswood's concerns about the lack of specificity for Variation 2 provisions, I consider that this is misplaced, as financial contributions are by their nature a broad type of contributions that are taken on environmental effects. I consider that the rules FC-R1 and FC-R2 outline that the contributions are taken on residential development and subdivision activities only, and the standards FC-S1 to S4 provide appropriate specificity on the purpose and when a contribution is required, as well as the level of contribution.

92. For Rolleston Industrial Development's concern with all of Variation 2, I disagree, and consider that the Variation 2 provisions are consistent with s77E RMA.

93. For Bellgrove, I agree in principle that the interface with development contributions could be clarified, noting that many of the notified provisions do contain wording to that effect. As the interface with development contributions is specific to each provisions, and as there are submissions on that matter, I will consider this issue in the specific provisions.

#### **8.4.3 Recommendations**

94. That the following outcomes for submissions occur:

- That Ravenswood Developments Ltd [71.1, 71.3, 71.5, 71.6,71.7,71.8], Rolleston Industrial Developments Ltd [76.1] are **rejected**
- Further submission FS Kainga Ora [FS 5] is **rejected**
- 199 Johns Rd et al [68.2,68.3,68.7], Eliot Sinclair and Partners [69.1, 69.6] are **accepted**
- Bellgrove Rangiora Ltd [66.1] are **accepted in part**

### **8.5 Objective FC-O1 Infrastructure Impacts**

#### **8.5.1 Matters raised by submitters**

95. Bellgrove Rangiora Ltd [66.2] request that the objective wording on "equitably" be replaced with "fair, reasonable, and consistent". This is supported by a further submission from Kainga Ora [FS 5].

96. Kainga Ora [77.2] consider that FC-O1 does not adequately and clearly specify the purposes for which financial contributions, and remove the objective as notified.

97. This is supported by Ravenswood Developments Ltd [FS 1].

98. Martin Pinkham [70.1] opposes FC-O1 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed

changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.

99. Ashley Industrial Services [29.1] supports FC-O1 as notified and requests it be retained as notified. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and the Retirement Villages Association [FS 3].

### **8.5.2 Assessment**

100. I disagree with Bellgrove that the term "equitably" within FC-O1 be removed. I consider that "equitably" ensures that when multiple parties, such as in a large development area, must make financial contributions, that this is shared and considered on an equitable basis, rather than being imposed on one party. I consider that the inclusion of the term "equitable" in the objective ensures that the first-mover in a development may not have to necessarily meet all of the associated costs, particularly if there is future staging.

101. Kainga Ora requested that the objective was removed entirely, on which I do not agree, as the submitter has not provided any s32AA analysis to consider the effect this removal would have on the suite of policies, rules and standards that implement it.

102. I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

### **8.5.3 Recommendations**

That the following outcomes for submissions occur:

- Martin Pinkham [70.1], Kainga Ora [77.2], Bellgrove Rangiora Ltd [66.2] are **rejected**
- Further submissions FS Ravenswood Developments Ltd [FS 1], FS Ryman Healthcare Ltd [FS 2], FS Retirement Villages Association [FS 3], FS Kainga Ora [FS 5] are **rejected**
- Ashley Industrial Services [29.1] is **accepted**

103. I recommend no changes arising from these recommendations.

## **8.6 Objective FC-O2 Environmental Effects**

### **8.6.1 Matters raised by submitters**

104. Bellgrove Rangiora Ltd [66.3] request that the objective include the terms "fair, reasonable, and consistent" to reflect s108 RMA. This is supported by a further submission from Kainga Ora [FS 5].
105. Martin Pinkham [70.2] opposes FC-O2 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.

106. Kainga Ora [77.3] consider that FC-O2 does not adequately and clearly reflect s108 RMA as it contains no reference to fairness or reasonableness, and to amend FC-O2 to clarify that contributions to mitigate impacts on the environment must be fair, reasonable, and consistent.

107. This is supported by Ravenswood Developments Ltd [FS 1].

### **8.6.2 Assessment**

108. For Bellgrove, I note that s108 RMA does not contain the terms "fairness" or "reasonableness", and that s108 merely sets out definition of financial contributions and where they can be taken. It does not introduce any additional tests. For Kainga Ora, they have not provided any specific reasons why the objective fails and should be removed in its entirety.

109. As with his submission on FC-O1, I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

110. Ashley Industrial Services [29.2] supports FC-O2 as notified and requests it be retained as notified. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and the Retirement Villages Association [FS 3].

### **8.6.3 Recommendations**

- a. I recommend that the following outcomes for submissions occur:
- Bellgrove Rangiora Ltd [66.3]
  - Kainga Ora [77.3]
  - Martin Pinkham [70.2] are **rejected**
  - Further submissions FS Ravenswood Developments Ltd [FS 1] FS
  - Ryman Healthcare Ltd [FS 2], FS
  - Retirement Villages Association [FS 3] are **rejected**
  - Ashley Industrial Services [29.2] is **accepted**

## **8.7 FC-P1 Provision of Infrastructure**

### **8.7.1 Matters raised by submitters**

111. Bellgrove Rangiora Ltd [66.4] request that FC-P1 is clarified to ensure that financial contributions are only required where there is an adverse environmental effect on existing infrastructure requiring capacity increases, modifications, or upgrades that are outside of the scheduled maintenance/replacement programme that is also not covered by a development contribution. They request amending FC-P1 to:

*"Except where already provided for by the current WDC Development Contributions Policy, financial contributions are required where housing intensification, subdivision, and development or both ...*

112. This is supported in further submissions by Kainga Ora [FS 5], Momentum Land Ltd [FS 4] Ryman Healthcare Ltd [FS 2], Retirement Villages Association [FS 3].
113. Kainga Ora [77.4] consider that as worded, FC-P1 may unnecessarily require financial contributions for infrastructure upgrades that are 'ahead of the scheduled maintenance/replacement program' but which might otherwise be catered for in the Council's Development Contribution policy or by other funding sources (e.g. developer agreements or developer funded infrastructure) in a way that makes a financial contribution unnecessary. Accordingly, the proposed amendments provide greater clarity and scope to consider wider sources of funding. They request to amend FC-P1:

*Financial contributions are required where housing intensification, subdivision, and development or both have an adverse environmental effect on existing infrastructure, which requires capacity increases, upgrades or other modification to the infrastructure ahead of the scheduled maintenance/replacement program, or outside the scope of scheduled maintenance/replacement programme where such upgrades and costs are not otherwise addressed by Council's Development Contributions Policy or other funding sources available to the Council.*

114. This is supported by the Retirement Villages Association [FS 3], Ravenswood Developments Ltd [FS 1], Ryman Healthcare Ltd [FS 2].
115. Martin Pinkham [70.3] opposes FC-P1 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.
116. Ashley Industrial Services [29.3] supports FC-P1 as notified and requests it be retained as notified. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and the Retirement Villages Association [FS 3].
117. 199 Johns Rd et al [68.4], Eliot Sinclair and Partners [69.2] provide general support for FC-P1 on the basis that it limits financial contributions to existing infrastructure only, and does not apply to new greenfield infrastructure.

### **8.7.2 Assessment**

118. The notified version of the policy, which could be relied upon for consenting does not explicitly refer to development contributions, however, I do not agree that it needs to be expressed at a policy level, as I consider that the need to avoid duplication, is a technical matter, best addressed at a standards level.

119. As with his submissions on FC-O1 and FC-O2, I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.
120. For Ravenswood, I note that FC-S1(b), not (c) refers to effects on the environment, but it is not general as the submitter states, it is the effects of intensification and subdivision. As such, I recommend rejecting their relief.

### **8.7.3 Recommendations**

121. That the following outcomes for submissions occur:
- Martin Pinkham [70.3], Bellgrove Rangiora [66.4], Kainga Ora [77.4] are **rejected**
  - Further submissions Ryman Healthcare Ltd [FS 2], Retirement Villages Association [FS 3], Momentum Land Ltd [FS 4], Kainga Ora [FS 5] are **rejected**
  - Ashley Industrial Services [29.3] is **accepted**
122. I recommend no changes arising from these recommendations.

## **8.8 FC-P2 Acquisition and Vesting of Land**

### **8.8.1 Matters raised by submitters**

123. Martin Pinkham [70.4] opposes FC-P2 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.
124. Kainga Ora [77.5] state that land requirements for new road reserve, stormwater reserve, or council infrastructure are planned or provided through the long-term plan process, and not through financial contributions.
125. This is supported by Ravenswood Developments Ltd [FS 1].
126. Ashley Industrial Services [29.3] supports FC-P2 as notified and requests it be retained as notified. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and the Retirement Villages Association [FS 3].

### **8.8.2 Assessment**

127. As with his submissions on FC-O1, FC-O2, and FC-P1 I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

128. For Kainga Ora, I note the definition of financial contributions within s108 RMA, which includes land.

### 8.8.3 Recommendations

129. I recommend the following outcome for submissions:
- Martin Pinkham [70.4], Kainga Ora [71.4,77.5] are **rejected**
  - Further submissions Ravenswood Developments Ltd [FS 1], FS Ryman Healthcare Ltd [FS 2], FS Retirement Villages Association [FS 3], FS Kainga Ora [FS 5] are **rejected**
  - Ashley Industrial Services [29.4] is **accepted**
130. I recommend no changes arising from submissions

## 8.9 FC-R1 New Residential Units

### 8.9.1 Matters raised by submitters

131. Bellgrove Rangiora Ltd [66.5] consider that the process for how a financial contributions assessment is undertaken under FC-R1 is unclear and does not provide a developer with an ability to estimate their contribution without relying on Council's assessment. This includes how to request a financial assessment, how long an assessment would take to be received, any process to question the assessment, and the timing of a process, such as before a building consent is issued. They request to remove or amend Rule FC-R1 to clearly articulate when any calculated financial contribution must be paid by, and provide greater certainty on the process for obtaining a financial contributions assessment and how this will be undertaken in a fair and reasonable way.
132. This is supported by Kainga Ora in further submission [FS 5].
133. Kainga Ora [77.6] request that financial contributions, through Rule FC-R1(1) should apply to more than three residential units, on the basis that the MDRS permit up to 3 units per site and this level of development should be planned for by Council in terms of infrastructure requirements and funding, and that financial contributions should be paid prior to the issue of a Code Compliance Certificate under the Building Act. Amend FC-R1:

1. *there are more than ~~two~~ three residential units per site;*
2. *a financial contributions assessment has been completed in accordance with FC-S1; and*
3. *all monies calculated under FC-S2 to FCS4 are paid, prior to the issue of a Code Compliance Certificate under the Building Act 2004.*

and make consequential amendments as required to V1, including as a minimum, the deletion of all other infrastructure assessment matters applying to land.

134. This is supported by the Retirement Villages Association [FS 3], Ravenswood Developments Ltd [FS 1], Ryman Healthcare Ltd [FS 2].

135. Martin Pinkham [70.5] opposes FC-R1 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.
136. Ashley Industrial Services [29.4] supports FC-R1 as notified and requests it be retained as notified. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and the Retirement Villages Association [FS 3].

