

## Group 8 Financial Contributions

Whole Chapter - EC Topic number ENV-2006-304-000476							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	10	8 Whole Chapter	Delete Chapter 8: Financial Contributions.	ARC to review provisions and circulate a position paper for comments.	ACC/MW Air New Zealand Westfield NZ Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd Ltd	37	8 Whole chapter	Delete Chapter 8: Financial Contributions.	As above.	ACC/MW Sanford Ltd Transit NZ Westfield NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000048	E468/04	Rodney District Council	02	8.5 8.6 8.12 8.13	Amend sections 8.5, 8.6, 8.12 and 8.13 to include transparent methods for calculating financial contributions.	As above.	ACC/MW Carter Holt Harvey WFH Properties Ltd Mighty River Power Ltd Contact Energy Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-	E509/04	Watercare Services Ltd	96	8 Whole chapter	Delete Chapter 8: Financial Contributions	As above	ACC/MW WFH Properties Ltd

Proposed Auckland Regional Plan: Air Land and Water and Auckland Regional Plan: Coastal (Variation 1)  
 Appeal Summaries October 2009

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000103							Westfield NZ Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000100	E506/04	Westfield New Zealand Ltd	06	8 Whole Chapter	Delete the whole of Chapter 8: Financial Contributions.	As above.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand

<b>Methods of Implementation for Consented Activities - EC Topic number ENV-2006-304-000477</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	11	8 Method of Determining Financial Contributions	As an alternative to the relief sought in Appeal E505/04/10 amend Chapter 8 to clarify the method for determining a financial contribution amount and the maximum amount that can be imposed.	ARC to review provisions and circulate a position paper for comments.	ACC/MW Transit NZ Contact Energy Ltd Air New Zealand Westfield NZ Ports of Auckland Ltd Horticulture New Zealand
ENV-	E532/04	Carter Holt	13	8.5.3	Amend Sections 8.5.3 and 8.6 to ensure the circumstances	As above.	ACC/MW

<b>Methods of Implementation for Consented Activities - EC Topic number ENV-2006-304-000477</b>							
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2006-AKL-000076		Harvey Ltd		8.6	in which a financial contribution will be made are as narrow and as certain as practicable.		Contact Energy Ltd Westfield NZ Auckland International Airport Watercare Services Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000061	E475/04	WFH Properties Ltd (formerly Danne Mora Holdings Ltd and Fulton Hogan Ltd)	03	8 Financial Contributions	Delete Chapter 8 - Financial Contributions OR Delete Section 8.6 and replace with a methodology related to an industry agreed standard that reflects site specific mitigation requirements related to actual effect upon the environment (if any) associated with the loss of aquatic habitat within water bodies, and which provides a maxima and clear standards for assessing with certainty the level of any contribution in respect of a specific stream modification ro piping or other activity.	As above.	ACC Transit NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000071	E478/04	Manukau City Council	13	8 Methodology	Amend Chapter 8 so that a clear and fair methodology for the determination of financial contributions is specified and there are provisions for objection and appeal.	ARC to review provisions and circulate a position paper for comments..	ACC/MW WFH Properties Ltd Transit NZ Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000119	E516/04	North Shore City Council	01	8	Amend Chapter 8 to exclude public stormwater and wastewater networks from requiring financial contributions OR Amend Chapter 8 to address issues raised in this appeal and in the appellant's original submission, including	As above.	ACC/MW WFH Properties Ltd Transit NZ

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					i) in determining the bpo at a catchment level, the TA will determine the most appropriate programme to avoid, remedy or mitigate adverse effects; ii) diverting scarce funds to other activities as per Chapter 8 will affect the council's ability to implement its works programme which will be contrary to overall community interest; iii) the concerns in Chapter 8 can be addressed as part of the ICMP process without need for financial contributions.		Watercare Services
ENV-2006-AKL-000087	E496/04	Transit New Zealand	04	8	Amend Chapter 8. by providing better recognition of the benefits of regional infrastructure to the community and require that the ARC take these into account when assessing need for contributions by network consent holders	As above.	ACC/MW WFH Properties Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand

<b>Assessment Guidelines for Consented Activities - EC Topic number ENV-2006-304-000482</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	13	8.6	As an alternative to the relief sought in Appeal E505/04/10 amend Chapter 8 by either deleting Section 8.6 or amending it to clarify how the level of contribution will be determined and to recognise those situations where financial contributions may be imposed to avoid doubling up by both the Respondent and territorial authorities	ARC to review provisions and circulate a position paper for comments.	ACC/MW Transit NZ Contact Energy Ltd Air New Zealand Westfield NZ Ports of Auckland Ltd Horticulture New Zealand
ENV-	E508/04	Ports of	38	8	As an alternative relief to Appeal E508/04/37, amend	As above.	ACC/MW

