

## SECTION 15.2 RESERVES CONTRIBUTIONS

### 15.2.1 INTRODUCTION

Reserves, open spaces and recreational facilities include parks, gardens, plantations, neighbourhood playgrounds, sportsgrounds, sports stadiums, libraries and swimming pools. These play an important role in providing for the social, cultural and economic well-being of communities, and in off-setting adverse environmental effects of urban expansion and residential development by maintaining and improving amenity values and protecting natural and physical resources.

The Resource Management Act 1991 requires the Council to manage the effects of subdivision and development in a manner which promotes the sustainable management of natural and physical resources. Among the powers conferred on the Council to manage effects, is the power, under Section 108(1)(a) of the Act, to require a financial contribution as a condition of a Subdivision Consent, Permitted Activity or Resource Consent. Financial contributions may be in the form of money or land.

### 15.2.2 RESOURCE MANAGEMENT ISSUES

- ***New subdivisions and developments can create demands for the provision of new reserves and recreational facilities, or the improvement and development of existing ones.***

When new allotments are created, or existing allotments are developed, it may be necessary to provide new reserves and recreational facilities, or to improve and develop existing ones, to ensure that there are sufficient reserves and facilities available to meet the needs of the community. These are important to maintain or enhance the amenity values and recreational opportunities of the District, which contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. Generally, the provision, development or upgrading of reserves and recreational facilities can benefit all of the District's communities, although they are likely to be of more benefit to people living closer to them.

- ***Increasing urban densities generate more demand for convenient public open space.***

Reduced section sizes, and increasing urban densities means that accessible, convenient public open space is increasingly desirable to provide for a range of casual play and recreation opportunities. The proximity of available public recreational space may also provide the opportunity to increase density, and reduce the demand to expand urban boundaries.

- ***Subdividers and developers should pay their fair and reasonable share of the costs of providing new or improved reserves and recreational facilities.***

Where new reserves and recreational facilities must be provided, or existing ones upgraded or developed, ratepayers should not be required to subsidise these works. Equally, subdividers and developers should not be required to contribute towards reserves and recreational facilities where these are needed to meet existing shortfalls in the District. Instead, subdividers and developers should pay their fair and reasonable share of any costs of providing, improving or developing reserves and recreational facilities.

- ***Industrial and Commercial subdivisions and developments.***

Increased demand for reserves and recreational facilities is usually generated through growth in population associated with residential subdivisions and developments, including

rural-residential, papakainga housing developments and residential developments in the commercial zones. Industrial and commercial activities however, do not contribute significantly to demand, and should not be required to contribute to the provision, upgrading or development of reserves and recreational facilities.

- ***Maintenance of reserves and recreational facilities.***

Under the Resource Management Act 1991 financial contributions can be used for the maintenance of reserves and recreational facilities, provided it is specified in the District Plan. It is however considered, that reserves contributions should only be used for the purchase and development of new reserves and recreational facilities, or for the improvement and development of existing ones. The maintenance of reserves and recreational facilities is considered to be more appropriately funded through rates.

- ***Timing of taking reserves contributions.***

Taking reserves contributions from subdividers and developers as early as possible can have the following benefits:

- it can reduce the rating burden on the community as the Council can recover costs of providing, upgrading or developing reserves more quickly;
- it can allow reserves and recreational facilities to be put in place in advance of the anticipated demand occurring.

- ***Monitoring and review of contributions.***

In order to ensure that contributions taken continue to be appropriate to the needs of the community for reserves and recreational facilities, it is essential that they are monitored and reviewed regularly. Over time, land values or construction costs may vary and the amounts of contributions may need to be updated to ensure that they remain at an equivalent value to when they were first established.

### 15.2.3 OBJECTIVE

- ***RCO1 To ensure that subdividers and developers pay their fair and reasonable share of the costs of providing, improving or developing reserves and recreational facilities, to meet demand generated by the development of new subdivision sites or existing allotments, and to avoid, remedy or mitigate adverse effects on the environment.***

### 15.2.4 POLICIES

- **RCP1 Provide for Reserves and Recreation Facilities by requiring Land Reserve Fees for subdivisions and developments located in Proposed New Urban Development Areas.**

Explanation

Section 2.4 of the District Plan identified Proposed New Urban Development Areas in the Hastings District. Greater population in these areas will increase demand for public recreation space. The Hastings District Reserves Development Strategy has identified new reserves required to cater for this increased demand. Section yields for different areas are shown in Appendix 15.2-1. The additional reserves required will be distributed between local and neighbourhood parks, sports fields and larger passive parks. While all new residential development will be required to contribute at an equal rate to new

reserves, the placement of these will reflect the present distribution of reserves, their function, their expected catchment and the availability of land. The Hastings District Reserves Development Strategy identifies areas where new reserves are planned to accommodate this demand.

