 <b>KAIPARA DISTRICT</b> <small>THE OCEAN THE HARBOUR</small>	<b>Title of Policy</b>	Reserve Contributions (use of) Policy		
	<b>Sponsor</b>	Commissioner Winder	<b>Adopted by</b>	Council
	<b>Author</b>	J McPherson	<b>Date originally adopted</b>	16 December 2014
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1.0	27/11/2017	P Hansen Policy Analyst	Amended through review by Reserve Contributions Committee
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## 1. Background

### 1.1 Financial contributions

Financial contributions are a type of levy applied to offset the effects of growth. Council has a Financial Contributions Chapter in its District Plan. This outlines how much can be imposed on land developers when a resource (land use or subdivision) consent is approved. The District Plan relies on the provisions of the Resource Management Act to define how financial contributions can be spent. **Reserve contributions** are a subset of financial contributions.

Section 108(10)(a) of the Resource Management Act 1991 (the Act) allows Council to require financial contributions for reserves, 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.

### 1.2 Reserves contributions

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 reserve 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 22.10.6 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 Council for reserve or public open space purposes; or
- b) A cash contribution to 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 Act, 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:

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

When the contributions are taken as land vested in Council;

- a) There must be a demonstrable current or foreseen future shortage of open space in a particular area; and
- b) The land must be suitable for the intended purpose.

## **2. Objectives of this Policy**

The objectives of this Policy are:

- a) For Council or a committee of Council to define the priorities it has for the use of reserve contributions;
- b) To use these priorities to determine projects of greatest benefit to the community; and
- c) To allow community input and participation through a discretionary contestable process.

## **3. Definitions**

**Reserve 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:** recreational areas, visual buffers and amenity areas (as described in the Act).

**Local:** the district has been divided up into four catchments described as Dargaville and Surrounds; Maungaturoto, Paparoa, Tinopai and Surrounds; Kaiwaka and Surrounds; Mangawhai and Surrounds. The catchment areas are depicted in Appendix A.

## **4. Existing parks and reserves**

For information on the existing parks and reserves refer to the Reserves and Open Space Strategy.

## **5. Eligibility criteria**

### **5.1 Criteria for eligibility for use of reserves contributions**

When assessing proposals for the use of reserve contributions, Council will have regard to the following criteria:

- a) Creating public open spaces (including recreation areas, visual buffers and amenity areas).
- b) Adding capacity to or otherwise enhancing existing public 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; and
  - providing equipment e.g. seats, barbecues, playgrounds.
- c) Giving public access to coastal areas, reserves, bush areas or areas of special character. This is typically through:
  - the development of walking tracks; and
  - the purchase of land that connects two public areas otherwise not accessible to the public.
- d) Within each catchment, consideration will be given to the amount of funds collected in the locality of a proposed project.
- e) Consideration will be given to projects that add amenity to the parks and reserves that are lacking in amenities.

All allocations will be judged against their fit with these criteria. The funds will not be used for normal asset management (maintenance, repairs and renewals).

## **6. Distribution of reserve contributions**

Council will generally apply funds in the locality in which they are generated, and may apply up to 20% of the funds in other parts of the district.

## **7. Public contestable funding round**

A public contestable funding round will be held on an annual basis for catchments where sufficient funds have accumulated to make the process worthwhile. Where there are sufficient funds Council will typically aim to distribute them within three years of collection.

During each round projects initiated by Council, and community groups within the catchment will be considered by the Reserve Contributions Committee. The Reserve Contributions Committee will then make recommendations to the full Council for approval.

All decisions on whether and how to distribute the funds will be at the sole discretion of Council and are final.

**a) Contestable fund distribution**

There is a need for a high level of transparency and accountability for the spending of reserves contributions. To enable this standard to be met, accountability arrangements will be documented in a formal Contract between the community organisation receiving support and Council. The Agreement will be appropriate to reflect the nature and level of support given.

Funding will be implemented through a Contract which will outline:

- The project for which the funding was provided for;
- The conditions attached to the funding;
- Accountability requirements, including the methods to report back on the use of the funds; and
- The steps Council will take if progress is not as planned.

**b) Timing of applications**

The timing of reserve contribution grants will be matched with the planning and budgeting cycles of the Council. In the first year of operation of this Policy Council will call for applications in February and release decisions by the end of May. In subsequent years, Council will call for applications in June, and release decisions by the end of October. Should there be sufficient reserve contributions collected during the year Council may consider opening up a second funding round.

Decisions on reserve contributions distribution will be recommended to Council by the Reserve Contributions Committee, who has been given delegated authority from Council to make recommendations on applications. Council will then make the final decision. All grants entered into during the year will be reported in the Annual Report for that year.

Application forms will be made available on Council's website and at Council offices when the funding round opens.