<b>Assessment Guidelines for Consented Activities - EC Topic number ENV-2006-304-000482</b>							
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2006-AKL-000102		Auckland Ltd Ltd		Amount of Financial Contribution	Chapter 8 in an appropriate manner so it gives effect to the Appellant's concerns relating to the method of determining a financial contribution amount and seeks that a fair maximum amount of any financial contribution be established		Sanford Ltd Transit NZ Contact Energy Ltd Westfield NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	39	8.6	As an alternative relief to Appeal E508/04/37, either refine the breath of the assessment guidelines or delete them altogether.	As above.	ACC/MW Sanford Ltd Transit NZ Contact Energy Ltd Westfield NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc Cabra Holdings Ltd Hopper Development s Ltd Neil Construction Ltd	35	8	Amend Chapter 8 to provide more clarification as to the particular circumstances where a financial contribution will be the only method available to avoid, remedy or mitigate adverse effects.	As above.	ACC/MW WFH Properties Ltd. Transit NZ Auckland International Airport Ltd Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000087	E496/04	Transit New Zealand	02	8	Amend Chapter 8 to provide upper limits for levying financial contributions.	ARC to review provisions and circulate a position paper for comments.	ACC/MW WFH Properties Ltd

Proposed Auckland Regional Plan: Air Land and Water and Auckland Regional Plan: Coastal (Variation 1)  
 Appeal Summaries October 2009

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							Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000087	E496/04	Transit New Zealand	01	8.6	Amend 8.6 by refining the section's scope.	As above.	ACC/MW WFH Properties Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000100	E506/04	Westfield New Zealand Ltd	07	8 Amount of Financial Contribution	As an alternative to Appeal E506/04/06, amend Chapter 8 in a appropriate manner so it gives effect to the Appellant's concerns relating to the method of determining a financial contribution amount, which is uncertain and the maximum amount of any financial contribution, which should be established to give an applicant certainty prior to making a consent application.	As above.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000100	E506/04	Westfield New Zealand Ltd	09	8.6	Amend Chapter 8 in an appropriate manner so that it gives effect to the Appellant's concerns relating to the assessment guidelines for determining financial contributions. These should be either deleted or refined to give effect to the following concerns: Guidelines do not adequately take into account individual circumstances of an application; They could lead to the unreasonable imposition of contributions where other authorities have already imposed contributions for the same development or activity.	ARC to review provisions and circulate a position paper for comments.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand

<b>Part B: Permitted Activities - EC Topic number ENV-2006-304-000483</b>							
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ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	14	8.8 8.13	As an alternative to the relief sought in Appeal E505/04/10 amend Chapter 8 by deleting Sections 8.8 and 8.13.	ARC to review provisions and circulate a position paper for comments.	ACC/MW Transit NZ Contact Energy Ltd Air New Zealand Westfield NZ Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000076	E532/04	Carter Holt Harvey Ltd	14	8.13	Amend Section 8.13 to clarify the breadth of Section 8.13(i) and (ii).	As above	ACC/MW Westfield NZ Auckland International Airport Watercare Services Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	45	8 Part B	Amend Chapter 8, Part B so that financial contributions cannot be used for operational activities such as collection of data and periodic inspections.	As above	ACC/MW WFH Properties Ltd Transit NZ Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand Vector Limited

Proposed Auckland Regional Plan: Air Land and Water and Auckland Regional Plan: Coastal (Variation 1)  
 Appeal Summaries October 2009

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ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	46	8 Part B	Amend Chapter 8 by deleting Part B Permitted Activities.	ARC to review provisions and circulate a position paper for comments.	ACC/MW WFH Properties Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand Vector Limited
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	47	8 Part B	Amend Chapter 8 by deleting Part B Permitted Activities.	As above	ACC/MW WFH Properties Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand Vector Limited
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	33	8 Part B	Include in Chapter 8, Part B the circumstances when a financial contributions will apply for an industrial or trade premise that is moderate risk in terms of Schedule 3.	As above.	ACC/MW Transpower Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand Vector Limited
ENV-2006-AKL-	E479/04	Contact Energy Ltd	48	8.13(a)	Amend Chapter 8.13(a) by deleting Part B Permitted Activities and substituting " <u>the diversion and discharge of stormwater that originates from an industrial or trade</u>	As above	ACC/MW Westfield NZ