### **8.9.2 Assessment**

137. For Bellgrove and Kainga Ora, I agree that some certainty should be provided on when the financial contributions are to be paid, as this is occurring as a permitted activity outside of the framework of a consent process, which could otherwise provide a system for payment. The Kainga Ora wording for payment to occur prior to the issue of a Code Compliance Certificate under the Building Act is acceptable to me. I note the issue when building consents and codes of compliance are issued by building authorities other than the Waimakariri District Council, insofar as Council may not have knowledge or information of the activity to be able to issue a financial contributions assessment and ensure payment. It is a requirement of the Building Act for alternative building authorities to place their information on the central file, held by Council, but I do understand that this does not always occur.
138. In these cases, it is entirely possible that Council would not have visibility over a development, including the potential connection to Council services if they already exist onsite. Visibility and linkage to a lawful process is necessary to ensure that financial contributions can be assessed and then applied.
139. As such, I consider that a linkage to Council's water services bylaw is required, as all new connections, including those on an existing site, must be in compliance with this bylaw.
140. Whilst most developments will follow the process, this linkage with the water bylaw ensures there is some overall mechanism to capture those that do not.
141. Even with this approach, there is still a risk that a building could receive Code of Compliance before it is deemed to be permitted under the FC rule, as there is no process to trigger the financial contribution consideration before it is finished.
142. For this reason, I consider it more preferable to alter the activity status of the financial contribution rules to a controlled activity, which would ensure that the relevant considerations were applied prior to construction beginning. I also consider this approach to more neatly capture the range of alternative building authorities and potentially reduced Council involvement in building regulation and inspection – which limits the visibility the Council consent authority has.
143. However, I cannot agree with the wording to alter the threshold for triggering contributions from two units as notified to three units. Assuming the MDRS, three units at three storeys each is up to 9 dwellings per parcel, which could impose a substantial loading on services, and depending on location, may require financial contributions. The policy is intended to ensure that the effects of development on infrastructure are contributed to by all developers, and not to exempt certain classes or types.

144. As with his submission on FC-O1, FC-O2, FC-P1, FC-P2, I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

### 8.9.3 Recommendations

145. I recommend the following outcome for submissions:
- Martin Pinkham [70.5] is **rejected**
  - Further submissions Ryman Healthcare Ltd [FS 2], FS Retirement Villages Association [FS 3] are **rejected**
  - Ashley Industrial Services [29.5] is **accepted**
  - Further submissions Kainga Ora [FS 5], Retirement Villages Association [FS 3], Ravenswood Developments Ltd [FS 1] are **accepted**
  - Bellgrove Rangiora Ltd [66.5], Kainga Ora [77.6] are **accepted in part**

146. I recommend the following changes to rule FC-R1:

New residential units

Activity status: ~~PER~~ CON

Where:

1. there are more than two residential units per site;
2. a financial contributions assessment has been completed in accordance with FC-S1; and
3. all monies calculated under FC-S2 to FC-S4 are paid.

#### s32AA Assessment

147. I consider that this recommended change is minor, and improves plan interpretation by providing clarity on the timing of when to pay financial contributions.

## 8.10 FC-R2 Subdivision

### 8.10.1 Matters raised by submitters

148. Bellgrove Rangiora [66.6] state that the process for how to undertake a financial contributions assessment and the timing of the assessment is unclear. Rule FC-R2 implies that if financial contributions have not been calculated prior to seeking consent (or that these have not been paid prior to consent issue) that this would substantially alter the activity status and/or use of discretion of the proposal, and unlike development contributions, these financial contributions would need to be paid prior to subdivision consent issue.
149. Eliot Sinclair and Partners Ltd [69.3] consider that Rule FC-S3 should only apply to the zones where the MDRS provisions apply.



150. Martin Pinkham [70.6] opposes FC-R2 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.
151. Kainga Ora [77.7] consider that financial contributions, through Rule FC-R2 should apply to more than three residential units, on the basis that the MDRS permit up to 3 units per site and this level of development should be planned for by Council in terms of infrastructure requirements and funding, and financial contributions should be paid prior to the issue of a Code Compliance Certificate under the Building Act. They request to amend FC-R2 as follows:

*Where:*

- 1. there are more than ~~two~~ three allotments are created;*
- 2. a financial contributions assessment has been completed in accordance with FC-S1; and*
- 3. all monies calculated under FCS2 to FCS4 are paid, prior to the issue of a completion certificate under section 224c of the Resource Management Act 1991.*

*Make consequential amendments as required to V2, including as a minimum, the deletion of all other infrastructure assessment matters applying to land use consent applications for more than 3 units.*

152. This is supported by FS Ravenswood Developments Ltd [FS 1], Ryman Healthcare [FS 2], Retirement Villages Association [FS 3].
153. Ashley Industrial Services [29.6] supports FC-R2 as notified and requests it be retained as notified. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and the Retirement Villages Association [FS 3].

### **8.10.2 Assessment**

154. For Bellgrove and Kainga Ora, I agree that some certainty should be provided on when the financial contributions are to be paid. The Kainga Ora wording for payment to occur prior to the issue of the s224c certificate is acceptable to me, however, I note that social housing does not necessarily require the issuing of a s224c certificate, and Council itself may not be the building authority, so there may be no visibility over it. As such, I consider that as with FC-R1, the activity status should become a controlled activity, so that the process can occur prior to building completion and does not require it being triggered by another activity, after the building or development may have been completed.
155. However, and as above, I cannot agree with the wording to alter the threshold for triggering contributions from two units as notified to three units. Assuming the MDRS, three units at three storeys each is up to 9 dwellings per parcel, which could impose a substantial loading on services, and depending on location, may require financial contributions. The policy is intended to ensure that the effects of development on infrastructure are contributed to by all developers, and not to exempt certain classes or types.

156. For Eliot Sinclair and Partners, I consider that FC-R2 applies to all types of subdivision and is no different to the current operative district plan rules, noting that there is no permitted activity subdivision.
157. As with his submissions on FC-O1, FC-O2, FC-P1, FC-P2 and FC-R1 I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

### 8.10.3 Recommendations

158. That the following outcomes for submissions occur:
- Eliot Sinclair and Partners [69.3], Martin Pinkham [70.6] are **rejected**
  - Further submissions Ryman Healthcare [FS 2], FS Retirement Villages Association [FS 3] are **rejected**
  - Ashley Industrial Services [29.6] is **accepted**
  - Bellgrove Rangiora Ltd [66.6], Kainga Ora [77.7] are **accepted in part**
  - Further submissions Ravenswood Developments Ltd [FS 1], Retirement Villages Association [FS 3] are **accepted**

159. I recommend the following changes to rule FC-R2:

Activity status: CON

Where:

1. there are more than two allotments are created;
2. a financial contributions assessment has been completed in accordance with FC-S1; and
3. all monies calculated under FCS2 to FCS4 are paid,

## 8.11 FC-S1 Assessment Methodology

### 8.11.1 Matters raised by submitters

160. Bellgrove Rangiora [66.7, 66.8, 66.9] state that there is a need to explicitly distinguish between development contributions and financial contributions to avoid duplication of payment and to ensure that any financial contribution required is in response to an issue that the proposed development raises. They request the amendment of FC-S1(1) with additional criteria as follows:

*The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies that either:*

- a. all reasonable infrastructure costs incurred by the development have already been accounted for by the current Waimakariri District Council Development Contributions Policy and no further assessment is required; or that:
- b. *all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements)*
161. This is supported by Kainga Ora [FS 5], Retirement Villages Association [FS 3], Ryman Healthcare Ltd [FS 2].
162. 199 Johns Road et al [68.5] and Eliot Sinclair and Partners [69.4] consider that FC-S1 is inconsistent with objectives FC-O1, FC-O2 and policies FC-P1 and FC-P2 which require the remediation and/or mitigation of effects on Council infrastructure and the environment in contract to the avoidance of effects on Council infrastructure and environment. The inclusion of a provision to charge a financial contribution to “any reasonable cost to avoid” is potentially more expensive than options to remedy or mitigate capacity effects.
163. This is supported with further submissions from Ryman Healthcare Ltd [FS 2] and Retirement Villages Association [FS 3].
164. Kainga Ora [77.8] support the inclusion of an assessment methodology for financial contributions but consider that FC-S1 provides no certainty or transparency to plan users. They state that there is no certainty as to the spatial extent/scope of an assessment, how the costs will be determined, whether such costs will be determined or confirmed independently of Council, or to what extent they can be reviewed or contested in the event of disagreement with an assessment. They consider there is no linkage between the standards.
165. This is supported in a further submission by FS Ravenswood Developments Ltd [FS 1].
166. Martin Pinkham [70.7] opposes FC-S1 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.

### **8.11.2 Assessment**

167. For Bellgrove I agree that clarity on the interface with development contributions is required. As standard FC-S1 is an overarching standard which wraps up the individual component assessments in FC-S2-S4, I consider that the duplication issue should be dealt with there, however I agree in principle.
168. I disagree with Kainga Ora that FC-S1 requires certainty as to the spatial extent or scope of an assessment, as the spatial extent or scope of an assessment is limited by the particulars of the consent application (or permitted activity) and the relevant plan run under which the financial contributions are triggered. It must be linked to determinable effects of that particular development or subdivision.

169. For 199 Johns Road et al and Eliot Sinclair and Partners I consider that (b) does introduce an avoid test which is inconsistent with the remedy or mitigate test in the objective, and that this avoid test should be removed to be consistent with the objective and policy direction.
170. As with his submissions on FC-O1, FC-O2, FC-P1, FC-P2, FC-R1,FC-R2 I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

### 8.11.3 Recommendation

171. That the following outcome for submissions occur:
- Martin Pinkham [70.7], Kainga Ora [77.8] are **rejected**
  - Further submission FS Ravenswood Developments [FS 1] is **rejected**
  - 199 Johns Road et al [68.5] and Eliot Sinclair and Partners [69.4] are **accepted**
  - Bellgrove Rangiora Ltd [66.7,66.8,66.9] are **accepted in part**
  - Kainga Ora [FS 5], Retirement Villages Association [FS 3], Ryman Healthcare Ltd [FS 2], Ravenswood Development [FS 1] are **accepted**

172. That the following amendments to FC-S1 are adopted:

#### *FC-S1: Assessment Methodology*

*The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies:*

*all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements);*

*any reasonable costs to ~~avoid~~, remedy or mitigate any effects on the environment from intensification, and subdivision;*

*the value of and/or the costs of acquiring any or interest in any land required for the service, utility, facility or reserve;*

*an allowance or adjustment for inflation; and*

*an allowance for the overhead costs of the Council and/or any costs associated with servicing Council expenditure in providing or upgrading a service or facility.*

## 8.12 FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater

### 8.12.1 Matters raised by submitters

173. Bellgrove Rangiora Ltd [66.11] request changes to FC-S2 to ensure that when stormwater provision is assessed, if the infrastructure meets the 10 year storm requirement, that either no or a reduced financial contribution will be required. The amendment is as follows:

