

# Fees and Charges

## POLICY

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# About this document

This document describes and sets our fees and charges set under either section 36 of the Resource Management Act 1991, section 150 of the Local Government Act 2002, section 243 of the Building Act 2004, Maritime Transport Act 1994 or Navigation Safety Bylaw 2016. It forms part of Environment Canterbury's Revenue and Financing Policy.

## **Recovery of costs**

The RMA, LGA and BA allow Environment Canterbury to recover all reasonable costs incurred in respect of the activity to which the charge relates.

## **Resource Management Act 1991 (RMA) – section 36**

Section 36 of the RMA covers charges relating to resource consents, plan change requests and other matters under the RMA.

## **Local Government Act 2002 (LGA) – section 150**

Section 150 of the LGA provides for charges to be set for various regulatory functions. These functions include (but are not limited to):

- land improvement agreements;
- miscellaneous charges under the Local Government Official Information and Meetings Act 1987 (LGOIMA) charges;
- certain RMA functions not covered by section 36 of the RMA; and
- charges set pursuant to Maritime Transport Act 1994, Navigation Safety Bylaw 2016 and other functions of the Harbourmaster.

## **Building Act 2004 – section 243**

Section 243 of the Act covers charges for building consent applications.

## **Remission of charges**

We may remit any charge referred to in this Policy, in part or in full, on a case-by-case basis, and solely at our discretion.

## **Credit**

Credit is not generally available. We will consider staged payments in exceptional circumstances.

## **Debtors and unpaid charges**

Under this Policy debtors and unpaid charges are treated like any other outstanding amount owed.

An outstanding debt will be pursued according to Environment Canterbury's standard debt management procedures which are summarised below:

- Environment Canterbury invoices are due for payment on the 20th of the month following invoice date.
- Customers with an overdue balance after payment date will be sent a final reminder letter. Final reminder letters are sent in the first week of the month after due date.
- If payment is not received within 14 days of the final reminder letter, Environment Canterbury will place the account in the hands of a collection agency and the customer will be charged the full cost of collecting the debt.

## **Minimum amount for invoicing and refunds**

Refunds of charges or invoicing of charges owed for consent applications or consent monitoring shall only occur if the amount is greater than \$34.50 incl GST.

## **Goods and Services Tax**

The charges described in this Policy include GST unless specifically stated otherwise.

## **Review**

This policy will be reviewed at least annually by 1 July each calendar year in conjunction with the Long-Term Plan and Annual Plan processes.

# Provisions applicable to RMA charges

## Fixed application charge

Fixed application fees cover the total cost of the application or compliance monitoring activity and are due for payment when your application is lodged. We will not commence processing your application until the fixed application charges are paid in full.

Fixed application charges are not supplemented by additional actual and reasonable charges after the consent process is complete. Fixed application charges are deemed to be 'actual' charges and are not subject to rights of objection and appeal (RMA S357B to S358).

## Initial fixed application charge

Initial fixed application charges are due for payment when your application is lodged. We will not commence processing your application until the initial fixed application charges are paid in full.

If your application is notified, the initial fixed fees for notification are due for payment on the date stipulated on the invoice. We will not begin processing your notified application until the initial fixed application charges are paid in full.

If a hearing is required to determine the application, a further initial fixed application charge will be invoiced for the first hearing day and any additional hearing days (if required). The initial fixed charges for the first hearing day and any additional hearing days are due for payment 5 days before the hearing is scheduled to start. If a hearing is scheduled and payment is not received 5 days before the scheduled hearing start date, the hearing will be cancelled.

Initial fixed charges are not subject to the rights of objection and appeal (RMA S357B to S358).

Initial fixed application charges are able to be supplemented by additional actual and reasonable charges on completion of the application process (or compliance monitoring activity).

## Additional charges

In instances where the total cost of processing an application (or completing a compliance monitoring activity) exceeds the initial fixed charge, additional charge(s) will be made to recover the actual and reasonable costs incurred (RMA S36(5)). Additional charges are subject to the rights of objection and appeal (RMA S357B to S358).

Additional charges are determined by deducting the initial fixed charge from the total costs incurred for the completed activity in question. Additional charges are invoiced on completion of processing your consent (or compliance monitoring activity). In some cases, we may invoice at regular intervals during the processing of your consent.

