

Statement of Proposal

Resource Management Act Fees and Charges for 2016/17



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This Statement of Proposal has been prepared as part of consultation regarding proposed fees to be charged under the Resource Management Act 1991.

Section 36(2) of the Resource Management Act requires Council to seek public feedback on its proposed fees and charges through the Special Consultative Procedure under section 83 of the Local Government Act 2002.

The special consultative procedure gives the public an opportunity to make submissions and provide feedback on the proposed fees. Once the submission period closes, hearings will be conducted if people indicate they want to speak in support of their submissions.

1. Introduction

The District Planning Unit of Council has a variety of functions that have an element of cost recovery. While some charges are set by statute, other statutes give local authorities the power to set charges.

This proposal considers fees and charges for:

- i. Resource consents: processing, monitoring and enforcing, administration;
- ii. Resource Management Act planning documents
- iii. A range of other District Planning matters.

Each financial year the Council reviews the fees and charges to ensure that:

- i. those who benefit from the services of the resource consent activity pay a fair and reasonable share of the costs of these services; and
- ii. the fees and charges reflect any changes in the cost of providing these services; and
- iii. the fees and charges align with Council's Revenue and Financing policy.

Section 101(3) of the Local Government Act 2002 and Section 36 (4) of the Resource Management Act 1991 provide that charges can be set for regulatory functions.

2. Reasons for the Proposed Fees and Charges

Council considers it is appropriate that 100% of the costs it incurs are charged to the affected individual rather than some of the cost being apportioned to the general ratepayer.

In fixing fees under Section 36 of the RMA, Council is required to have regard to the following:

- that the sole purpose of the charge is to recover reasonable costs incurred by the local authority in respect of the activity to which the charge relates.
- A particular person or persons should only be required to pay a charge to the extent that:
 - the benefit of the local authorities actions to which the charge relates is obtained by those persons as distinct from the community or the local authority as a whole; or
 - where the need for the local authority's actions to which the charge relates is occasioned by the actions of those persons; or
 - in a case where the charge is in respect of the local authority's monitoring functions under section 35(2)(a) (which relates to monitoring the state of the whole or part of the environment), to the extent that the monitoring relates to the likely effects on the environment of those persons' activities, or to the extent that the likely benefit to those persons of the monitoring exceeds the likely benefit of the monitoring to the community of the local authority as a whole.

3. Resource Management Act – Proposed Fees and Charges

The fees and charges for the 2016/17 year have been reviewed and Council considers that no increase is required.

Council is proposing only two minor changes to the existing fees and charges:

- i. Introducing a new category of staff charge 'Other Council Staff' at a rate of \$130 per hour
- ii. Increasing the Bond application fee from \$320 to \$350.

Proposed fees are as follows:

Table 1 Lodgement Fees

Lodgement Fees (Deposit)	2015/16	Proposed 2016/17
Notified Consent	\$4,000.00	\$4,000.00
Limited Notified (service only) Consent	\$3,000.00	\$3,000.00
Non-notified Subdivision Consent	\$700.00	\$700.00
Non-notified Land Use Consent which includes a monitoring fee for a single site inspection	\$900.00	\$900.00
Non-notified Subdivision Consent – Change to Flats Plan or Unit Title	\$700.00	\$700.00
Right of Way Approval (not included in Subdivision Consent)	\$650.00	\$650.00
Revocation of Easements and Consent Notices (not included in Subdivision Consent)	\$525.00	\$525.00
Existing Allotments Section 226 Certificate (new titles created)	\$525.00	\$525.00
Section 223 Certificate (survey plan approval)	\$410.00	\$410.00
Section 224(c) Certificate	\$410.00	\$410.00
Section 224(c) Certificate including Section 223 Certificate	\$410.00	\$410.00
Removal of Building Line Restriction	\$640.00	\$640.00
Certificates of Compliance	\$640.00	\$640.00
Change or Cancellation of Conditions	\$525.00	\$525.00
Existing Use Rights and Existing Use Certificate	\$525.00	\$525.00
Extension of Time	\$480.00	\$480.00
Outline Plan	\$640.00	\$640.00
Waiver of Outline Plan	Actual cost	Actual cost
Alteration to a Designation	\$1,100.00	\$1,100.00
Extension of Time to a Designation	\$1,100.00	\$1,100.00
Plan Change	\$10,500.00	\$10,500.00
Notice of Requirements for Designations or Heritage Order	\$5,100.00	\$5,100.00
Certificates for LMVD	\$640.00	\$640.00
Certificates under the Sale and Supply of Alcohol Act 2012	\$155.00	\$155.00
Overseas Investment Office Certificate	Actual cost	Actual cost
Pre-Lodgement Work Staff time conducting assessments, attending meeting(s) and writing correspondence prior to the lodgement of specific resource consent application(s) and private plan change(s).	Actual cost after first half hour free	Actual cost after first half hour free