*Amend FC-S2(1):*

*1. As part of the District Council Financial Contribution Calculation Assessment for drinking water, wastewater and stormwater firstly an assessment shall be undertaken to following calculation methodology will be used:*

*a. assess the increase in capacity of the upgrade, extension or new infrastructure required and only charge the proportion needed to service the proposed development;*

*b. where required to be installed on Council land and agreed to by the Council, the 100% estimated cost of all materials, installation and commissioning of a water supply booster pump and associated infrastructure to maintain water pressure in any building three or more stories in height;*

*...*

*d. and assess provision of on-site stormwater management, and if sufficient to manage a 10 year storm, either no or a reduced financial contribution will be required.*

174. This is supported in further submissions by Kainga Ora [FS 5], Ryman Healthcare Ltd [FS 2], Retirement Villages Association [FS 3].
175. FENZ [67.1] request to amend the reference to drinking water to also clearly include a requirement for firefighting water in line with NZS 4509: New Zealand Fire Service Firefighting Water Supplies Code of Practice, where the development does not have sufficient capacity and is not providing an alternative water supply.
176. This is opposed in further submissions by Ryman Healthcare Ltd [FS 2] and Retirement Villages Association [FS 3].
177. They also support [67.2] the inclusion of upgrading water pressure for high-rise building as a matter of assessment in FC-S2.
178. Kainga Ora [77.9] supports the inclusion of an assessment methodology for financial contributions. However, standard FC-S2 as notified provides no certainty or transparency to plan users. Provide a consistent methodology for determining financial contributions across all forms of infrastructure by, assessing whether infrastructure upgrades are already allowed for within Council's Development Contributions Policy, and only charging financial contributions on upgrades not allowed for, only charging the proportion of financial contributions needed to service the proposed development (account for cumulative effects, but not disproportionately charge the first development to trigger an infrastructure upgrade), provide specific calculations to the extent possible, provide specific circumstances where financial contributions will not be charged, provide details as to who undertakes the assessment and the process for dispute resolution, provide reference to an external resource or online calculator or similar to enable plan users to readily assess financial contributions. They request to amend standard FC-S2 to provide clarity and certainty.
179. This is supported by Ravenswood Developments Ltd [FS 1].
180. Martin Pinkham [70.8] opposes FC-S2 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed

changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.

### 8.12.2 Assessment

181. For Bellgrove I agree that clarity is required to ensure that first, the assessment of the development contributions component is required, before moving to financial contributions. I have recommended wording similar to their submission.
182. For FENZ, I consider that a wide variety of activities, including emergency service provision are required under rules and standards within this plan. Emergency service vehicle provision is built into roading standards that apply to sites. Also, when standards are not met, emergency service provision is a consideration in the matters for discretion. Any financial contributions assessment would pick up on these and other matters accordingly.
183. For Kainga Ora I have recommended changes to clarify the relationship with development contributions, similar to above under FC-S1.
184. As with his submissions on FC-O1, FC-O2, FC-P1, FC-P2, FC-R1,FC-R2,FC-S1 I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

### 8.12.3 Recommendations

185. I recommend the following outcome for submissions:
- FENZ[67.1,67.2], Martin Pinkham [70.8] are **rejected**
  - Further submissions Ryman Healthcare Ltd [FS 2] and Retirement Villages Association [FS 3], Ravenswood Developments Ltd [FS 1] are **accepted**
  - Bellgrove Rangiora Ltd [66.11], Kainga Ora [77.9] is **accepted in part**
186. I recommend the following changes to FC-S2:
- FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater
- As part of the District Council Financial Contribution Calculation Assessment for drinking water, wastewater and stormwater firstly an assessment will be undertaken to the following calculation methodology will be used:
- assess whether the upgrade, extension or new infrastructure required already accounted for in growth component allowed for in the Development Contributions policy; and then:
- a. assess the increase in capacity of the upgrade, extension or new infrastructure required and only charge the proportion needed to service the proposed development;

- b. where required to be installed on Council land and agreed to by the Council, the 100% estimated cost of all materials, installation and commissioning of a water supply booster pump and associated infrastructure to maintain water pressure in any building three or more stories in height; and
- c. assess provision of on-site stormwater management, and if sufficient to manage a 10 year storm, either no or a reduced financial contribution will be required.

...

### s32AA Assessment

187. I consider that this change is minor and reflects the intent of the notified standard, however it is expressed more clearly.

## 8.13 FC-S3: Financial Contribution Calculation for Water, Wastewater and Stormwater and FC-S4: Financial Contribution Calculation for Roading

### 8.13.1 Matters raised by submitters

188. Bellgrove Rangiora Ltd [66.12] request amending FC-S3 to be more explicit that where the development contributions policy has already anticipated and provided for anticipated residential growth that no further calculation is required.
189. They also request specific amendments to FC-S4, similar to their amendments for FC-S2, to insert "firstly an assessment shall be undertaken to..."
190. This is supported in further submissions by Kainga Ora [FS 5], Ryman Healthcare Ltd [FS 2], Retirement Villages Association [FS 3].
191. FENZ [67.3] request amendment to add emergency vehicle access infrastructure upgrades as a condition of the assessment. This is opposed by the Retirement Villages Association [FS 3] and Ryman Healthcare Ltd [FS 2]
192. 199 Johns Road et al [68.6] and Eliot Sinclair and Partners [69.5] state that FC-S4 includes a subjective assessment that proposes to charge financial contributions for "any potential additional lots that could develop" and request removal of this.
193. This is supported in further submissions by Ryman Healthcare Ltd [FS 2], Retirement Villages Association [FS 3].
194. Kainga Ora [77.11] request to amend FC-S4 to ensure that it only charges for financial contributions on matters not already covered by development contributions, to not disproportionate charge the first development to trigger an infrastructure upgrade, and to provide specific details and clarifications on how the calculation process will occur.

195. This is supported by Ravenswood Developments Ltd [FS 1].
196. Martin Pinkham [70.9] opposes FC-S3 considering that the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district-wide level. He requests to withdraw variation 2 and notify a new variation which includes adequate information.

### 8.13.2 Assessment

197. For Bellgrove, I agree that the interface with development contributions should be clarified, as I have recommended for FC-S2.
198. For 199 Johns Road et al and Eliot Sinclair and Partners, I consider that the 'additional lots that could develop' wording does not reflect the common practice of how additional lots come about in a subdivision, which could result in incremental upgrades to infrastructure being required after the fact, when it would have been better to assess those, and their associated financial contributions up front.
199. For FENZ, I consider that a wide variety of activities, including emergency service provision are required under rules and standards within this plan. Emergency service vehicle provision is built into roading standards that apply to sites. Also, when standards are not met, emergency service provision is a consideration in the matters for discretion. Any financial contributions assessment would pick up on these and other matters accordingly.
200. For Kainga Ora I consider that the interface with development contributions has been appropriately addressed with my proposed recommendations to address the Belgrove submission.
201. As with his submissions on FC-O1, FC-O2, FC-P1, FC-P2, FC-R1,FC-R2,FC-S1,FC-S2 I consider that Martin Pinkham has not provided sufficient information in his submission of the likely potential effects of the Variation, especially considering that the operative district plan contains a financial contributions regime of the same nature as what is proposed.

### 8.13.3 Recommendations

202. I recommend the following outcome for submissions:
- 199 Johns Road et al [68.6], FENZ[67.1,67.2], Eliot Sinclair and Partners [69.5],Martin Pinkham [70.8] are **rejected**
  - Further submissions FS Ravenswood Developments Ltd [FS 1] is **rejected**
  - Further submissions Ryman Healthcare Ltd [FS 2] and Retirement Villages Association [FS 3], Ravenswood Developments Ltd [FS 1] are **accepted**
  - Bellgrove Rangiora Ltd [66.11], Kainga Ora [77.9] are **accepted in part**
203. I also recommend the following changes to FC-S4:



**FC-S4: Financial Contribution Calculation for Rooding**

As part of the District Council Financial Contribution Calculation Assessment firstly an assessment will be undertaken to the following calculation methodology will be used: assess whether the upgrade of extension to or new rooding infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy; and then

- a. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new rooding infrastructure will be calculated by Council;
- b. the percentage contribution required to be paid by the development will be calculated as follows: vehicle movements per day generated by the development divided by vehicle movements per day of the development plus vehicle movements per day of any potential additional lots that could develop plus average daily traffic: % contribution =  $\text{vmpd development} / (\text{vmpd development} + \text{vmpd potential new lots} + \text{current average daily traffic})$ ;
- c. where new roads are required, the financial contribution will be based on a unit rate per kilometre of new road multiplied by the number of new lots divided by the existing lots plus proposed new lots; and
- d. where land is required to be vested for rooding purposes, the area of land, the value of the land, and ~~it's~~ its proposed classification, shall be specified by Council.

**8.14.4. Section 32AA Evaluation**

204. I consider that this change is minor and reflects the intent of the notified standard, however it is expressed more clearly.

**9 Minor changes**

205. Standard FC-S4 had an apostrophe error in clause d, I have corrected this above, and recommend it for correction as a minor error or change using cl 16(2), sch 1 RMA.

**10 Conclusions**

206. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Proposed Plan should be amended as set out in Appendix A of this report.
207. For the reasons set out in the Section 32AA evaluation attached at Appendix C and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:


- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

**Recommendations:**

208. I recommend that:

- a. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
- b. The Proposed Plan is amended in accordance with the changes recommended in Appendix A of this report.

**Signed:**

Name and Title		Signature
Report Author	Peter Wilson	

## Appendix A Recommended Changes to Proposed Plan

**Objectives**

**FC-O1**

**Infrastructure Impacts**

**Residential intensification, new subdivision, and development equitably contribute towards remedying or mitigating effects on Council infrastructure.**

**Activity Rules**

<b>FC-R1</b>	<b>New Residential Units</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity status: PER CON<sup>10</sup></b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li><b>there are more than two residential units per site;</b></li> <li><b>a financial contributions assessment has been completed in accordance with FC-S1; and</b></li> <li><b>all monies calculated under FC-S2 to FC-S4 are paid</b></li> </ol>	<b>Activity status when compliance is not achieved: DIS</b>
<b>FC-R2</b>	<b>Subdivision</b>	
<b>All Zones except SPZ(KN)<sup>11</sup></b>	<p><b>Activity status: PER CON<sup>12</sup></b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li><b>more than two new allotments are created;</b></li> </ol>	<b>Activity status when compliance is not achieved: DIS</b>

<sup>10</sup> Bellgrove Rangiora Ltd [66.5], Kainga Ora [77.6]

<sup>11</sup> Ngai Tuahuriri submitters

<sup>12</sup> Bellgrove Rangiora Ltd [66.6], Kainga Ora [77.7]

	<ol style="list-style-type: none"> <li>2. <b>a financial contributions assessment has been completed in accordance with FC-S1; and</b></li> <li>3. <b>all monies calculated under FC-S2 to FC-S4 are paid</b></li> </ol>	
<p><b><u>SPZ(KN)</u></b></p>	<p><b><u>Activity status: CON<sup>13</sup></u></b></p> <p>-</p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>1. <b><u>more than two new allotments are created;</u></b></li> <li>2. <b><u>a financial contributions assessment has been completed in accordance with FC-S1; and</u></b></li> <li>3. <b><u>all monies calculated under FC-S2 to FC-S4 are paid prior to the issue of a completion certificate under s224c of the Resource Management Act 1991</u></b></li> </ol> <p><b><u>To implement the objectives for the SPZ(KN), Council will exercise particular discretion in how it applies this rule<sup>14</sup></u></b></p>	<p><b><u>Activity status when compliance is not achieved: DIS</u></b></p>

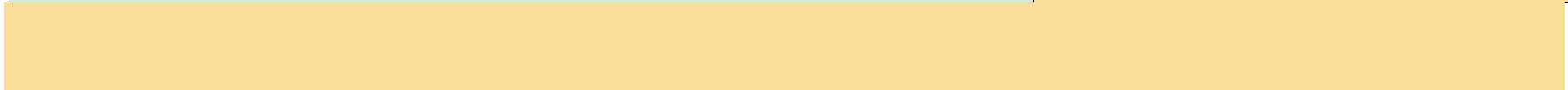
**Financial Contribution Standards**

**FC-S1: Assessment Methodology**

<sup>13</sup> Bellgrove Rangiora Ltd [66.6], Kainga Ora [77.7]

<sup>14</sup> Runanga submitters, as set out in para 64.

