

# LTCCP 2006-16 SUBMISSION

Submissions close on 5 May 2006

I wish to talk to the main points in my submission at the hearings to be held between Thursday 25 May and Wednesday 7 June 2006.

I am completing this submission:  
On behalf of a group or organisation

Number of people you represent:  
residents of Canterbury

My submission refers to:  
Full Version of the LTCCP

Page Number:

I also want to respond to: Development Contributions

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Your Submission:

**Do you have any comments on the major projects in our Draft Community Plan?**

No.

**Do you have any comments on groups of activities (The activities and services the Council provides?)**

No.

**Do you have any other comments or suggestions you want to make?**

One of the key areas that the Council is required to consider when drafting its LTCCP under the LGA 2002 is the health and well-being of its residents. We believe that the Council should consider the impact of its Development Contributions Policy on the activities of the Canterbury District Health Board.

We note that the Draft LTCCP exempts the Crown from paying development contributions, but is invited to pay development contributions as appropriate for any activities which consume infrastructural capacity.

Having sought clarification from Council staff on whether the CDHB would enjoy an exemption from paying development contribution we received the following response based on the Council's own legal opinion on the matter.

"The "Crown" has different meanings in different contexts. For the purposes of the LTCCP/DCP our use of the term the "Crown" comes from the LGA02. There is no definition of this term in the LGA02. In the Public Audit Act (and in the Public Finance Act) it means:

Crown

(a) means Her Majesty the Queen in right of New Zealand; and

(b) includes all Ministers of the Crown and all departments; but

(c) does not include?

(i) an Office of Parliament; or

(ii) a Crown entity; or

(iii) a State enterprise named in Schedule 1 of the State-Owned Enterprises Act 1986

**Your Submission  
(Cont'd):**

The Crown Entities Act 2004 defines crown entities as a number of different things including statutory entities (crown agents, autonomous crown entities and independent crown entities), companies wholly owned by the Crown (and their subsidiaries), school boards of trusts and tertiary institutions. A District Health Board is a crown agent (along with such bodies as Transit NZ, LTNZ, the Fire Service and Earthquake Commissions, Housing NZ and ACC), so is not the "Crown" for the purposes of the LTCCP/DCP."

We believe it is entirely appropriate that the CDHB enjoy this exemption to allow it to better serve the needs of the community in providing health and disability facilities in Christchurch City.

We request that the Draft LTCCP be amended so that it is clear that the CDHB enjoys the exemption offered to the Crown.

We also have concerns about the HUE conversion ratios for non-residential development and whether the Council has the systems and processes to effectively administer the proposed system. Our brief assessment of the likely quantum of development contributions of the CDHB in providing new and replacement health and disability facilities in Christchurch City indicate that they will unreasonably impact on available capital. With Christchurch City being such an important urban centre in the Canterbury region this would be inconsistent with the CDHB's legislative objectives in undertaking its activities for the benefit of the residents of the City and the region.

If the Council do not amend the Draft LTCCP to provide that the CDHB is exempt from development contributions, we encourage the Council to consider worked examples of the impact of the proposed system on organisations such as ours to better understand the full impact of the proposed assessment system for development contributions.