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000081					<u>premise that is a moderate risk site in terms of Schedule 3".</u>		Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000094	E501/04	Federated Farmers of New Zealand (Inc)	29	8.8 – 8.14	Delete Part B of Chapter 8: Financial Contributions relating to financial contributions on Permitted Activities.	ARC to review provisions and circulate a position paper for comments.	ACC Carter Holt Harvey Poultry Industry Association of New Zealand Transit NZ Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand Federation	45	8 Part B	Delete Section 8 Part B Permitted Activities, in particular 8.13(b) and Method of Determining Contribution Amount.	As above.	ACC Poultry Industry Association of New Zealand Transit NZ
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd Ltd	40	8.8-8.14	As an alternative relief to Appeal E508/04/37, amend Chapter 8 in appropriate manner so that gives effect to the Appellant's concerns relating to the imposition of financial contributions on permitted activities and the method for determining the amount of any such contribution, and more particularly these concerns being" <ul style="list-style-type: none"> <li>• A rule contributions on permitted activities is ultra vires</li> <li>• There is not basis for a person to challenge the contribution amount to be levied on them sometime in the future</li> <li>• There are a number of functions listed which may require a financial contribution which may fairly and reasonably relate to the activity being undertaken</li> </ul>	As above.	ACC/MW Sanford Ltd Transit NZ Vector Limited Contact Energy Ltd Westfield NZ Auckland International Airport

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					<ul style="list-style-type: none"> <li>The Respondent is able to recover expenses in other ways.</li> </ul>		Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	26	8.13	Amend the Plan so that it is consistent with other regional plans in terms of the monitoring fee charged.	ARC to review provisions and circulate a position paper for comments.	Haka International Horticulture New Zealand
ENV-2006-AKL-000048	E468/04	Rodney District Council	03	8 Financial Contributions	Amend Chapter 8- Financial Contributions by removing the requirement for financial contributions for the funding of ongoing monitoring, data collection and other operating costs.	As above	ACC/MW Carter Holt Harvey WFH Properties Ltd Westfield NZ Mighty River Power Ltd Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000048	E468/04	Rodney District Council	01	8.8	Amend Chapter 8- Financial Contributions to remove the requirement on financial contributions for permitted activities, or change the status of activities for which financial contributions are to be taken.	As above.	ACC/MW Carter Holt Harvey WFH Properties Ltd Mighty River Power Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand

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ENV-2006-AKL-000087	E496/04	Transit New Zealand	03	8 Part B	Delete the requirement for contributions for permitted activities.	ARC to review provisions and circulate a position paper for comments..	ACC/MW WFH Properties Ltd Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000100	E506/04	Westfield New Zealand Ltd	08	8.8-8.14	Amend Chapter 8 in an appropriate manner so that it gives effect to the Appellant's concerns relating to the imposition of financial contributions on permitted activities and more particularly these concerns being: <ul style="list-style-type: none"> <li>• A rule for contributions on permitted activities is ultra vires;</li> <li>• There are a number of functions listed which may require a financial contribution which may not fairly and reasonably relate to the activity being undertaken'</li> <li>• The Respondent is already able to recover expenses in other ways.</li> </ul>	As above.	ACC/MW Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand

<b>Miscellaneous - EC Topic number ENV-2006-304-000484</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000134	E525/04	Auckland City Council Metrowater Limited	03	8.1 8.2.1 8.4.2 8.5 8.6 8.7	Replace the phrase "positive effects of the activity on natural resources" in 8.1 – Introduction, Issue 8.2.1, Policy 8.4.2, Method 8.5, 8.6 – Assessment and Guidelines, 8.7 – Principal Reasons for Adopting with the words " <u>positive effects of the activity on the environment.</u> "	ARC to review provisions and circulate a position paper for comments..	Transit NZ Contact Energy Ltd Auckland International Airport Watercare Services Ports of Auckland Ltd Haka International
ENV-	E525/04	Auckland	02	8.4.6	Delete the Explanation to Policy 8.4.6.	As above.	Transit NZ

Proposed Auckland Regional Plan: Air Land and Water and Auckland Regional Plan: Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Miscellaneous - EC Topic number ENV-2006-304-000484</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
2006-AKL-000134		City Council Metrowater Limited			Explanation		Watercare Services Ports of Auckland Ltd Haka International
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	12	8 Discounted Contributions	As an alternative to the relief sought in Appeal E505/04/10 amend Chapter 8 to provide for discounted contributions where positive effects will offset adverse effects.	As above.	ACC/MW Transit NZ Air New Zealand Westfield NZ Auckland International Airport Ports of Auckland Ltd Horticulture New Zealand
ENV-2006-AKL-000043	E467/04	Vector Limited	05	8 Financial Contributions	Amend Chapter 8 – Financial Contributions by making Electricity substations exempt from the financial contributions requirements.	As above.	Transpower