<p>1. <u>The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies:</u></p> <ul style="list-style-type: none"> <li>a. <u>all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements);</u></li> <li>b. <u>any reasonable costs to avoid,<sup>15</sup> remedy or mitigate any effects on the environment from intensification, and subdivision;</u></li> <li>c. <u>the value of and/or the costs of acquiring any or interest in any land required for the service, utility, facility or reserve;</u></li> <li>d. <u>an allowance or adjustment for inflation; and</u></li> <li>e. <u>an allowance for the overhead costs of the Council and/or any costs associated with servicing Council expenditure in providing or upgrading a service or facility.</u></li> </ul>	<p><u>Activity status when compliance is not achieved: N/A</u></p>
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**FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater**

<p>1. <u>As part of the District Council Financial Contribution Calculation Assessment for drinking water, wastewater and stormwater firstly an assessment will be undertaken to<sup>16</sup> the following calculation methodology will be used assess whether the upgrade, extension or new infrastructure required already accounted for in growth component allowed for in the Development Contributions policy; and then</u></p>	<p><u>Activity status when compliance is not achieved: N/A</u></p>
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<sup>15</sup> 199 Johns Rd et al [68.5], Eliot Sinclair and Partners [69.4]

<sup>16</sup> Bellgrove Rangiora Ltd [66.11], Kainga Ora [77.9]

<ul style="list-style-type: none"> <li>a. assess the increase in capacity of the upgrade, extension or new infrastructure required and only charge the proportion needed to service the proposed development;</li> <li>b. where required to be installed on Council land and agreed to by the Council, the 100% estimated cost of all materials, installation and commissioning of a water supply booster pump and associated infrastructure to maintain water pressure in any building three or more stories in height; and</li> <li>c. assess provision of on-site stormwater management, and if sufficient to manage a 10 year storm, either no or a reduced financial contribution will be required.</li> </ul>	
<p><b>FC-S4: Financial Contribution Calculation for Roding</b></p>	
<p>1. As part of the District Council Financial Contribution Calculation Assessment for roading <u>firstly an assessment will be undertaken to<sup>17</sup> the following calculation methodology will be used:</u> assess whether the upgrade of extension to or new roading infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy; <u>and then</u></p> <ul style="list-style-type: none"> <li>a. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new roading infrastructure will be calculated by Council;</li> <li>b. the percentage contribution required to be paid by the development will be calculated as follows: vehicle movements per day generated by the development divided by vehicle movements per day of the development plus vehicle movements per day of any potential additional lots that</li> </ul>	<p>Activity status when compliance is not achieved: N/A</p>

<sup>17</sup> Bellgrove Rangiora Ltd [66.11], Kainga Ora [77.9]



**could develop plus average daily traffic: % contribution  
= vmpd development/ (vmpd development + vmpd potential new lots +  
current average daily traffic);**

- c. where new roads are required, the financial contribution will be based on a unit rate per kilometre of new road multiplied by the number of new lots divided by the existing lots plus proposed new lots; and**
- d. where land is required to be vested for roading purposes, the area of land, the value of the land, and its<sup>18</sup> proposed classification, shall be specified by Council.**

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<sup>18</sup> Cl 16(2) minor error

## Appendix B Recommended Responses to Submissions

Sub No	Submitter Name	Provision	Sentiment	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
1.1	Te Ngai Tūāhuriri Rūnanga (Ngai Tūāhuriri)	FC-R2 Subdivision	Oppose	Ngāi Tūāhuriri Rūnanga are concerned that Variation 2, in particular, the new permitted activity rule FC-R2 which requires financial contributions to be assessed (under standard FC-S1) whenever more than two lots are created, presents an inter- generational barrier to descendants of the original Māori owners wishing to provide for housing on MR873. That the cumulative effect of Council regulation is continuing to undermine the ability of descendants to occupy and use Māori Land for the purpose for which it was intended under Kemps Deed. Two particular concerns are identified - the failure to adequately consult with iwi in developing the variation, and that the intensification of housing in Woodend and Ravenswood would be unlikely to compromise or delay infrastructure or services to MR873 due to an anticipated slow up-take in density. Ngāi Tūāhuriri Rūnanga seek that activity rule FC-R2 is amended to exclude its application to the Special Purpose Kāinga Nohoanga Zone.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
10.1	Heni Te Whakaako Kereru	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

11.1	Halle Pitama	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
12.1	Eruera Tarena	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
13.1	Elric Thane Clarke-Beatson	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

14.1	Elishia Ann Marie Mako	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
15.1	Arapata Hohepa Te Au Reuben	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
16.2	Amber Paula Siu Clarke	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

17.1	Gaynor Hakaria	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
18.1	Breana Nga Wai Kaio	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
19.1	Aroha Abraham	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

2.1	Te-Kaharoa Irirangi Manihera	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
20.1	Dalin Te Whata Kururangi	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
21.1	Kiri-Ann Te Whata	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

22.1	Ariana Lauren Te Whetu	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
23.1	Joseph Jason Kaio	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
24.1	Donal Stuart Mackenzie	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes



25.1	Suzanne Clarke	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
26.1	Hadley Hayden Osborn	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
27.1	Ben Wicksted	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

28.1	Ben Reriti-Jones	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
29.1	Ashley Industrial Services Ltd	FC-O1 Infrastructure Impacts	Support	Supports FC-O1 and considers it is appropriately limited to new residential units and subdivision. Retain FC-O1 as notified.	Section 8.5	Accept	No changes arising from this submission	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.5	Reject		
FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.5	Reject		
29.2	Ashley Industrial Services Ltd	FC-O2 Environmental effects	Support	Supports FC-O2 as notified, and considers that the objective is appropriately limited to new residential units and subdivision. Retain FC-O2 as notified.	Section 8.6	Accept	No changes arising from this submission	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.6	Reject		
FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.6	Reject		
29.3	Ashley Industrial Services Ltd	FC-P1 Provision of infrastructure	Support	Supports FC-P1 and considers that it is appropriately limited to new residential units and subdivisions only. Retain FC-P1 as notified.	Section 8.7	Accept	No changes arising from this submission	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.7	Reject		
FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.7	Reject		
29.4	Ashley Industrial Services Ltd	FC-P2 Acquisition and vesting of land	Support	Supports FC-P2 and considers it is appropriately limited to new residential units and subdivision. Retain FC-P2 as notified.	Section 8.8	Accept	No changes arising from this submission	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.8	Reject		

FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.8	Reject		
29.5	Ashley Industrial Services Ltd	FC-R1 New Residential Units	Support	Supports FC-R1 and considers that it is appropriately limited to new residential units and subdivisions. Retain FC-R1 as notified.	Section 8.9	Accept	No changes arising from this submission	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.9	Reject		
FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.9	Reject		
29.6	Ashley Industrial Services Ltd	FC-R2 Subdivision	Support	Supports FC-R2 and considers that the rule appropriately limits its scope to new residential units and subdivision. Retain FC-R2 as notified.	Section 8.10	Accept	No changes arising from this submission	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.10	Reject		
FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.10	Reject		
3.1	Lexie Jean Reuban	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
30.1	Ruiha Meronea Caldwell	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

31.1	Katarina Ngawaka Tupaea Marjorie Caldwell	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
32.1	Russell Stanton Caldwell	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
33.1	Olivia Chessum	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

34.1	Tyler Sadler	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
35.1	Caleb William Pollard	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
36.1	Savannah Kerrie Bonnett- Hunter	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

37.1	Joel Phillips	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
38.1	Darien Nicholls	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
39.1	Reuben John Marsden	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. The financial impact of this policy will alienate and setback mana whenua. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

4.1	Samantha Purvis	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
40.1	Kieran Taituna	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
41.1	Summerset Group Holdings Limited	General	Support	Support the entire submission of the Retirement Villages Association of New Zealand on Variation 2. Engage constructively with the Retirement Villages Association in relation to Variation 2.	Section 8.10	Accept in part	Not all of the Retirement Villages Association submission has been accepted	No
42.1	Amber Li	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

43.1	Giahnii Paul Paraku	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
44.1	Francis Hare	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
45.1	Ngapiu Tainui-Maclure	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes



46.1	Te Matau Flanagan	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
47.1	Mangaia Pasene-Hughes	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
48.1	Dee Henry	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

49.1	Aporonia Arahanga	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
5.1	Paekitawhiti Rawi Muriwai	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
50.1	Waipounamu Te Karu	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

51.1	Jamie Ruwhiu	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
52.1	Trevor John McGlinchey	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
53.1	Takerei Norton	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

54.1	Tania Nutira	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
55.1	Maatakiwi Wakefield	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
56.1	Tiresa Ierome	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

57.1	Julia Keogh-Cope	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
58.1	Maia Abraham	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
59.1	Kaya Renata-Staples	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

6.1	Mere-Ana Michelle Brennan	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
60.1	Jemma Danielle Wiki	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
61.1	Jak Pickering	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

62.1	Jacqueline Barry	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
63.1	Manea Tainui	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
64.1	Ngareta Frost	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

65.1	Simone Riana Pitama	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
66.1	Bellgrove Rangiora Ltd	General	Oppose	Emphasis and clarify how existing development contributions throughout the chapter. The introductory text referring to financial contributions needs amendment to state that a financial contribution is not required to provide for the full recovery of services in relation to an activity for which a resource consent (or permitted activity) is required. Instead, it is a contribution paid to partly mitigate or compensate for the impacts of a development over and above any development contribution. Ensure consistency with development contributions policy, remove duplication with development contributions, and replace references to 'offset' or 'offsetting' with 'mitigate' or 'contribute towards'.	Section 8.4	Accept in part	Agree that the relationship with development contributions be clarified.	Yes
FS 5	FS Kainga Ora		Support		Section 8.4	Accept		
FS 4	FS Momentum Land Ltd		Support		Section 8.4	Accept		