- RCP2 Regularly monitor and review Land Reserve Fees to ensure that they remain relevant to the actual costs of purchasing land for reserves for new urban development areas.**

Explanation

The percentage of the Land Reserve Fee taken from subdividers in new urban development areas, identified as having land requirements for new reserves, will be monitored and reviewed regularly to ensure that it remains relevant to the actual costs of purchasing the necessary land for the reserves. Any alteration to the Land Reserve Fee would need to be introduced by way of a Change to the District Plan.

- RCP3 Take District Reserve/Recreation Facility Fees for every new residential building and (Secondary Residential Buildings) in the General Residential, Deferred Residential, Plains Residential, Coastal Residential, Plains, Rural, Rural-Residential, Te Mata Special Character, Central Commercial, Central Residential-Commercial, Commercial Service and Suburban Commercial Zones of the District.**

Explanation

The development of household units on allotments can generate demand for the upgrading or improvement of reserves and recreational facilities in the District, by intensifying the number of people living in the District. These developments will be required to pay their fair and reasonable share of the costs of implementing these works.

The Council's Reserve Development Strategy identifies requirements for the improvement or development of reserves and recreation facilities in the District, over the next 10-20 years (see Appendix 15.2-2 of the District Plan). Such improvements and developments are identified in the strategy as being necessary to meet demand for reserves and recreation facilities likely to be generated from additional people living in the District as a result of new residential developments. The Strategy identifies improvement and development works required, as well as the expected costs of those works.

A District Reserve/Recreation Facility Fee will therefore be taken from developers as a one-off flat fee, as a condition of a Permitted Activity or Resource Consent for every new household unit (excluding Secondary Household Units) developed on an allotment in the General Residential, Deferred Residential, Plains Residential, Coastal Residential, Plains, Rural, Rural-Residential, Te Mata Special Character, Central Commercial, Central Residential-Commercial, Commercial Service and Suburban Commercial Zones of the District.

The levies taken will vary, depending on whether the development site is located in the urban zones, or in the Rural or Plains zones of the District. These variations reflect the distance of development sites in these areas from the urban centres of Hastings, Havelock North and Flaxmere, where the majority of reserves and recreation facilities are located in the District. The Fee is weighted (using the Council's Rates Weighting Formula) to reflect the expected variations in the use of reserves and recreation facilities by people living in these areas. For example, it is expected that people in Hastings would generally utilise reserves and recreation facilities in the District more than those living in Whirinaki. The District Reserve/Recreation Facility Fee paid by people living in the General Residential Zones of Hastings, Havelock North and Flaxmere will therefore be higher than the fee for those people living in the Coastal Residential Zones of Waimarama and Whirinaki, or the Rural Zone.

- **RCP4 Regularly review and monitor District Reserve/Recreation Facility Fees to ensure that they remain relevant to the actual costs of improving or developing reserves and recreation facilities to accommodate demand generated by residential developments.**

Explanation

The amounts of District Reserve/Recreation Facility Fees taken from new household units will be monitored and reviewed regularly to ensure that they are matched to the costs of carrying out works which are necessary to ensure that reserves and recreation facilities in the District can accommodate the additional demand expected to be generated by the developments. The fees may be changed in accordance with any changes in the actual costs for providing reserves and recreation facilities and/or any changes in the Cost Construction Index, to ensure that the fees remain current with construction costs. Any adjustments to the fees will be included in the Council's Annual Plan. A complete review of fees may however, be undertaken, from time to time, in conjunction with any reviews of the Reserves Development Strategy. Any changes to the fees, other than annual adjustments, will be introduced by way of a formal change to the District Plan.

- **RCP5 Where a heritage site (such as an archaeological site or a waahi tapu) has been set aside, either as a reserve, a conservation lot or consent notice as part of a subdivision, this will be taken into account when assessing any reserve contribution for the subdivision.**

Explanation

Subdivisions which include the protection of a heritage site, benefit the community by protecting an item that contributes to the social and cultural well being of the community and the maintenance and enhancement of amenity values.

The public good derived from the protection of a heritage site is a legitimate resource management issue that should be recognised when assessing reserve contributions on a subdivision. The nature of protection provided, significance of the site, and degree of public benefit derived will all be taken into consideration when assessing any reserve contribution.

## 15.2.5 METHODS

The Objectives and Policies will be implemented through the following methods:

- **Hastings District Council Reserves Development Strategy**

Identifies requirements in the District for the establishment, improvement or development of reserves and recreational facilities in the District over the next 10-20 years.

- **Hastings District Plan**

Urban Development and Strategic Urban Directions (Section 2.4): This section identifies the New Development Areas (Appendix 2.4-1) which the Council will progressively rezone to provide its urban residential landbank. The land reserve requirement is Appendix 15.2-1 identifies the reserves required to service the new development areas. The projected housing requirements are also utilised to establish the contribution from new development to the upgrading and expansion of recreational facilities in the District through the Reserve/Recreation Facility Fee.