Environment Canterbury must, if requested, provide an estimate of any additional charge.

## Consent monitoring charges

Consent monitoring charges are calculated from the date of granting your consent.

## Your right of objection and appeal

If you consider any additional charge (that is any charge which exceeds the initial fixed fees specified in Tables F, G, H and I) is unreasonable, you may object to Environment Canterbury in accordance with S357 of the RMA. You need to make your objection in writing to Environment Canterbury within 15 working days of receiving your account. Environment Canterbury will consider your objection and make a decision on whether to uphold it.

You may request to have your objection considered by an Independent Hearings Commissioner under S357AB of the RMA. The full costs of the Independent Hearings Commissioner will be charged to the person making such a request.

If you are still not satisfied, then you may appeal Environment Canterbury's decision to the Environment Court. You may not object to any of the fixed charges listed in Tables E and J.

## Staff charge-out rates

Table A: Charge-out rates for processing applications and providing pre-application advice

Hourly charge-out rate	Charge
Customer services advisory officer	\$105.00
Consent planning officer/consents hearing officer	\$135.00
Consents senior planning officer/science or specialist officer/management officer	\$155.00
Tangata Whenua advice	\$172.50

Table B: Charge-out rates for consent monitoring

Hourly charge-out rate	Charge
Resource Management Officer - monitoring, compliance and incident response officer	\$120.00
Science Technician	\$105.00
Senior Scientist	\$125.00

Table C: Charge-out rates for building consents and monitoring

Hourly charge-out rate	Charge
Administration officer	\$80.00
Building consent authority co-ordinator	\$120.00

Key notes to Table A to C:

- a. Overhead costs relevant to running the relevant sections within Environment Canterbury are included in the staff charge-out rates.

## Vehicle charge-out rates

Table D: Environment Canterbury vehicle charge-out rates

Vehicle type	Per km charge
Petrol/diesel, Hybrid, Electric	\$0.76

Environment Canterbury uses the mileage rates published by Inland Revenue Department (IRD) to recover our vehicle costs. These rates will change in line with the IRD annual review.

# RMA application charges

This section describes our charges for your:

1. Application for a resource consent, application to change an existing consent, deemed permitted activities, existing use certificate, reviews and certificates of compliance.
2. Application for the preparation or change of a regional plan or the Regional Policy Statement.

Charges in this section have been set taking into account the criteria in section 36AAA of the RMA.

## Applications for resource consents

### Types of resource consent and resource consent application process.

Resource consents permit you to do something that would otherwise contravene the RMA. They are classified by the RMA (section 87) as follows:

- water permit;
- discharge permit;
- land use consent;
- coastal permit; and
- subdivision consent.

Subdivision consents are administered by district and city councils and are not covered by this Policy.

Our staff are happy to assist you in making your resource consent application. Our aim is to ensure your application is processed quickly and simply, while meeting all the legal requirements.

### Charges for processing applications

Environment Canterbury charges consent applicants for any costs incurred when assessing and making decisions on resource consents. Charges include the costs of technical assessment, peer review work and basic administration costs. We may also charge for travel time associated with site visits.

*We charge the actual and reasonable costs for processing a resource consent application.*

The staff charge-out rates for processing an application are identified in Table A.

Before beginning to process an application, we require either a fixed application charge or an initial fixed application charge. These application charges are shown in Tables E, F and G. Where consent processing costs exceed the initial fixed application charge, an additional charge for actual and reasonable costs is made.

*We will not begin to process any consent application until the fixed or initial fixed application fee is paid.*

Please note that application charges apply *even if your consent application is declined or you withdraw your application*. Where you withdraw your application, we will calculate the cost of processing the application up to its withdrawal and make a refund or additional charge as appropriate if the amount exceeds \$34.50.

### Charges associated with pre-application advice

Environment Canterbury provides a pre-application advice service as getting things right early in the process can save considerable time and expense later. We believe it is important you know how to make an application and how it will be processed, so the first hour of our pre-application advice service is free of charge.

After the first hour, we will charge for this service. We will always advise you before we start charging for application advice. For larger projects we may invoice before and during the resource consent process.

The charge-out rates for pre-application advice (after the first free hour) are identified in Table A.