66.11	Bellgrove Rangiora Ltd	FC-S2: Financial	Oppose	<p>The standard refers to whether the Development Contributions Policy has already anticipated and provided for anticipated residential growth, but it could be made more explicit that if it has already been accounted for then no further calculation is required. Matter (d) is vague and provides no certainty that if onsite stormwater management is provided to manage a 10-year storm that no financial contribution will be required. There is no reasoning for why some sites may require a 'reduced' contribution and others 'no' contribution for providing the same level of stormwater management. Amend FC-S2(1):</p> <p>1. As part of the District Council Financial Contribution Calculation Assessment for drinking water, wastewater and stormwater firstly an assessment shall be undertaken to following calculation methodology will be used:</p> <p>b. assess the increase in capacity of the upgrade, extension or new infrastructure required and only charge the proportion needed to service the proposed development;</p> <p>c. where required to be installed on Council land and agreed to by the Council, the 100% estimated cost of all materials, installation and commissioning of a water supply booster pump and associated infrastructure to maintain water pressure in any building three or more stories in height;</p> <p>d. and assess provision of on-site stormwater management, and if sufficient to manage a 10 year storm, either no or a reduced financial contribution will be required.</p>	Section 8.12	Accept in part	Agree that the relationship with development contributions be clarified.	Yes
FS 5	FS Kainga Ora		Support		Section 8.12	Accept		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.12	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.12	Accept		

66.12	Bellgrove Rangiora Ltd	FC-S4: Financial Contribution Calculation for Acquisition and Vesting of Land	Oppose	<p>Amend standard FC-S3 to be more explicit that where Development Contributions Policy has already anticipated and provided for anticipated residential growth, no further calculation is required. Amend FC-S4:</p> <p>As part of the District Council Financial Contribution Calculation Assessment for roading firstly an assessment shall be undertaken to following calculation methodology will be used: assess whether the upgrade of extension to or new roading infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy. If the upgrade, extension to or new roading infrastructure required has already been allowed for in the Development Contributions policy then no further assessment is required.</p> <p>If the required upgrade, extension to or new infrastructure has not been provided for in the Development Contributions policy then the following methodology will be used to calculate the contribution required by Council:</p> <p>a. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new roading infrastructure will be calculated by Council; the percentage contribution required to be paid by the development will be calculated as follows:</p> <p>a. for the costs of upgrading or extending existing roading infrastructure the percentage contribution shall be based on vehicle movements per day generated by the development divided by vehicle movements per day of the development plus vehicle movements per day of any potential additional lots that could develop plus average daily traffic: % contribution = <math>\frac{\text{vmpd development}}{\text{vmpd development} + \text{vmpd potential new lots} + \text{current average daily traffic}}</math>;</p> <p>b. for the cost contribution associated where new roads are required, the financial contribution will be based on a unit rate per kilometre of new road multiplied by the number of new lots divided by the existing lots plus proposed new lots; and</p> <p>c. where land is required to be vested for roading</p>	Section 8.13	Accept in part	Agree that the relationship with development contributions be clarified.	Yes
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				purposes, the area of land, the value of the land, and its [spelling corrected] proposed classification, shall be specified by Council.				
FS 5	FS Kainga Ora		Support		Section 8.13	Accept		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.13	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.13	Accept		
66.2	Bellgrove Rangiora Ltd	FC-O1 Infrastructure	Oppose	Clarify that contributions required to mitigate effects on Council infrastructure must be fair, reasonable, and consistent. The term 'equitably' is not the same as 'fair and consistent'. Amend Objective FC-O1 to clarify that contributions required to mitigate effects on Council infrastructure must be fair, reasonable, and consistent.	Section 8.5	Reject		No
FS 5	FS Kainga Ora		Support		Section 8.5	Accept		
66.3	Bellgrove Rangiora Ltd	FC-O2 Environment	Oppose	Objective FC-O2 (Environmental Effects) does not reflect section 108 Resource Management Act as it contains no reference to fairness or reasonableness. Amend Objective FC-O2 to clarify that any contribution required to mitigate impacts on the environment must be fair, reasonable and consistent.	Section 8.6	Reject	The terms "fairness" and "reasonableness" are not used in s108 RMA	No
FS 5	FS Kainga Ora		Support		Section 8.6	Reject		
66.4	Bellgrove Rangiora Ltd	FC-P1 Provision of Infrastructure	Amend	Make policy FC-P1 (provision of infrastructure) clarify that financial contributions are only required where there is an adverse environmental effect on existing infrastructure requiring capacity increases, modifications, or upgrades that outside the scope of the scheduled maintenance/replacement programme that is not also covered by a development contribution. Amend Policy FC-P1 (provision of infrastructure) to: "Except where already provided for by the current WDC Development Contributions Policy, financial contributions are required where housing intensification, subdivision, and development or both have an	Section 8.7	Reject	Duplication with development contributions is best addressed at the standards level	No
FS 5	FS Kainga Ora		Support		Section 8.7	Reject		

FS 4	FS Momentum Land Ltd		Support		Section 8.7	Reject		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.7	Reject		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.7	Reject		
66.5	Bellgrove Rangiora Ltd	FC-R1 New Residential Units	Oppose	The process for how a financial contributions assessment is undertaken under Policy FC-R1 is unclear and does not provide a developer with an ability to estimate their contribution without relying on Council's assessment. This includes how to request a financial assessment, how long an assessment would take to be received, any process to question the assessment, and the timing of a process, such as before building consent. Remove or amend Rule FC-R1 to: clearly articulate when any calculated financial contribution must be paid by; and provide greater certainty on the process for obtaining a financial contributions assessment and how this will be undertaken in a fair and rea	Section 8.9	Accept in part	Changes to the rule have been made to link it to the code compliance certificate	No
FS 5	FS Kainga Ora		Support		Section 8.9	Reject		
66.6	Bellgrove Rangiora Ltd	FC-R2 Subdivision	Oppose	The process for how to undertake a financial contributions assessment and the timing is unclear. Activity Rule FC-R2 implies that if financial contributions have not been calculated prior to seeking consent (or these have not been paid prior to consent issue) this would substantially alter the activity status and/or use of discretion (in any consent application) of the proposal. Unlike development contributions financial contributions would need to be paid prior to subdivision consent issue. Remove or amend Rule FC-R2 to: clearly articulate when any calculated  financial contribution must be paid by; and provide greater certainty on the process for obtaining a financial contributions assessment and how this will be undertaken in a fair and reasonable way.	Section 8.10	Accept in part	The rule has been amended to link it to the s224c process	Yes

66.7	Bellgrove Rangiora Ltd	FC-S1: Assessment	Oppose	There is a need to explicitly distinguish between development contributions and financial contributions to avoid duplication of payment and ensure that any financial contribution required is in response to an issue that the proposed development raises. Amend FC-S1 to ensure that Financial Contribution Cost Assessments will first exclude all reasonable infrastructure costs that have already been accounted for by the current Waimakariri District Council development contributions policy. Amend to FC-S1(1) with additional criteria: The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies that either: a. all reasonable infrastructure costs incurred by the development have already been accounted for by the current Waimakariri District Council Development Contributions Policy and no further assessment is required; or that: b. all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements)	Section 8.10	Accept in part	The relationship with development contributions has been clarified.	Yes
FS 5	FS Kainga Ora		Support		Section 8.10	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.10	Accept		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.10	Accept		
66.8	Bellgrove Rangiora Ltd	FC-S1: Assessment Methodology	Oppose	The assessment methodology should firstly refer to whether the current Development Contributions Policy has already anticipated and provided for anticipated residential growth. Financial contributions should relate solely to the effects of the activity (i.e., subdivision). The assessment methodology should outline that financial contributions are only required for infrastructure upgrades directly attributable to a proposed intensification activity and/or subdivision. The assessment methodology is vague and does not provide transparency for a developer to calculate what contributions they may be required to pay independently (for example they will not be able to predict what allowance and/or adjustment of inflation WDC will be applying to costs). Provide greater clarity for	Section 8.11	Reject	There is no possible way to undertake a financial contributions assessment without a first assessment from Council. An online calculator would simply be another form of assessment from Council. A developer is welcome to question the Council's assessment and or obtain a reconsideration through the consent process.	No

				developers whilst being assured that everyone is being treated alike.				
FS 5	FS Kainga Ora		Support		Section 8.11	Reject		
66.9	Bellgrove Rangiora Ltd	FC-S1: Assessment Methodology	Oppose	The assessment methodology should outline that financial contributions are only required for infrastructure upgrades directly attributable to a proposed intensification activity and/or subdivision. The assessment methodology is vague and does not provide transparency for a developer to calculate what contributions they may be required to pay independently (for example they will not be able to predict what allowance and/or adjustment of inflation Waimakariri District Council will be applying to costs). Amend FC-S1 to add more detail on how a financial contribution calculation assessment should be sought and the timing associated with obtaining one.	Section 8.11	Reject	There is no possible way to undertake a financial contributions assessment without a first assessment from Council. An online calculator would simply be another form of assessment from Council. A developer is welcome to question the Council's assessment and or obtain a reconsideration through the consent process.	No
FS 5	FS Kainga Ora		Support		Section 8.11	Reject		
67.1	Fire and Emergency New Zealand	FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater	Support	Amend reference to 'drinking water' to clearly include upgrades for the provision of sufficient water supply and pressure for firefighting in line with Standards New Zealand Publicly Available Specification 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice, where the development does not have sufficient capacity and is not providing an alternative water supply. Amend FC-S2(1): "1. As part of the District Council Financial Contribution Calculation Assessment for drinking water (including for firefighting), wastewater and stormwater the following calculation methodology will be used: ..."	Section 8.12	Reject	Firefighting water is already a requirement of EI-R48, and as such, would be a component of any financial contributions assessment if it was not already able to be provided by existing servicing on site.	No
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.12	Reject		

FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.12	Reject		
67.2	Fire and Emergency New Zealand	FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater	Support	Supports inclusion of upgrading water pressure for high-rise buildings in matters for assessment in FC-S2. These upgrades must be operational prior to the development being completed Retain FC-S2 as notified.	Section 8.12	Accept	No changes arising from this submission	No
67.3	Fire and Emergency New Zealand	FC-S4: Financial Contribution Calculation for Rooding	Support	Amend FC-S4 to include emergency vehicle access infrastructure upgrades required as a result of intensification. Amend FC-S4(b):  "1. As part of the District Council Financial Contribution Calculation Assessment for rooding the following calculation methodology will be used:  ...  b. If not provided for in the Development Contributions policy, the cost of the upgrade extension or new rooding infrastructure (including upgrades for emergency access) will be calculated by Council;  ..."	Section 8.13	Reject	A wide variety of activities, including emergency service provision are required under rules and standards within this plan. Emergency service vehicle provision is built into rooding standards that apply to sites. Also, when standards are not met, emergency service provision is a consideration in the matters for discretion. Any financial contributions assessment would pick up on these and other matters accordingly.	No
FS 3	FS Retirement Villages Association of NZ		Oppose		Section 8.13	Accept		
FS 2	FS Ryman Healthcare Ltd		Oppose		Section 8.13	Accept		
68.2	199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd	General	Support	General support for variation 2: financial contributions. No specific relief sought.	Section 8.4	Accept	No changes arising from this submission	No
68.3	199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd	General	Support	General support for a separate financial contributions chapter on the basis that financial contributions are accounted for separately. No specific relief sought.	Section 8.4	Accept	No changes arising from this submission	No