Table 2 Charge Rates

Staff time rate:	2015/16	Proposed 2016/17
District Planning Manager	\$160.00 per hour	\$160.00 per hour
Senior Planner	\$130.00 per hour	\$130.00 per hour
Planner	\$110.00 per hour	\$110.00 per hour
Development Planning Advisor	\$110.00 per hour	\$110.00 per hour
Administration Staff	\$90.00 per hour	\$90.00 per hour
Other Council Staff	—	\$130.00 per hour
Public Notices	At Cost	At Cost
Disbursements	At Cost	At Cost
Consultants/Legal Advice (including Aoraki Environmental Consultancy)	At Cost	At Cost
Commissioning Special Reports	At Cost	At Cost
Charge Rates if monitoring of resource consent is required (imposed as a condition of a resource consent):		
Single Site Inspection (to be paid with the lodgement fee for Non-notified Land Use Consent)	\$200.00	\$200.00
Additional monitoring of resource consents and monitoring of non-compliance with the Timaru District Plan or the Resource Management Act 1991	At Cost	At Cost

Hearing Costs:	2015/16	Proposed 2016/17
Hearings Committee	\$100.00 per hour for the chairperson \$80.00 per hour per member who is not the chairperson	\$100.00 per hour for the chairperson \$80.00 per hour per member who is not the chairperson
Commissioner	At Cost	At Cost

Other Charges	2015/16	Proposed 2016/17
Timaru District Plan	\$200.00 + postage	\$200.00 + postage
Annual update service to the District Plan	\$150.00 per year	\$150.00 per year
District RAPID Numbers (book)	\$75.00	\$75.00
Allocation of new Rapid Number (includes Plate)	\$50.00	\$50.00
Replacement Rapid Number Plate	\$25.00	\$25.00
Bond Application	\$320.00	\$350.00
Bond Refund	-	\$350.00

- Notes**
- Section 36 of the Resource Management Act 1991 enables Council to charge additional fees to recover actual and reasonable costs where the Lodgement Fee is inadequate.
 - When the total cost to process an application exceeds the Lodgement Fee in Table One, the additional fees are charged at the rates specified in Table Two of this fee schedule.
 - The Council also reserves its discretion to refund part of the fixed fee if the work required to process the application is less than usual.
 - The Lodgement Fee will be required to accompany the application. An invoice will be sent for any additional fees. The Lodgement Fee is a deposit only and may not be the complete charge. There may be additional fees or a part refund as explained above.
 - Discounts shall be paid on administrative charges for applications for resource consent and applications to change or cancel conditions that are not processed within the statutory timeframes. The discounts shall be in accordance with the Regulations to the Resource Management Act 1991.
 - All Charges include GST

4. Options

Council reviewed the current staff charge out rate and lodgement fees and considers no increase is required for 2016/17.

Regarding the balance between individual benefit and community benefit, Council considers it is appropriate that 100% of the costs are met by the affected individual rather than some of this cost being apportioned to the general ratepayer.

5. Have your say

Let us know what you think about our proposed Resource Management fees.

You can do this by:

- Going to the Council website www.timaru.govt.nz and completing the online feedback form
- Complete the submission form included, filling it out with your feedback and Freepost it back to Council (instructions on the next page)
- Scanning your feedback form and emailing this to submission@timdc.govt.nz

Want more information?

Submissions close 5pm
Monday 16 May.

If you have any questions about the proposed fees or need further information you can contact Mark Geddes District Planning Manager (mark.geddes@timdc.govt.nz)
If you have any questions about the consultation process please contact Ann Fitzgerald (ann.fitzgerald@timdc.govt.nz) or Mark Low (mark.low@timdc.govt.nz).
Telephone 03 687 7200

Timeline

Timeline for considering the proposed fees.

14 April 2016 – 16 May 2016	Consultation period
5pm, 16 May 2016	Submissions close
To be determined	Council considers submissions
28 June 2016	Council decision on fees to be charged
1 July 2016	New fees apply

Resource Management Proposed Fees and Charges

Submission Form

Your details

First name:

Last name:

Organisation:

Phone (landline or mobile):

Email address:*

Postal address:*

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Do you want to speak about your submission at a Council Hearing? (tick a box)**:

☐ Yes ☐ No

*we require your email address and/or your physical postal address. **must complete. If you do not complete we will assume you do not wish to speak.

Your feedback

Please use the space below to let us know what you think about the proposed fees and charges

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Need more room? Please use extra paper if required and attach with your submission.

How to return this form via FreePost

Complete **Your details** and **Your feedback** sections

Put your form in a sealed envelope and address to:

FreePost Authority Number 95136
RMA Fees Submission
Timaru District Council
PO Box 522
TIMARU 7940

Thank you.



Timaru District Council

2 King George Place

PO Box 522, Timaru 7940

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E enquiry@timdc.govt.nz

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