

22 July 2020

C C Otago Limited
C/- Craig Horne Registered Surveyor
PO Box 56
Mosgiel 9053

Via email: crhorne@xtra.co.nz

Dear Sir/Madam

DEVELOPMENT CONTRIBUTION PAYABLE:

SUB-2020-33 and LUC-2020-137
3 Gourley Street, Dunedin

On 1 July 2006 the Dunedin City Council implemented a policy on development contributions in accordance with the Local Government Act 2002. Applications for resource consent, building consent or service connections lodged after 1 July 2006 are assessed for development contributions.

Please be advised that your resource consent application has been assessed for development contributions in accordance with the Council's Development Contributions Policy contained within the 10 Year Plan 2018 - 28. A contribution of \$34,172.25 (including GST) will be payable on this development.

The attachment to this letter explains how the development contribution has been calculated.

The development contribution must be paid:

- Subdivision Consent – Prior to the issue of the section 224(c) certificate.
- Land Use Consent – Prior to commencement of the consent.

In the event that the development contribution is not paid, the Council may, pursuant to section 208 of the Local Government Act 2002:

- Subdivision Consent – Withhold the section 224(c) certificate.
- Land Use Consent – Prevent the commencement of the resource consent.
- In both cases – Register the development contribution under subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land in respect of which the development contribution was required.

In accordance with sections 199A and 199C of the Local Government Act 2002, and the Council's Development Contributions Policy, you have the right to:

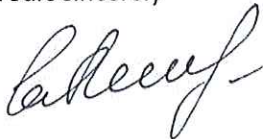
- Challenge the accuracy of the development contributions assessment. This can be done by:
 - Lodging a reconsideration application, for the Council to reconsider the requirement for the development contribution, or

- Lodging an objection, for an independent commissioner to decide the correct requirement for the development contribution.
- Ask that the Council reduce or waive the required development contribution, by lodging an application for remission.
- Ask that the Council allow the development contribution to be paid at a later date, by lodging an application for deferral.
- Ask that a specific evaluation be made of the proposal's actual demand on reserves and infrastructure, by lodging an application for the proposal to be assessed as an unusual development.

These are described in more detail on the attached sheet. Any request for reconsideration must be made within ten working days after the date on which you received this notice. Any objection must be made within 15 working days after the date on which you received this notice. Applications for remission, unusual development and deferral of payment must be applied for before a development contribution payment is made. Each request needs to be in writing and must set out the reasons for the request. Please note that fees and charges may apply to some or all of these processes.

If you have any further queries regarding the assessment or payment of this development contribution, please feel free to contact me on telephone 474-3771 or send an email to development.contributions@dcc.govt.nz.

Yours sincerely



Galina Reinhardt
Development Contributions Officer

Development Contributions Assessment Tool

Results: Development Contributions Summary Table

Area of Benefit: Dunedin Central

Activity	Existing Demand - Credits (EHU)	Proposed Future Demand (EHU)	Additional Demand (EHU)	Standard Development Contribution -\$/EHU (Ex GST)	Development Contribution (Ex GST)	GST	Development Contribution (Inc GST)
Water Supply (DUN-1)	1.00	4.50	3.50	\$2,170.00	\$7,595.00	\$1,139.25	\$8,734.25
Wastewater (DUN-2)	1.00	4.50	3.50	\$4,410.00	\$15,435.00	\$2,315.25	\$17,750.25
Stormwater (DUN-3)	1.00	4.50	3.50	\$600.00	\$2,100.00	\$315.00	\$2,415.00
Transportation (DUN-4)	1.00	4.50	3.50	\$950.00	\$3,325.00	\$498.75	\$3,823.75
Reserves (DUN-5)	1.00	4.50	3.50	\$350.00	\$1,225.00	\$183.75	\$1,408.75
Community Infrastructure (DUN-6)	1.00	4.50	3.50	\$10.00	\$35.00	\$5.25	\$40.25
Total Development Contribution					\$29,715.00	\$4,457.25	\$34,172.25

Disclaimer: It should also be noted that the results do not apply if the development is in one of the Mosgiel Plan Change Areas.

This tool was built for simple single land use developments. More complicated developments with multiple land use categories must be assessed in stages.

Development contributions are required for the additional demand on reserves, network infrastructure, and/or community infrastructure created by a proposal over and above the demand from the existing land use. The additional demand is calculated by subtracting the existing demand from the proposed future demand. Refer Table 3 of the Development Contributions Policy to see how Equivalent Household Units are determined for each Land Use Category.

The existing demand from the current land use has been calculated using the following:

- Existing Land Use Category: Residential Units (Existing Use)
- Number of Residential Units - 3 or more habitable rooms/Number of Lots: 1

The proposed future demand resulting from the development has been calculated using the following:

- Service Connections: Water - Connecting; Wastewater - Connecting
- Proposed Land Use Category: Residential Units
- Number of Residential Units - 2 habitable rooms: 6

Reconsiderations

You may request that the Council reconsider the requirement for the development contribution if you have grounds to believe that:

- a) The development contribution was incorrectly calculated or assessed under the Council's development contributions policy; or
- b) The Council incorrectly applied its development contributions policy; or
- c) The information used to assess the development against the development contributions policy, or the way the Council has recorded or used it when requiring a development contribution, was incomplete or contained errors.