68.4	199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd	FC-P1 Provision of Infrastructure	Support	Support for policy FC-P1 in the provision of infrastructure on the basis that it limits financial contributions to existing infrastructure only, and does not apply to new greenfield infrastructure. Retain FC-P1 as notified	Section 8.7	Accept	No changes arising from this submission	No
68.5	199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd	FC-S1: Assessment Methodology	Oppose	<p>Standard FC-S1 is inconsistent with objectives FC-O1, FC-O2, and policies FC-P1 and FC-P2, which require the remediation and/or mitigation of effects on Council infrastructure and the environment in contrast to the avoidance of effects on Council infrastructure and the environment. The inclusion of a provision to charge a financial contribution to "any reasonable cost to avoid" is potentially more expensive than options to remedy or mitigate capacity effects.</p> <p>Standard FC-S1 does not specify that the financial contribution calculation assessment will take account of previously made development contributions at the time of subdivision, housing, or development. Amend FC-S1:</p> <p>1. The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies:</p> <p>a. all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements); b. any reasonable costs to avoid, remedy or mitigate any effects on the environment from intensification, and subdivision;</p> <p>c. the value of and/or the costs of acquiring any or interest in any land required for the service, utility, facility or reserve;</p> <p>d. an allowance or adjustment for inflation; and e. an allowance for the overhead costs of the Council and/or any costs associated with servicing Council expenditure in providing or upgrading a service or facility.</p> <p>f. The calculation and credit (if applicable) that take account of payments made under the Council's Development Contributions Policy, and determines</p>	Section 8.11	Accept	(b) introduces an avoid test which is not consistent with the objective as the submitter states. This should be "remedy and mitigate" only.	Yes



				the offset value to be paid as a financial contribution (if any).				
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.11	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.11	Accept		

68.6	199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd	FC-S4: Financial Contribution Calculation for Rooding	Oppose	<p>Standard FC-S4 includes a subjective assessment that proposes to charge financial contributions for "any potential additional lots that could develop". The financial contribution should instead be charged on the development (housing or subdivision stage) at the time of physical development when the actual effect can be quantified. Amend FC-S4:</p> <p>"1. As part of the District Council Financial Contribution Calculation Assessment for rooding the following calculation methodology will be used:</p> <p>a. assess whether the upgrade of extension to or new rooding infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy;</p> <p>b. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new rooding infrastructure will be calculated by Council;</p> <p>c. the percentage contribution required to be paid by the development will be calculated as follows: <math>\frac{\text{vehicle movements per day generated by the development}}{\text{vehicle movements per day of the development plus vehicle movements per day of any potential additional lots that could develop plus average daily traffic: \%Rooding financial contribution} = \frac{\text{vmpd development}}{\text{vmpd development} + \text{vmpd potential new lots} + \text{current average daily traffic}}</math>;</p> <p>d. where new roads are required, the financial contribution will be based on a unit rate per kilometre of new road multiplied by the number of new lots divided by the existing lots plus proposed new lots; and</p> <p>e. where land is required to be vested for rooding purposes, the area of land, the value of the land, and it's proposed classification, shall be specified by Council."</p>	Section 8.13	Reject	Potential development are should still be assessed upfront to avoid the added cost of incremental assessments and upgrades	No
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.13	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.13	Accept		

68.7	199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd	General	Support	General support for variation 2.No specific relief sought.	Section 8.4	Accept	No changes arising from this submission	No
69.1	Eliot Sinclair and Partners Limited	General	Support	Support retention of financial contributions as a separate chapter within the proposed Waimakariri District Plan on the basis that they are accounted for separately to development contributions but are offset by development contributions in the first instance. Retain financial contributions as a separate chapter within the proposed district plan.	Section 8.4	Accept	No changes arising from this submission	No
69.2	Eliot Sinclair and Partners Limited	FC-P1 Provision of Infrastructure	Support	Policy FC-P1 is supported on the basis that it limits financial contributions applicability to existing infrastructure only, and does not apply to new greenfield infrastructure. Retain policy FC-P1 as notified	Section 8.7	Accept	No changes arising from this submission	No
69.3	Eliot Sinclair and Partners Limited	FC-R2 Subdivision	Oppose	Rule FC-R2 should only apply to the zones where the Medium Density Residential Standard provisions apply. FC-R2 is being used to capture funds via financial contributions for all subdivisions in any zone, including rural zones and general residential zones where Medium Density Residential Standards provisions do not apply. This does not seem reasonable on the basis that Development Contributions would otherwise apply to such areas, with no increased ability for additional demand and hence infrastructural capacity effects to be created (by Medium Density Residential Standards imposed new permitted activities).Oppose FC-R2.	Section 8.10	Reject	FC-R2 applies on all subdivision and is no different to the current operative DP rules. There is no permitted activity subdivision.	No

69.4	Eliot Sinclair and Partners Limited	FC-S1: Assessment Methodology	Oppose	<p>Standard FC-S1 is inconsistent with objectives FC-O1 and FC-O2, policies FC-P1 and FC-P2. These objectives and policies require the remediation and/or mitigation of effects on Council infrastructure and the environment in contrast to the avoidance of effects on Council infrastructure and the environment. The inclusion of a provision to charge a financial contribution to “any reasonable cost to avoid” is potentially more expensive than options to remedy or mitigate capacity effects. Amend FC-S1:</p> <p>"1. The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies:</p> <p>a. all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements); b. any reasonable costs to avoid, remedy or mitigate any effects on the environment from intensification, and subdivision;</p> <p>c. the value of and/or the costs of acquiring any or interest in any land required for the service, utility, facility or reserve;</p> <p>d. an allowance or adjustment for inflation; and</p> <p>e. an allowance for the overhead costs of the Council and/or any costs associated with servicing Council expenditure in providing or upgrading a service or facility.</p> <p>f. The calculation and credit (if applicable) that takes account of payments made under the Council's Development Contributions Policy, and determines the offset value to be paid as a financial contribution (if any)."</p>	Section 8.11	Accept	(b) introduces an avoid test which is not consistent with the objective as the submitter states. This should be "remedy and mitigate" only.	Yes
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.11	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.11	Accept		

69.5	Eliot Sinclair and Partners Limited	FC-S4: Financial Contribution Calculation for Rooding	Oppose	<p>Standard FC-S4 should assess a financial contribution at the time of physical development when the actual effect can be quantified. It is not appropriate to charge for future potential development, and therefore, should be aligned with the development contribution policy. Amend FC-S4:</p> <p>"1. As part of the District Council Financial Contribution</p> <p>Calculation Assessment for rooding the following calculation methodology will be used:</p> <p>a. assess whether the upgrade of extension to or new rooding infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy;</p> <p>b. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new rooding infrastructure will be calculated by Council;</p> <p>c. the percentage contribution required to be paid by the development will be calculated as follows: <math display="block">\text{vehicle movements per day generated by the development} \div \text{vehicle movements per day of the development plus vehicle movements per day of any potential additional lots that could develop plus average daily traffic} \times \text{Rooding financial contribution} = \text{vmpd development} \div (\text{vmpd development} + \text{vmpd potential new lots} + \text{current average daily traffic});</math></p> <p>..."</p>	Section 8.13	Reject	Potential development are should still be assessed upfront to avoid the added cost of incremental assessments and upgrades	No
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.13	Accept		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.13	Accept		
69.6	Eliot Sinclair and Partners Limited	General	Support	Generally support variation 2.No specific relief sought.	Section 8.13	Accept	No changes arising from this submission	No

7.1	Lynette Hanata Te Aika	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept	Agree that intensification of housing in Woodend and Rangiora may compromise or delay the provision of upgraded servicing to MR873 potentially resulting in the delayed uptake of development. However this is a question related to the how the funding of infrastructure (including conditions of consent) occurs at MR873 and not related to the fundamental issue of whether financial contributions are needed overall.	No
70.1	Martin Pinkham	FC-O1 Infrastructure Impacts	Oppose	Oppose objective FC-O1 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.5	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.2	Martin Pinkham	FC-O2 Environmental Effects	Oppose	Oppose objective FC-O2 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.6	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.3	Martin Pinkham	FC-P1 Provision of Infrastructure	Oppose	Oppose policy FC-P1 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.7	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.4	Martin Pinkham	FC-P2 Acquisition and Vesting of Land	Oppose	Oppose policy FC-P2 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.8	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.5	Martin Pinkham	FC-R1 New Residential Units	Oppose	Oppose rule FC-R1 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.9	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No

70.6	Martin Pinkham	FC-R2 Subdivision	Oppose	Oppose rule FC-R2 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.10	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.7	Martin Pinkham	FC-S1: Assessment Methodology	Oppose	Oppose standard FC-S1 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.11	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.8	Martin Pinkham	FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater	Oppose	Oppose standard FC-S2 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. Withdraw variation 2 and notify a new variation which includes adequate information.	Section 8.12	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
70.9	Martin Pinkham	FC-S3: Financial Contribution Calculation for Water, Wastewater and Stormwater	Oppose	Oppose standard FC-S3 as the manner in which the variation has been notified does not provide adequate information to assess the impacts of the proposed changes at both a development level and at a district wide level. That the Variation be withdrawn, and a new Variation that includes adequate information and assessment be issued.	Section 8.13	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
71.1	Ravenswood Developments Limited	General	Oppose	The variation 2 provisions are too broad and do not provide appropriate specificity as to the basis on which financial contributions will be sought. No specific relief sought.	Section 8.4	Reject	V2 largely reflects the operative district plan financial contributions regime and as such the district-wide effects of the regime are well known and understood	No
FS 5	FS Kainga Ora		Support		Section 8.4	Reject		
71.3	Ravenswood Developments Limited	General	Oppose	The Variation 2 provisions do not expressly identify a "purpose" for which financial contributions will be required, but the purposes in objectives FC-O1 and FC-O2 are broad, which provides very little indication to developers or the public of the scope of financial contributions that may be sought, or the purposes for which they will be required. Other districts contain purpose statements which identify the particular types of infrastructure works to be funded by financial contributions (for example three waters, transport), and the particular environmental effects to be mitigated and outcomes to be achieved. No specific relief sought	Section 8.4	Reject	The scope of the financial contributions is provided in each of the four standards FC-O1 to FC-O4	No
FS 5	FS Kainga Ora		Support		Section 8.4	Reject		