Subdivision and Land Development (Section 15.1): This section establishes Objectives, Policies and Rules that provide for the subdivision of land, which is one of the triggers to the collection of land Reserve Fees.

- **Hastings Urban Development Strategy (HUDS)**

The HUDs study had identified the requirements for land in the Hastings District to accommodate urban development demands until the year 2020. This adopted Strategy has established a number of Proposed New Development Areas, which in turn have been utilised in developing the Council's Reserve Development Strategy, which identifies the requirements for the provision of physical reserves in each of these areas.

- **Building Act 1991**

District Reserve/Recreation Facility Fees are taken at the time of building consent.

- **Hastings District Council Annual Plan**

Identifies reserves and recreation facility works which are planned to be carried out over the next financial year in the Hastings District by the Council, including the amount of funding budgeted for these works.

#### **15.2.6 ANTICIPATED OUTCOMES**

It is anticipated that the following outcomes will be achieved:

- Provision of suitable reserves and recreational facilities to meet the needs of the District's communities.
- Fair and reasonable apportionment of costs between rate payers, subdividers and developers.

#### **15.2.7 RULES**

The following rules shall apply.

##### **15.2.7.1 LAND RESERVES**

Subdivisions and development in Proposed New Urban Development Areas (identified in Appendix 2.4-1) have land reserve requirements that are identified in the Hastings District Council Reserves Development Strategy (see Appendix 15.2-1 of the District Plan) and shall comply with the following standards.

**(a) Land Reserve Fees**

- (i) At the creation of any site by subdivision, a land reserve fee shall be paid as determined by Council as follows: in cash, land, or a combination of land and cash, at a maximum value of 3.5% (plus GST) of the current market land value (exclusive of GST) of the site based on compliance with the minimum requirements of the Engineering Code of Practice at the time the subdivision consent is lodged, provided that the value of any land contribution will be no more than would otherwise be taken for a contribution in cash except for the creation of any site within the Lyndhurst New Urban Development Area (as indicated in Appendix 2.4-1) where a contribution of cash, land, or a combination of land and cash, at a value of 4.1% (plus GST) of the current market value (exclusive of GST) of the site.

Where a Land Reserve Fee has been paid on any site within the previous 10 years in accordance with Rule 15.2.7.1(a)(ii) (below) the value of that fee shall be credited against any Land Reserve Fee required to be taken on a new site pursuant to Rule 15.2.7.1(a)(i).

- (ii) For every second and subsequent residential building (excluding secondary residential buildings) created on a site a Land Reserve Fee shall be paid as follows:

The Land Reserve Fee shall be paid at a rate of 3.5% (plus GST) of the current market value of a notional area of 700m<sup>2</sup> of the site on which the residential building is to be located.

Each residential building shall be charged at the above rate until the sum of the notional areas charged equals the area of the site. Where any site has been created since the operative date of this Plan for which a Land Reserve Fee has been paid in accordance with Rule 15.2.7.1(a)(i) above, Rule 15.2.7.1(a)(ii) shall not apply.

Note 1: The first of any existing residential building (including any secondary residential building) shall be deemed as having paid a Land Reserve Fee on a notional area of 700m<sup>2</sup> (in total).

Note 2: The final Land Reserve Fee shall be charged on an area of 700m<sup>2</sup> or such lesser area as required to equal the area of the site.

#### 15.2.7.2 DISTRICT RESERVE RECREATION FACILITIES

##### (a) District Reserve/Recreation Facility Fee

The following Fees shall be paid for every new residential building (including Papakainga residential buildings, but excluding Secondary Residential Buildings) created on an allotment in the following zones:

ZONE	AMOUNT PAYABLE
General Residential Zones in Hastings, Havelock North and Flaxmere. Central Commercial, Central Residential-Commercial, Commercial Service and Suburban Commercial Zones.	<b>\$380</b> (plus GST) per residential building
Plains Zone, Deferred Residential Zone, Rural-Residential Zone, Plains Residential Zone, General Residential Zones of Clive and Whakatu, Te Mata and Tuki Tuki Special Character Zones and Coastal Residential Zones of Haumoana and Te Awanga	<b>\$185</b> (plus GST) per residential building
Rural Zone and Coastal Residential Zones of Waimarama, Waipatiki and Whirinaki, and Coastal Residential zones of Tangoio and Ocean Beach (if and when zoned).	<b>\$85</b> (plus GST) per residential building

#### 15.2.7.3 LAND RESERVES AND DISTRICT RESERVE/RECREATION FACILITY FEES - WHEN PAYABLE

- (a) These fees shall, when they are required to be paid on the creation of a residential building being a Permitted Activity, be paid in cash prior to uplifting the Building Consent for the residential building(s).