A request for reconsideration must be made in writing, stating clearly which of the above grounds you believe the Council has erred. The request for reconsideration must be made within 10 working days from the date on which you received the development contribution notice.

You cannot request a reconsideration if you have already lodged an objection.

The Council will, within 15 working days from receiving all required relevant information relating to the request, give written notice of the outcome. You can lodge an objection if you are not satisfied with the outcome of the reconsideration.

There is no charge for lodging a request for a reconsideration.

Objections

You may lodge an objection with the Council to the assessed amount of the development contribution if you have grounds to believe that the Council:

- a) Failed to properly take into account features of the development that, on their own or cumulatively with those of other developments, would substantially reduce the impact of the development on requirements for community facilities; or
- b) Required a development contribution for community facilities not required by, or related to, the development, whether on its own or cumulatively with other developments; or
- c) Required a development contribution in breach of section 200 of the Local Government Act 2002 (which imposes limitations on requirements for development contributions); or
- d) Incorrectly applied its development contributions policy to the development.

You cannot challenge the content of the development contributions policy itself.

The notice of objection must:

- a) Be in writing; and
- b) Set out the grounds and reasons for the objection; and
- c) State the relief sought; and
- d) State whether you wish to be heard on the objection.

The objection must be lodged with the Council within 15 working days from:

- The date on which you received the development contribution notice, if no request for reconsideration was made; or
- The date on which you received the outcome of the reconsideration, if a request for reconsideration was made.

(The Council may, in its discretion, allow an objection to be served on it after the 15-working-day period, if satisfied that exceptional circumstances exist.)

As soon as practicable after receiving the objection, the Council will select not more than three development contributions commissioners from a national register to decide the objection.

The development contributions commissioner(s) will:

- Set a date by which briefs of evidence relating to the objection must be exchanged; and
- Decide whether a hearing on the objection needs to be held; and
- Fix the date, time, and place of the hearing, if a hearing is to be held; and
- Decide if replies to briefs of evidence are required, where no hearing is held, and set a date for this if it is required.

The development contributions commissioner(s) decision will be in writing and will be given within 15 working days after the end of the hearing or, if no hearing is held, the last day of the commissioners' consideration of the evidence. The decision will be binding on both you and the Council. You can apply for judicial review of a decision made by a development contributions commissioner if you are not satisfied with the outcome of the objection.

There are charges for lodging an objection. The Council has the ability to recover actual and reasonable costs incurred by it from you in respect of:

- Selecting, engaging, and employing development contributions commissioners; and
- Secretarial and administrative support of the objection process; and
- Preparing for, organising and holding the hearing.

Remissions

Before a development contribution payment is made, you can make an application for a remission, where the Council will consider whether to exercise its discretion and grant a remission in whole or in part.

Remission (in whole or in part) of development contributions may be allowed in the following circumstances:

- Where the actual cost of the project or a revised estimate is lower than the cost used as the basis for the contributions indicated in this policy; or
- Where you will fund or otherwise provide for the same reserve, network infrastructure, or community infrastructure; or
- Where the projects indicated in the development contributions policy are no longer to be undertaken; or
- Where the Council determines that a development contribution will not be charged.

Any remission (in whole or in part) may result in the need for a private development agreement to confirm alternative arrangements.

There are charges for lodging a remission. The Council requires the initial payment of a fixed deposit. The final amount payable is dependent on the total amount of time and money spent in processing your application.

Deferral of Payment

Before a development contribution payment is made, you can make an application to defer the payment of a development contribution. These will be assessed on a case by case basis and may use any of the following mechanisms:

- Defer using Local Government Act 2002 parameters – allow payment to be made later in the sequence of development (for example, at building consent); or
- Defer using Resource Management Act 1991 mechanisms – for example, using lot amalgamation under the consent process to allow payment to be made as sections are sold; or
- Defer using legal agreement – for example, requiring payment as sections are sold. A legal agreement and a bank guaranteed bond (or similar) may be used to ensure payment.

Administration and interest costs may be added to deferred payments.

There are charges for lodging a deferral. The Council requires the initial payment of a fixed deposit. The final amount payable is dependent on the total amount of time and money spent in processing your application.

Unusual Developments

Before a development contribution payment is made, you can make an application for the proposal to be assessed as an unusual development.

An unusual demand is where a development creates a significantly different demand on infrastructure than could usually be expected under their relevant land use category, or where a development does not fit into the land use categories in the development contributions policy.

The Council will individually assess any such development taking into account the unusual demand characteristics.

There are charges for lodging an application for an unusual development. The Council requires the initial payment of a fixed deposit. The final amount payable is dependent on the total amount of time and money spent in processing your application.