71.4	Ravenswood Developments Limited	General		Policy FC-P1 appropriately identifies that financial contributions will be required in relation to adverse environmental effects on infrastructure, however objective FC-O2, policy FC-P2, and assessment standard FC-S1(c) provide for financial contributions to "mitigate the effects on the environment". No detail is provided as to what effects would be assessed or for what purposes and outcomes the contributions would be used for. No specific relief sought.	Section 8.4	Reject	FC-S1(b), not (c), refers to effects on the environment, but it is not general, it is the effects of intensification and subdivision.	No
FS 5	FS Kainga Ora		Support		Section 8.4	Reject		
71.5	Ravenswood Developments Limited	Introduction	Oppose	The introductory text in the Financial Contributions chapter sets out a number of "general circumstances where financial contributions may be required". The purpose of including that list is unclear and does not inform the interpretation of subsequent provisions. No specific relief sought.	Section 8.4	Reject	The introductory text is explanatory only.	No
71.6	Ravenswood Developments Limited	General	Amend	FC-S2 and FC-S4 generally provide that a proportion of costs of the upgrade, extension or new infrastructure will be required, corresponding to the demand generated by the development. FC-S3 relates to the acquisition and vesting of land and provides that only the area of land required for the infrastructure or service will be required and it also provides that if the land value is more than the equivalent financial contribution value, the difference in value shall be a credit. Amend standards FC-S2, FC-S3, FC-S4 to clarify how financial contribution value, including attribution of proportions is determined.	Section 8.4	Reject	Proportions are for the most part context specific and hard, if not impossible, to provide in a general policy sense.	No
FS 5	FS Kainga Ora		Support		Section 8.4	Reject		
71.7	Ravenswood Developments Limited	General	Amend	The proposed financial contributions provisions generate significant potential for overlap with development contributions. Standards FC- S2 and FC-S4 make reference to an assessment of whether the upgrade, extension or new infrastructure required is already accounted for in the growth component allowed for the in the Development Contributions policy, but only standard FC-S4 provides that it is only if this is not provided for in the Development Contribution policy that the cost of the infrastructure will be calculated by Council. Amend financial contributions provisions to more expressly state that financial contributions will be levied for a different purpose to development contributions, and the calculation of financial contributions payable will not include the cost of any infrastructure or services funded via Council's Development Contributions policy.	Section 8.4	Reject	The provisions and proposed changes make it clear that financial contributions are additional to any development contributions.	No
FS 5	FS Kainga Ora		Support		Section 8.4	Reject		



71.8	Ravenswood Developments Limited	General	Amend	Seeks amendments to Variation 2 to better accord with the Resource Management Act 1991, including the requirements of section 77E. Seeks amendments to Variation 2 to better accord with the Resource Management Act 1991, including the requirements of section 77E. Amend Variation 2 to: (a) Identify specific purposes for which financial contributions will be required, specifically: (i) Those purposes should be limited to capacity increases, upgrades or other modification to the infrastructure ahead of or outside of the scheduled maintenance or replacement. (ii) If financial contributions are to be required for adverse effects on the environment (which is not supported), the adverse effects to be assessed and the purposes or outcomes for which the financial contribution will be sought should be clearly identified; and (b) Explicitly state that in all cases, financial contributions will not be required for infrastructure, services or amenities for which development contributions are recoverable; (c) Improve the level of detail, clarity and drafting of standards FC-S1 to FC-S4. Seeks such other relief as may be required to give effect to this submission, including alternative, further or consequential amendments to objectives, policies, rules and definitions of the PWDP that address the matters raised.	Section 8.4	Reject	The submitters' list appears more consistent with the matters to which development contributions under the LGA are charged. s77E does not place any particular requirements on how financial contributions are to be set, merely that they can be set, including o permitted activities.	No
FS 5	FS Kainga Ora		Support		Section 8.4	Reject		
72.1	Ryman Healthcare Limited	General	Oppose	Adopts the Retirement Villages Association of New Zealand Incorporated submission on Variation 2. Emphasises that Variation 2 will have a significant impact on the provision of housing and care for Waimakariri's growing ageing population. There is a real risk that the proposed changes will delay necessary retirement and aged care accommodation in the region. Seeks the relief sought by the Retirement Villages Association of New Zealand Incorporated in its submission on Variation 2.	Section 8.4	Accept in part	Not all of the Retirement Association submission has been accepted	No

73.1	Ryman Healthcare Limited	General	Amend	Retirement villages have a substantially lower demand profile than standard residential developments due to low occupancy levels and reduced activity levels of the residents due to their age and frailty. Retirement villages have lower demand on the following particular areas - reserves, transport, water/wastewater. Retirement Village Association members also construct public infrastructure as part of their proposals, which adds capacity to the network for wider public benefit. The proposed assessment methodology does not take into account works undertaken by developers. The Retirement Village Association seeks amendments to Variation 2 to: Ensure the dual financial and development contributions regimes will not result in double dipping; Provide certainty as to the financial contributions that will be required to be paid;	Section 8.4	Accept in part	Agree that the relationship with development contributions be clarified.	Yes
FS 5	FS Kainga Ora		Oppose		Section 8.4	Reject		
73.2	Ryman Healthcare Limited	General	Oppose	Concern that Variation 2 as proposed will result in 'double dipping' under dual financial and development contribution regimes, does not clearly set out the financial contributions that will be required, and does not recognise the bespoke demand characteristics of retirement villages or works carried out as part of development. Amend all relevant provisions to: Ensure the dual financial and development contributions regimes will not result in double dipping; Provide certainty as to the financial contributions that will be required to be paid; Ensure the calculation methodology takes into account cost of works undertaken as part of development; and Provide a retirement village-specific regime for retirement villages that takes into account their substantially lower demand profile compared to standard residential developments.	Section 8.4	Reject	The provisions and proposed changes make it clear that financial contributions are additional to any development contributions.	Yes
FS 5	FS Kainga Ora		Oppose		Section 8.4	Reject		

74.1	Juliet Dalley	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
75.1	Wiremu Harry Michael Caldwell	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
76.1	Rolleston Industrial Development Limited	General	Oppose	Oppose all variation 2 provisions as: the provisions are not consistent with and do not give effect to section 77E of the RMA, it would result in a lack of transparency, clarity and certainty as to the calculation and magnitude of the financial contribution, there does not appear to be any ability to understand the quantum of financial contributions before site purchase or resource consent application, there does not appear to be any scope to object to the calculation or otherwise of financial contributions; and it is not clear how these will be distinguished from developer contributions already required in the Waimakariri District. Delete all provisions of the variation 2 in their entirety	Section 8.4	Reject	s77E RMA merely states that financial contributions provisions can be placed in plans, there are no additional tests that the submitter states. The Purpose, level, and when tests are all met by the proposed provisions	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		

77.1	Kainga Ora - Homes and Communities	General	Amend	Plan provisions need to provide greater transparency about costs and how these will be calculated and proportioned, and greater clarity in how financial contributions will be implemented. The changes requested are made to: i. Ensure that Kāinga Ora can carry out its statutory obligations; ii. Ensure that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991; iii. Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development; iv. Provide clarity for all plan users; and v. Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019. Amend plan provisions to provide greater clarity and certainty to plan users of the costs and implementation of financial contributions.	Section 8.4	Reject	The functions that Kainga Ora is requesting provision for within the proposed plan are all outside of the RMA	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		
77.11	Kainga Ora - Homes and Communities	FC-S4: Financial Contribution Calculation for Rooding	Oppose	Standard FC-S4 should only apply when the scale of development requires road upgrades. However, standard FC-S4 as notified provides no certainty or transparency to plan users. Provide a consistent methodology for determining financial contributions across all forms of infrastructure by, assessing whether infrastructure upgrades are already allowed for within Council's Development Contributions Policy, and only charging financial contributions on upgrades not allowed for, only charging the proportion of financial contributions needed to service the proposed development (account for cumulative effects, but not disproportionately charge the first development to trigger an infrastructure upgrade), provide specific calculations to the extent possible, provide specific circumstances where financial contributions will not be charged, provide details as to who undertakes the assessment and the process for dispute resolution, provide reference to an external resource or online calculator or similar to enable plan users to readily assess financial contributions. Amend standard FC-S4 to provide clarity and certainty	Section 8.13	Reject	The relationship with development contributions has been clarified.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.13	Reject		

77.12	Kainga Ora - Homes and Communities	General	Amend	Ensure that variation 2: i. Gives effect to the National Policy Statement on Urban Development ("NPS-UD") and The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ("the Amendment Act"); ii. Minimises barriers that constrain the ability to deliver public housing, affordable housing, affordable rental and market housing and iii. Provides for the provision of services and infrastructure and how this may impact on the existing and planned communities, including Kāinga Ora housing developments. No specific relief sought	Section 8.4	Reject	I consider that the variation achieves this with the amendments already recommended in response to submissions, and note that this submitter has requested no particular relief on this submission point.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		
77.13	Kainga Ora - Homes and Communities	General	Amend	Supports and understand the need for Financial Contributions; Seek that there needs to be a very clear nexus between a financial contribution and the environmental effect the financial contribution is to mitigate in the Proposed Plan. Considers and seek that the rule framework for financial contributions needs to be clear and concise in such that the assessment of any financial contributions payable is easily understood by all potential plan users (i.e. laypeople). Opposes the proposed provisions as currently notified as the proposed rules will not be easily understood. Propose and seek a number of amendments to the rule framework. Seek a more simplified rule package that gives certainty over how, when and what quantum of contributions will be required in variation 2 and the Proposed Plan. No specific relief sought.	Section 8.4	Reject	No particular relief sought, specific relief is below for this submitter.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		
77.14	Kainga Ora - Homes and Communities	General	Amend	Seek that transparency on a financial contribution (whether potential or true and factual) should be made clear and be capable of determination at any stage in the development process, including prior to land acquisition and/or consent application being submitted. No specific relief sought	Section 8.4	Reject	Once a financial contribution calculation assessment is made, this becomes part of the consent process, which provides opportunities for reassessment, negotiation, and if necessary rights of hearing and appeal.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		

77.15	Kainga Ora - Homes and Communities	General	Amend	Kāinga Ora has concerns that any requirement for potential developers to check water, sewer network, storm water and roading capacity prior to planning new development will create uncertainty for developments and effectively give Council a right of veto for developments that are otherwise provided for and potentially permitted by the District Plan. Kāinga Ora queries why, if Council has the information on network capacity, that it does not make it available now to the public via interactive maps on the Council website, or online contributions calculators rather than requiring developers to check with Council directly on a case-by- case, enquiry or application basis. Kāinga Ora considers that this will lead to significant resourcing and time delays (which have not been anticipated by Council) associated with obtaining feedback from, or providing a response to Council. Council will need to address these issues in order to effectively and efficiently implement any new financial contribution provisions proposed in V2.Kāinga Ora seeks that the information on infrastructure network capacity is made available to the public via interactive maps on the Council website, or online contributions calculators.	Section 8.4	Reject	The provisions do not require potential developers to check water, sewer network, storm water, and roading capacity prior to new developments, they simply provide for Council to assess this as part of its Financial Contributions Calculation Assessment.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		
77.16	Kainga Ora - Homes and Communities	General	Amend	Seek removal of financial contributions on permitted development and / or the introduction of an objection process. No specific relief sought	Section 8.4	Reject	The objection process already exists through the discretionary activity status.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		
77.17	Kainga Ora - Homes and Communities	General	Amend	Kāinga Ora queries how cumulative effects are addressed in the provisions and how costs will be proportioned across multiple sites equitably. For example, if several sites within a block dependant on the same infrastructure upgrade are being developed at the same time, will the one that 'broke the camel's back' be charged FC and the others contribute nothing? Will FC be determined on a first in first served or priority basis and if so is this first to get a land use resource consent, or a building consent, or a subdivision resource consent? These examples are not exhaustive but illustrate Kāinga Ora's concerns in ensuring that the charging of FC is equitable and proportional across the district. Kāinga Ora seeks amendments to clarify these processes and provisions as part of V2.	Section 8.4	Reject	The relationship with development contributions has been clarified.	No

