

5.10 Financial contributions

Financial contributions:

- (a) any resource consent granted in accordance with rules in this chapter may include a condition requiring a financial contribution. Such a contribution may be in the form of money, land or a combination of money and land (see section 108(9) RMA);
- (b) the purpose of such financial contributions is to offset the actual or potential loss or reduction of instream or riparian habitat values through the exercise of resource consents. In the case of damming this may include the loss of instream and riparian habitat values due to inundation, the loss of fish passage due to the dam itself, or the loss of natural flows down-stream due to the storage and the controlled release of the water. In the case of diversion or taking of water, this may include the loss or reduction of instream and riparian habitat values or the loss or reduction of natural flows downstream due to individual diversions or takes or the cumulative effect of diversions or takes;
- (c) financial contributions may be made for the purpose of providing land at another location, or funding or both for reinstatement, enhancement or protection, of the type of natural resources that were inundated by damming, for providing fish passage or alternatives to fish passage that offset the effect of damming, or for works, planting or other riparian management that reduce the effects of changes to flow regimes, and that enhance or improve the instream and riparian habitat values;
- (d) when considering the need for a financial contribution, Environment Canterbury will have regard to the criteria in the assessment matters below. A financial contribution may not be appropriate in every case, even where there are adverse effects;
- (e) every resource consent will be considered on a case-by-case basis as to the nature and extent of any contribution that may be required. Environment Canterbury does not intend that adverse environmental effects be fully mitigated or fully compensated in every case by way of financial contributions. The actual amount of any contribution will vary according to the specific circumstances of each activity and the application of the assessment matters below;
- (f) financial contributions may be in the form of money, land or a combination of the two. Contributions of money to Environment Canterbury shall be paid into the Environmental Enhancement Fund or another fund operated by Environment Canterbury and used for the general purpose for which such contributions are taken;
- (g) when deciding whether or not to impose financial contributions, the types of contribution and their value, Environment Canterbury will have particular regard to the following matters:
 - (i) the extent to which any adverse effects resulting from the activity can and should be remedied or mitigated, instead, by way of works or services carried out on or near the site;
 - (ii) the extent to which a financial contribution may offset or provide compensation to the community or environment for adverse effects caused or contributed to by the activity and not otherwise avoided, remedied or mitigated by the consent holder;
 - (iii) the extent to which a financial contribution would achieve the objectives and policies of this plan;
 - (iv) the necessity for establishing or continuing the activity;
 - (v) the reasonableness of the contribution and consistency with the purposes of the Resource Management Act, and the relationship between the activity for which the consent has been granted and its effects;

- (vi) any other financial contribution required by any other statutory authority with respect to that activity;
- (h) when deciding the actual value of the financial contribution required, Environment Canterbury will have particular regard to:
 - (i) the size and extent of the effects of the activity for which the consent is granted and that the contribution is in reasonable proportion to the significance of any adverse effects caused or contributed to by the activity;
 - (ii) the extent to which any positive effects of the activity offset any adverse effects.

The actual value of any financial contribution (whether land or money) shall not exceed 10% of the capital value of the development.

Bonds

A bond may be required for the performance of any condition or conditions of consent.

These may include:

- (a) conditions relating to remedial, restoration work, or work in mitigation of effects, or
- (b) conditions relating to ongoing monitoring of long-term effects.