- (b) These fees shall, when they are payable on a development requiring a Resource Consent (other than for a subdivision), be payable as and when required by any condition of that consent, whether or not the activity is a Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity.
- (c) These fees shall, when they are required to be paid on the creation of a site by subdivision, be paid prior to the issue of a Certificate under Section 224 of the Resource Management Act 1991.

## APPENDIX 15.2-1

**LAND RESERVES - PROPOSED NEW URBAN DEVELOPMENT AREAS**

The Table below indicates the land requirements of new reserves or open spaces in urban areas over the next 10 - 20 years. These figures have been calculated using the principles outlined in the Reserves Development Strategy Adopted 6 March 1997.

<b>A. HASTINGS URBAN</b>	<b>RESERVE AREA</b>	<b>PROJECTED SECTION YIELD</b>
Lyndhurst	7ha	700-750
Irongate/York	0.5ha	344
Hastings	8.4ha	715
Tomoana Road, Pakowhai Road, Williams Street	1.25ha	250
	17.15ha	
<b>B. HAVELOCK NORTH</b>	<b>RESERVE AREA</b>	<b>PROJECTED SECTION YIELD</b>
Arataki	6.0ha	800
Iona Middle Road	0.3ha	71
Goddards Lane	-	90
Havelock Hills	-	100
	6.3ha	
<b>C. OTHER AREAS</b>	<b>RESERVE AREA</b>	<b>PROJECTED SECTION YIELD</b>
Te Awanga	0.3ha	36
Clive	0.0ha	90
Additional Undefined Area	0.6ha	
	0.9ha	
<b>TOTAL</b>	24.35ha	3246

## APPENDIX 15.2-2

**DISTRICT RESERVE RECREATION FACILITIES**

The Table below indicates Hastings District Council expenditure projections 20 years to 2015 for Recreation Facilities (updated c.s.d. 28-01-97) as adopted on 6 March 1997.

	Funding Source		
	Rates	Reserves	Rates & Reserves
<b>A Passive Parks</b>			
Playground Improvements Civic Square	440,000		400,000
Arataki Subdivision		1,050,000	
Waimarama Domain	50,000		150,000
Hikanui Road			180,000
Chatham Park SW			20,000
Duart Cobblestoning			14,000
Riverlands			20,000
Keirunga Gardens			150,000
Puketapu Park Equipment/BBQ			70,000
Frimley Park fencing			25,000
Windsor Park carpark	100,000		
Kingsley Park development			40,000
Duart grounds development			134,000
Ocean Beach erosion/carpark			150,000
Windsor Park bridge			120,000
Anderson Park bridge			35,000
Mayfair Park seating			50,000
Eskdale Park upgrade	20,000		
Lyndhurst subdivision		68,000	
General Subdivision Development and Unidentified		4,022,000	
Holt House renovations	50,000		
Ebbet Park paths	35,000		
Flaxmere Village green			200,000
Tauroa Road reserve			80,000
Tanner Street reserve			80,000
Aviary renovations	30,000		
Cornwall Park Robert Street imp	20,000		
Windsor Park fencing			100,000
Waipatiki drainage and fencing	40,000	6,000	
Frimley Park frontage			20,000
Oak Avenue narrow road	100,000		
Irongate/York subdivision		225,000	
Middle/Iona subdivision		410,000	
Te Awanga subdivision		193,000	
	885,000	5,974,000	2,038,000

Appendix 15.2-2 continued...	Rates	Reserves	Rates & Reserves
<b>B. Sportsgrounds</b> Nelson Park upgrade Cricket wickets Haumoana tennis courts Frimley Park changing rooms Akina Park changing room Ron Giorgi Park changing room/fencing Charge ground development Chatham Park changing room Netball courts Mayfair Park seating	48,000           48,000		1,490,000  150,000 100,000 190,000 450,000 250,000 200,000 300,000 50,000  3,180,000
<b>C. Fantasyland</b> Development			1,000,000  1,000,000
<b>D. Swimming Pools</b> Various improvements Clive Pool Sauna, slide, co-gen.	212,500   212,500		73,000 210,000  283,000
<b>E. Libraries</b> Books etc.	10,242,763		
<b>F. Information Centre</b> Office extensions	75,000		
<b>G. Public Conveniences</b> Toilet upgrades	950,000		
<b>H. Municipal Theatre/Building</b> Various upgrade costs: - Theatre - Building	1,134,100 611,000  1,745,100		
<b>I. Cemeteries/Crematorium</b> Beams, fencing etc Crematorium redevelopment Mangaroa extension New cemetery	44,000 150,000   194,000		210,000 500,000  710,000
<b>J. Halls and Community Centres</b> Nil			
<b>GRAND TOTALS</b>	<b>\$14,352,363</b>	<b>\$5,974,000</b>	<b>\$7,211,000</b>