## Application charges for resource consents, existing use certificates, certificates of compliance and deemed permitted activities

### Schedule of charges

Resource consent applications are processed as 'non-notified' if their effects are minor and those who might be affected by the activity agree to the consent being granted. This 'non-notified' classification means the application is not advertised and submissions are not called for.

The fixed application fees for resource consent applications are outlined in Table E and the initial fixed application fees for other specified resource consent applications are outlined in Table F.

These charges are based on the average cost of processing standard non-notified consents of these types.

**Table E: Fixed application fees for resource consent applications:**

Consent type	Fixed Charge
Install a bore/gallery	\$583.00
Certificate of existing use	\$650.00
Notification of a partial surrender of a resource consent	\$270.00
Notification of a partial transfer of a water permit or discharge permit	\$270.00

#### Key notes to Table E:

- If you have not paid your fixed application charge by the due date, we will not begin processing your consent application until the fee has been paid in full (RMAS36AAB(2)).
- Table E fixed application charges are not subject to additional charges and will be the total application cost you pay for these consent types. The fixed application charge is deemed to be the actual processing cost and is not subject to refund.
- A compliance monitoring fee is also payable per bore. Please refer to Table J.

**Table F: Initial fixed application charges for resource consent applications**

Consent type	Initial fixed charge
Discharge sewage from single domestic on-site wastewater system to land	\$1,700.00
Discharge dairy effluent to land	\$2,700.00
Stockpile dairy effluent to ground (when applied for with a discharge of dairy effluent to land)	\$937.00
Groundwater take	\$2,950.00
Discharge water from an aquifer test	\$621.00
Place a swing mooring	\$575.00
Discharge to air from domestic pellet burner	\$345.00
Discharge to air from a small-scale burner	\$1,300.00
Discharge storm water - residential	\$2,650.00
Discharge storm water - industrial	\$3,100.00
Take surface water	\$3,150.00
Consent for other activity	\$2,350.00
Authorisation to transfer a holder's interest in a water permit to another site in the same catchment or aquifer	\$2,450.00
Authorisation to partially transfer a holder's interest in a water permit to another site in the same catchment or aquifer	\$1,900.00
Change or cancel conditions of a resource consent for groundwater or surface water	\$2,150.00
Change or cancel the conditions on a land use consent to install a bore or gallery	\$287.50
Change or cancel conditions of any other resource consent	\$1,200.00
Certificate of compliance	\$798.75
Notice of deemed permitted activity	\$390.00

*Key notes to Table F:*

- a. If you have not paid your initial fixed application charge by the due date, we will not begin processing your consent application until the charge has been paid in full (RMAs36AAB(2)).
- b. These consent types require an initial fixed application fee because the processing costs can vary significantly between applications.
- c. Table F initial fixed application charges may be subject to additional charges.
- d. Should processing costs be less than the Initial fixed application fee by \$34.50 or more, you will receive a refund.

**Application charges for publicly and limited notified resource consents**

**Schedule of charges**

A resource consent is publicly notified if its effects are more than minor, and/or if its effects are widespread or if there are special circumstances. A publicly notified application is advertised and submissions are called for. Where the effects on the environment are considered to be minor but it is not possible to obtain the written agreement of all those who maybe affected by a proposed activity, the application is limited notified.

The initial fixed application charges for notified resource consents are as follows:

**Table G: Initial fixed application charges for notified resource consents**

Resource consent process	Initial fixed charge
Notified application fee (up to hearing stage)	\$1,150.00
Application fee for first day of scheduled hearing or part thereof	\$11,500.00
Application fee for each additional day of scheduled hearing or part thereof Based on the following calculation: \$7,360.00 x # additional hearing days x # of commissioners ÷ # of applications. E.g. If a hearing were to extend for an additional three days with two commissioners for ten applications the cost would be \$7,360.00 x 3 X 2 ÷ 10 = \$4,416.00 per application.	\$Variable

*Key notes to Table G:*

- a. The actual costs of resource consent applications, less any initial fixed charges already paid, will be invoiced as additional costs.
- b. The initial fixed notification fees are due for payment on the date stipulated on the invoice. We will stop processing your application until the initial fixed charges are paid in full.
- c. If a hearing is required to determine the application, a further initial fixed application charge will be invoiced for the first hearing day and any additional hearing days (if required). The initial fixed charges for the first hearing day and any additional hearing days are due for payment 5 days before the hearing is scheduled to start. We will stop processing your application until all initial fixed charges are paid in full.
- d. The initial fixed notification fee usually provides for:
  - initial processing of the application;
  - advertising and calling for submissions; and
  - assessment of submissions.
- e. Depending on the nature of submissions received, the initial fixed hearing charge will cover:
  - pre-hearing meeting costs;
  - initial assessment of the application and report to the hearing panel; and
  - production of draft consent conditions.

