

 <small>KAIPARA HE ORANGAKU</small> KAIPARA DISTRICT <small>THE OCEANS THE HARBOURS</small>	Title of Policy	Reserves Contributions (Use of)		
	Sponsor	Commissioner Winder		
	Written By	Jill McPherson	Authorised/Adopted by	Council
	Type of Policy		Date Adopted	16 December 2014
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1 Background

Financial Contributions

Council has a Financial Contributions mechanism in its District Plan. This outlines how much can be imposed on land developers on approval of a resource (land-use or subdivision) consent. The plan relies on the Resource Management Act to define how Financial Contributions can be spent. **Reserves Contributions** are a subset of Financial Contributions.

Section 108(10)(a) of the Resource Management Act 1991 (RMA) allows Council to require Financial Contributions, where necessary, to achieve one or more of the following purposes:

- a) Creating open space (including recreation areas, visual buffers and amenity areas) through reserve contributions.
- b) Adding capacity to or otherwise enhancing existing open spaces (including recreation areas, visual buffers and amenity areas) through reserve contributions.
- c) Giving public access to coastal areas, reserves, bush areas or areas of special character through reserve contributions.
- d) Providing new, or upgrading existing, infrastructure such as Council-owned roads, transportation infrastructure and utilities (including stormwater systems and shared wastewater systems).
- e) Protecting or enhancing amenities, habitats, ecosystems, landscape features and archaeological heritage or cultural values.
- f) Avoiding, remedying or mitigating land use activity or subdivision impacts upon sensitive parts of the natural and physical environment.
- g) Providing new, or upgrading existing, community amenities (such as libraries, community halls, leisure facilities and public toilets).
- h) Creating a financial resource to be used for any of the above purposes.

Reserves Contributions

The Council may require a Financial Contribution in cash or land towards the establishment and/or upgrading of reserves and public open space areas as a condition of Land Use Consent or Subdivision Consent.

In the Kaipara District Plan section 22.6.6 details the purpose of Reserves Contributions:

“By requiring developments to pay their fair and reasonable share of the costs of purchasing land for reserves or upgrading existing reserves.

New developments generate an increase in demand for, and usage of, reserves, open space and public recreation facilities. All new developments will be required to contribute towards the costs of acquiring new, or upgrading existing reserves, open space or facilities, in accordance with Council's Reserves and Open Space Strategy.

Financial Contributions for Reserves will only be used for the purchase and development of new reserves or for the improvement and development of existing ones. The maintenance of reserves and recreational facilities is funded through rates."

In section 22.10.5 of the District Plan describes what purposes a reserve contribution will be put:

Any **Reserve Contribution** required as a Condition of Land Use Consent or Subdivision Consent may be in the form of:

- a) Land to be set aside and vested in the Council for reserve or public open space purposes; or
- b) A cash contribution to the Council for it to carry out works relating to developing or upgrading reserves or public open spaces in the District.

In addition under Section 108 of the Resource Management Act 1991 the Council can require as a Resource Consent Condition works on any reserve or public open space. Such works may include but are not limited to the following:

- a) Fencing;
- b) Landscaping including grassing and tree planting;
- c) Provision of play equipment and other recreational facilities; and
- d) Provision of footpaths and walking tracks.

2 Objective of this Policy

The objective of this policy is for Council to define the priorities it has for use of reserve contributions, and use this priority to guide the development of a programme of works. This works programme will be consulted on as part of each year's Annual Plan process.

3 Definitions

Reserves Contributions: a mechanism in the District Plan that allows for the collection of levies from developers, so that Council can develop or upgrade reserves and other public open spaces

Open space: Land held under the Reserves Act and/or zoned as reserve in the District Plan, and/or included in the Reserves and Open Space Strategy (ROSS) as a reserve.

Local: the district has been divided up into three "local" areas of Northwest of State Highway 12 (Northwest Kaipara), between State Highway 12 and State Highway 1 (Mid Kaipara), and east of State Highway 1 (Mangawhai-Hakaru).