FS 1	FS Ravenswood Developments Ltd		Support		Section 8.4	Reject		
77.18	Kainga Ora - Homes and Communities	General	Amend	Submitter notes that FC could be seen as a potential barrier to development if not appropriately drafted to address the above points. Seek ongoing involvement in discussions with Council regarding financial contributions and seeks that the Council test-run a number of development proposals through an amended financial contributions calculation assessment to see what issues may arise and	Section 8.4	Reject	Council's understanding is that Kainga Ora have no current or short to medium term proposed developments within the District	No
77.19	Kainga Ora - Homes and Communities	General	Amend	Whilst generally supported, the introductory section to the chapter needs to clearly state that FC are required where the costs of development are not otherwise covered by development contributions or other funding sources available to the Council. Amend the provisions as follows Financial contributions are collected by councils to address adverse effects of development that cannot be otherwise avoided, remedied or mitigated. Financial contributions can be used to cover the proportioned cost of the	Section 8.4	Reject	Financial contributions are collected to remedy or mitigate adverse effects on infrastructure. The Kainga Ora relief appears to be drafted as more of an effects mitigation hierarchy for offsetting, for instance.	No
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.4	Reject		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.4	Reject		
77.2	Kainga Ora - Homes and Communities	FC-O1 Infrastructure Impacts	Oppose	Objective FC-O1 does not adequately and clearly specify the purposes for which financial contributions are required. Remove Objective FC-O1 as notified and amend to ensure the purpose for which financial contributions are required are more clearly and comprehensively set out.	Section 8.5	Reject	No specific relief to amend the objective has been offered.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.5	Reject		
77.3	Kainga Ora - Homes and Communities	FC-O2 Environmental Effects	Oppose	Objective FC-O2 does not adequately and clearly specify the purposes for which financial contributions are required. Delete Objective FC-O2 as notified and amend to ensure the purpose for which financial contributions are required are more clearly and comprehensively set out.	Section 8.6	Reject	No specific relief to amend the objective has been offered.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.6	Reject		

77.4	Kainga Ora - Homes and Communities	FC-P1 Provision of Infrastructure	Amend	As worded, FC-P1 may unnecessarily require financial contributions for infrastructure upgrades that are 'ahead of the scheduled maintenance/replacement program' but which might otherwise be catered for in the Council's Development Contribution policy or by other funding sources (e.g. developer agreements or developer funded infrastructure) in a way that makes a financial contribution unnecessary. Accordingly, the proposed amendments provide greater clarity and scope to consider wider sources of funding. Amend FC-P1: "Financial contributions are required where housing intensification, subdivision, and development or both have an adverse environmental effect on existing infrastructure, which requires capacity increases, upgrades or other modification to the infrastructure ahead of the scheduled maintenance/replacement program, or outside the scope of scheduled maintenance/replacement programme where such upgrades and costs are not otherwise addressed by Council's Development Contributions Policy or other funding sources available to the Council."	Section 8.7	Reject	The relationship with development contributions has been clarified but not in the manner requested by the submitter	No
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.7	Reject		
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.7	Reject		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.7	Reject		
77.5	Kainga Ora - Homes and Communities	FC-P2 Acquisition and Vesting of Land	Oppose	Land requirements for new road reserve, stormwater reserve, or council infrastructure are planned and provided for through the Long-Term Plan process, not through financial contributions. Delete Policy FC-P2 in its entirety.	Section 8.8	Reject	Land requirements are provided in a number of contexts, including ODPs, plan requirements, and offsetting/mitigation through consent negotiation. This form of land requirement is intended as a "payment" rather than as a direct plan provision	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.8	Reject		



77.6	Kainga Ora - Homes and Communities	FC-R1 New Residential Units	Amend	Financial contributions, through Rule FC-R1(1) should apply to more than three residential units, on the basis that the MDRS permit up to 3 units per site and this level of development should be planned for by Council in terms of infrastructure requirements and funding, and financial contributions should be paid prior to the issue of a Code Compliance Certificate under the Building Act. Amend FC-R1: 1. there are more than two three residential units per site; 2. a financial contributions assessment has been completed in accordance with FC-S1; and 3. all monies calculated under FC-S2 to FCS4 are paid, prior to the issue of a Code Compliance Certificate under the Building Act 2004." Make consequential amendments as required to V1, including as a minimum, the deletion of all other infrastructure assessment matters applying to land	Section 8.9	Accept in part	Changes to the rule have been made to link it to the code compliance certificate	Yes
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.9	Accept		
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.9	Accept		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.9	Accept		
77.7	Kainga Ora - Homes and Communities	FC-R2 Subdivision	Amend	Financial contributions, through Rule FC-R2 should apply to more than three residential units, on the basis that the MDRS permit up to 3 units per site and this level of development should be planned for by Council in terms of infrastructure requirements and funding, and financial contributions should be paid prior to the issue of a Code Compliance Certificate under the Building Act. Amend FC-R2 as follows: Activity status: PER Where: 1. there are more than twothree allotments are created; 2. a financial contributions assessment has been completed in accordance with FC-S1; and 3. all monies calculated under FC-S2 to FCS4 are paid, prior to the issue of a completion certificate under section 224c of the Resource Management Act 1991. Make consequential amendments as required to V1, including as a minimum, the deletion of all other infrastructure assessment matters applying to land use consent applications for more than 3 units.	Section 8.10	Accept in part	Changes to link FC-R2 to the s224c certificate process have been recommended	Yes

FS 1	FS Ravenswood Developments Ltd		Support		Section 8.10	Accept		
FS 2	FS Ryman Healthcare Ltd		Support		Section 8.10	Accept		
FS 3	FS Retirement Villages Association of NZ		Support		Section 8.10	Reject		
77.8	Kainga Ora - Homes and Communities	FC-S1: Assessment Methodology	Oppose	Supports the inclusion of an assessment methodology for financial contributions. However, standard FC-S1 as notified provides no certainty or transparency to plan users. There is certainty as to the spatial extent/scope of a Financial Contribution Calculation Assessment, how the costs in standard FCS1.1a- e will be determined, whether such costs will be determined or confirmed independently of Council, or to what extent they can be reviewed or contested in the event of disagreement with a Financial Contribution Calculation Assessment. There is also no linkage to standards FC-S2 to FC-S4, despite these provisions being integral to FC-S1. Amend standard FC-S1 to provide clarity and certainty.	Section 8.11	Reject	I assume that the submitter means "uncertainty". In the event of disagreement any applicant has negotiation through the consent process, and the rights of hearing and appeal.	No
FS 1	FS Ravenswood Developments Ltd		Support		Section 8.11	Reject		
77.9	Kainga Ora - Homes and Communities	FC-S2: Financial Contribution Calculation for Water, Wastewater and Stormwater	Oppose	Supports the inclusion of an assessment methodology for financial contributions. However, standard FC-S2 as notified provides no certainty or transparency to plan users. Provide a consistent methodology for determining financial contributions across all forms of infrastructure by, assessing whether infrastructure upgrades are already allowed for within Council's Development Contributions Policy, and only charging financial contributions on upgrades not allowed for, only charging the proportion of financial contributions needed to service the proposed development (account for cumulative effects, but not disproportionately charge the first development to trigger an infrastructure upgrade), provide specific calculations to the extent possible, provide specific circumstances where financial contributions will not be charged, provide details as to who undertakes the assessment and the process for dispute resolution, provide reference to an external resource or online calculator or similar to enable plan users to readily assess financial contributions. Amend standard FC-S2 to provide clarity and certainty.	Section 8.12	Accept in part	The relationship with development contributions has been clarified.	Yes

FS 1	FS Ravenswood Developments Ltd		Support		Section 8.12	Accept		
78.1	Rana King	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
8.1	Jadah Pitama	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes
9.1	Hunter Kahutia Te Rangi Halbert-Pere	FC-R2 Subdivision	Oppose	Oppose FC-R2 which allows the Council to require financial contributions from Māori landowners who may be seeking to subdivide freehold land as it increases the barriers to Māori land owners who would like to build homes for whānau and develop their land. Council's decision has been made without appropriate engagement with descendants who are also landowners within the Special Purpose Kāinga Nohoanga Zone. Do not include the Special Purpose Kāinga Nohoanga Zone (which includes MR873) in Activity Rule FC-R2.	Section 8.1	Accept in part	The consideration of financial contributions at Tuahiwi requires particular discretion in recognition of the memorandum of understanding between Council and Runanga.	Yes

## Appendix C Report Author's Qualifications and Experience

### Peter Wilson

I hold the following qualifications:

- Master of Planning (MPlan) and Bachelor of Physical Geography (BSc) from the University of Otago.

I am an intermediate member of the New Zealand Planning Institute.

I am a certified hearings commissioner.

I have 18 years' experience in working as a planner for local, central government, private consultancy, and a range of non-government organisations.

My work experience includes:

- Statutory, RMA, and recreation planning for the Department of Conservation.
- Consent planning for the Waitaki District Council.
- Extensive affected party, policy planning, Environment Court case management and litigation, central government liaison, and freshwater science experience with regional Fish and Game Councils and the New Zealand Fish and Game Council.
- Principal advisor (water) for Federated Farmers of New Zealand.
- Private consultancy, primarily on conservation and recreation planning issues to a range of non-government organisation and trust clients.
- Private aquaculture and geospatial businesses.

I have worked on planning matters across all New Zealand.

I have been employed by the Waimakariri District Council between August 2022 and December 2023 as a senior planner and since January 2024, as a principal planner.

### Conflict of interest statement

In my role at Federated Farmers of New Zealand, I was the primary author of its submission on the PDP. I understand that this is a potential conflict of interest that requires declaration. Whilst I have no direct interest or benefit or gain from the outcome of the submission, not being from a farming background and also being a new resident to the district (and region) since employment by Council, I have undertaken to:

- a) Not be the reporting officer on the rural chapter
- b) Ensuring that any other work that handles the Federated Farmers submission is checked and reviewed.
- c) Not participating in consultation and engagement with Federated Farmers, except with another staff member present.

I notified my employer, the Waimakariri District Council, of this prior to employment.