**c) General assessment criteria**

Council will consider the following when assessing applications received for reserve contributions. These are general criteria which community organisations applying for support need to demonstrate in their applications.

**d) Consistency with the Reserve Contributions (use of) Policy**

Any application will need to be consistent with the eligibility criteria of section 5 of the Reserve Contributions (use of) Policy.

**e) Not-for-profit**

With the exclusion of any Council application, Council assistance will only be provided to legally constituted not-for-profit entities, and there should be a volunteer component to any non-Council applications.

**f) Financial reporting**

All applications must be accompanied by an audited or reviewed Statement of Financial Position for the previous financial year and a budget projection for the next financial year.

**g) Central government funding**

Community organisations that can receive funding from central government will be considered for grants, however no central government agency may apply for funding.

**h) Health and safety**

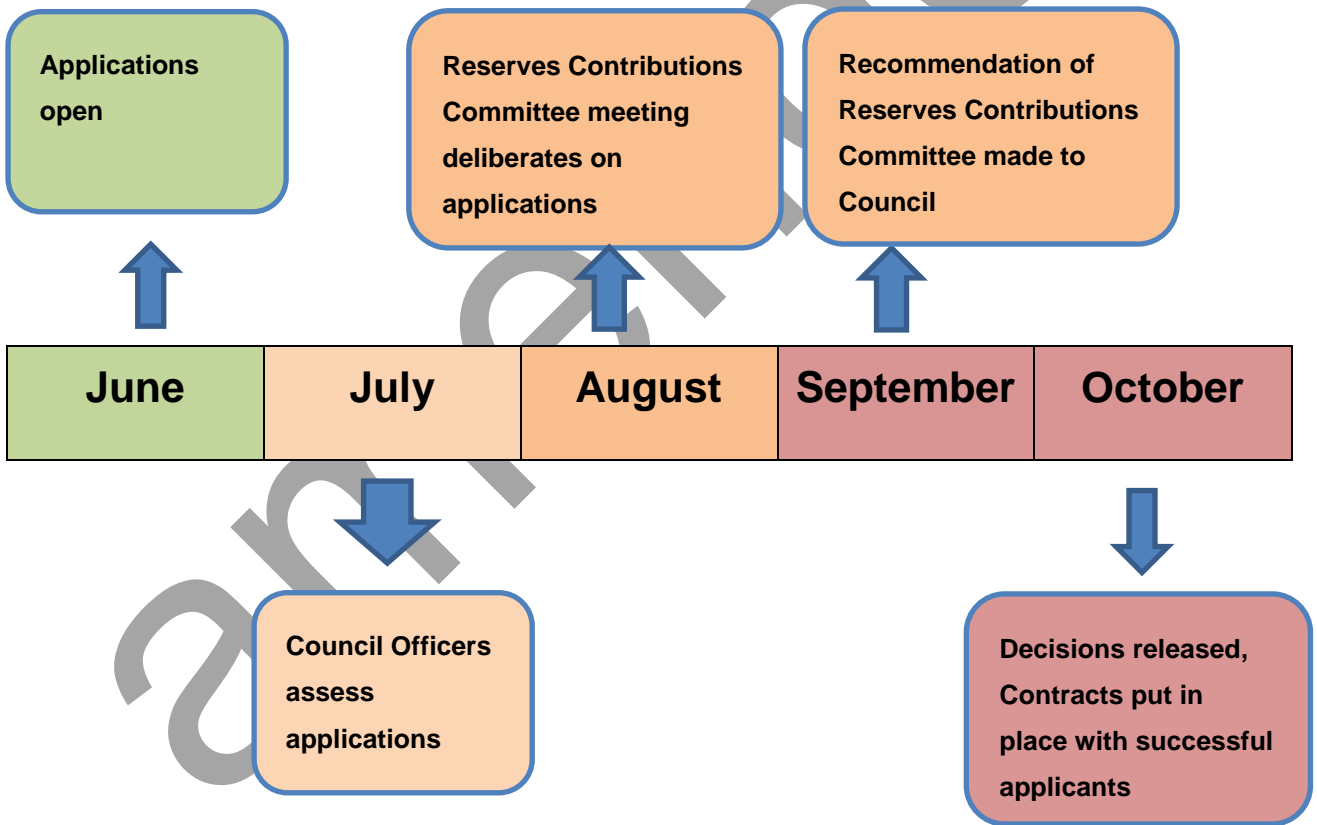
Applicants must comply with all health and safety legislative requirements.

**i) Accountability requirements**

All recipients under this Policy are required to enter into an Agreement or Contract with Council that outlines the terms and conditions of the approved assistance. Funds will not be provided until both parties have signed the Agreement or Contract, which will outline, among other obligations:

- The purpose and conditions of the assistance; and
- Accountability requirements, as determined by the level of assistance required.

**Contestable Application Process**



Attached to this policy are the catchment maps relating to funding catchment areas.