District-wide: reserves and open space that are classified as premier or key reserves in the Reserves and Open Space Strategy (ROSS), and any facilities on reserves that cater for the whole district (tend to be one of a kind).

4 Policy Statement

Council will collect reserves contribution in the future as cash for it to carry out works relating to developing or upgrading reserves or public open spaces in the District. Only in special circumstances will the contribution be in land vested in Council, and this decision will be guided by the Reserves and Open Space Strategy in place at the time. These exceptions will need to prove a shortfall of open space in a particular area and/or the current open space areas are already used to capacity. Any contribution given as land must meet the test of usability, or the protection of environmental values where this cannot be achieved through conditions in any consents required.

Criteria for eligibility for use of Reserves Contributions

Of the areas of the Resource Management Act that define how a reserves contribution may be spent, the Council will prioritise two uses for the funds levied and collected:

- 1 Adding capacity to or otherwise enhancing existing open spaces (including recreation areas, visual buffers and amenity areas). This can include
 - bringing existing reserves up to a minimum standard for public use e.g. supplying public toilets in recreation reserves;
 - landscaping,
 - providing equipment e.g. seats, barbeques, playgrounds
- 2 Giving public access to coastal areas, reserves, bush areas or areas of special character. This is typically through
 - the development of walking tracks,
 - the purchase of land that connects two public areas otherwise not accessible to the public

All allocations will be judged against their fit with these two uses, as if they are qualifying/assessment criteria. The reserves contribution fund will not and cannot be used for normal asset management (maintenance, repairs and renewals).

Distribution of Reserves Contributions within the Kaipara District

Of the funds collected, 60% will be spent within the local area likely to feel the impact of growth from the development, and 40% allocated to district-wide purposes.

District-wide purposes has been defined as those reserves and open spaces that are classified as premier or key reserves in the Reserves and Open Space Strategy (ROSS), and any facilities on reserves that cater for the whole district (tend to be one of a kind). Parks that cater for the whole District are considered to be the 'priority parks'.

Funds will typically be spent by Council in Council reserves, but may be allocated to community-led projects if they meet the criteria above.

Premier and Key Reserves

District-wide reserves includes three reserves classified as "premier", and classified as "key" reserves in the

Reserves and Open Space Strategy:

- The “premier” reserves in ROSS are:
 - Mangawhai Park
 - Harding Park and Pou Tu O Te Rangī
 - Mangawhai Heads esplanade/coastal reserves

- The “key” reserves in ROSS are:
 - Te Roroa (Maunganui Bluff)
 - Taharoa/Kai Iwi Lake reserves
 - Bayliss reserves along Ripiro Beach
 - Omamari reserves along Ripiro Beach
 - Pouto Point reserves
 - Kopuru Beach/Glinks Gully reserves
 - Tinopai/Komiti Road reserves
 - Memorial Park Dargaville (Logan Street Reserve)
 - Selwyn Park Dargaville.

Priority Parks

Council has three “priority” parks that will receive significant investment in their development over the next five or so years funded by reserves contributions.

- Taharoa Domain
- Harding Park/Pou Tu o Te Rangī
- Mangawhai Community Park

Each of these reserves is at different phases in their development, but all are under-developed and need investment to develop their immense potential.

5 Status of the Reserves Contribution Fund

Amounts available for each area defined using the ‘local’ definition of three areas, and ‘district-wide’ using the 60:40 split are therefore:

Location	2012/13 Amount Received	2012/13 Balance	2013/14 Amount Received	2013/14 Balance	District- wide 40%
Northwest Kaipara	\$41,522	\$199,495	\$23,261	\$198,208	\$79,283
Mid-Kaipara	\$38,398	\$925,435	\$231,956	\$1,157,391	\$462,956
Mangawhai- Hakaru	\$214,782	\$2,836,303	\$325,282	\$3,120,275	\$1,248,110