- f. The initial fixed hearing fee rarely covers the costs of:
- a full assessment of the application and report to the Hearing Panel (including peer review of the report and input by technical or science experts if required);
  - hearing costs (including disbursements); or
  - assistance to the hearing panel to draft its decision (including decision deliberations).

### Resource consent hearings

Environment Canterbury may appoint an Independent Hearing Commissioner to decide your application.

The costs of the Independent Hearing Commissioners are passed on to the applicant. This will include any disbursements incurred by the Independent Hearings Commissioners such as meals, travel and accommodation.

A submitter on a notified application can request that an Independent Hearings Commissioner be appointed to hear and determine the application. If this occurs the submitter will be charged for the full costs of the Independent Hearings Commissioner.

### Joint hearings

Where Environment Canterbury is the lead authority in a joint consent application hearing with another consent authority (e.g. district or city council), a portion of the joint costs incurred by Environment Canterbury to hold the hearing will be invoiced to that other authority. The apportionment will recover those costs incurred by Environment Canterbury to process the additional consents for the other authority. Apportioned joint costs may include Independent Hearing Commissioner costs, equipment and venue costs, organisation costs and any other costs directly related to the processing of their consent applications. These costs may or may not be passed on to the applicants by the other consent authority. Applicants should check the charging policies of other local authorities.

### Cost estimates and regular invoicing

For notified resource consent applications we will provide you with a detailed cost estimate which we will update where necessary.

If you wish, we can also arrange for instalment or pay as you go billing so you do not receive a large account at the end of the process.

### Charges for resource consent reviews

#### Schedule of charges

**Table H: Charges for non-notified and notified resource consent reviews**

Resource consent process	Initial fixed charge
<b>Initial fixed charge per non-notified consent lodged</b> Review resource consent conditions to address adverse effects or for any other purposes specified in the consent per consent	\$1,265.00
<b>Initial fixed notification charge per consent requiring notification</b> Notification of consent review requiring notification per consent (up to hearing stage)	\$1,150.00
<b>Initial fixed charge per consent for first hearing day</b> Consent review fee for first day of scheduled hearing or part thereof per consent	\$11,500.00
<b>Initial fixed charge per consent for each additional hearing day</b> Consent review fee for each additional day of scheduled hearing or part thereof <i>Based on the following calculation: \$7,360.00 x # additional hearing days x # of commissioners ÷ # of consents</i>	\$Variable

Key notes to Table H:

- a. Charges will apply to reviews carried out to address adverse effects along with reviews made at the request of the consent holder and those carried out under s128(1)(a), s128(1)(c) and s128(2).
- b. Charges for resource consent reviews apply to each consent and not each proposal.
- c. Additional costs will be charged where the total cost to process the consent review exceed the initial fixed application charges due.
- d. Resource consent reviews will take place regardless of whether the consent holder pays the initial fixed charges or not. The consent holder will be liable for the actual and reasonable costs incurred at the end of the review.

#### **Application charges where application is called in by Environment Protection Agency**

Where an application is a proposal of national significance, the Minister for the Environment can direct that it be processed by the Environment Protection Agency. In these cases all actual and reasonable costs incurred by Environment Canterbury will be passed on to the applicant.

#### **Application charges for the preparation or change of a Regional Plan or the Regional Policy Statement\***

When Environment Canterbury receives a request to prepare or change a regional plan or to change the Regional Policy Statement, we may treat the request in one of three ways.

Environment Canterbury may decide to:

1. decline the request. In this case, the request would go no further;
2. accept the request, but charge the applicant the cost of processing the application; or
3. adopt the request. In this case we will meet the cost of making the change after the initial assessment.

A request may be adopted if Environment Canterbury considers the benefit of the change accrues wholly to the community as distinct from the person or persons making the request.

In all cases, we charge the actual and reasonable costs for the initial assessment of the merits of the request. The actual costs of this assessment will vary depending on the nature and complexity of the request.

The charge out rate for any actual and reasonable costs are the same as those outlined in Table A.

The charges levied by Environment Canterbury in relation to a regional plan or the Regional Policy Statement changes are set out in Table I.

\* Only Ministers of the Crown or local authorities can apply to change the Regional Policy Statement.

**Table I: Initial fixed application fee for the preparation or change of a Regional Plan or the Regional Policy Statement**

Resource consent process	Initial fixed charge
Charge for assessing a formal written request before deciding to decline, accept or adopt it, <i>and</i>	\$1,150.00
Charge for processing a request which is accepted, <i>or</i>	\$3,450.00
Charge for processing a request which is adopted.	No charge

The charge for processing a change which Environment Canterbury has accepted (but not adopted) is intended to provide for:

- public notification of the change and calling for submissions;
- preparation of a summary of submissions; and
- advertising for further submissions.

The actual cost will vary depending on the number and complexity of submissions received.

The charge does not include any cost associated with processing the change after the receipt of further submissions. This is because the amount of work necessary to take the proposed change through the remainder of the process laid down in the First Schedule to the RMA may vary considerably depending on the magnitude or complexity of the proposal and the number of submissions received.

This can best be estimated once the public has demonstrated its interest in the change through the public submission and further submission process.

We will recover any actual and reasonable costs that exceed the amounts shown in this section by way of an additional charge (RMA s36).

We will advise you when we have assessed your application for change to a regional plan or the Regional Policy Statement change application if the cost of processing it is likely to exceed \$3,450.00.

We will provide an estimate of the total cost of the application when the period for submissions on the requested change has closed.

If the cost of processing a request which has been accepted is less than the initial fixed fee (i.e. \$3,450.00) by more than \$34.50, we will refund the difference.

### **Charging basis**

To process your resource consent application, review other approval or request to change a regional plan or the Regional Policy Statement we charge for our actual and reasonable costs in the following way:

#### **Staff services**

- Staff time is charged on the basis of actual time spent. The charge-out rate is dependent on the services provided as outlined in Table A.
- The costs of staff time in hearings (excluding any staff member providing assistance to the Hearing Panel) and pre-hearing meetings is chargeable.

#### **Consultant costs**

- Where Environment Canterbury uses an external consultant where its staff would normally provide services, but they are not available, the charge out rate is the same as those in Table A.
- Where Environment Canterbury uses a consultant because the applicant has occasioned the use of the consultant, the full cost of the consultant is charged to the applicant. This may include instances where the applicant makes a request for urgency, the application involves complex and/or technical matters or a peer review for an unorthodox application is necessary.
- Where Environment Canterbury uses a consultant to commission a report under section 92(2) of the RMA, the full cost of the consultant is charged to the applicant as a disbursement.
- Where the full costs of the consultant are charged, Environment Canterbury will also charge the applicant for time spent managing the consultant. The Consent Planning Officer hourly rate per Table A will be applied in these instances.

#### **Disbursements**

- Disbursements include advertising expenses, laboratory analysis, consultants (expert advice), photocopying and hearing costs (other than staff time).

## **Travel**

- We charge for the travel costs of our staff when making site visits.
- The travel cost will be the hourly charge out rate of the staff member and the vehicle cost which is calculated in accordance with Table D. The actual time spent on site will also be charged at the appropriate hourly rate in Table A.

## **Resource Management (Discount on Administrative Charges) Regulations 2010**

The Resource Management (Discount on Administrative Charges) Regulations 2010, commonly called the 'Discount Regulations', set a default discount policy for resource consents that are not processed within statutory timeframes.

Environment Canterbury's policy adheres to the Discount Regulations.

### **Value and scope of Discount Regulations**

The Discount Regulations set out a discount of 1% for each day an application is processed over the statutory timeframes specified in the RMA, up to a maximum of 50% (i.e. 50 working days).

The Discount Regulations apply to the processing of most resource consent applications or applications to change consent conditions. They do not apply to the following:

- applications to extend consent lapsing periods (RMA s125);
- consent reviews (RMA s128);
- certificates of compliance (RMA s139);
- replacement consent applications when application are processed prior to the expiry of a resource consent; or
- when an applicant withdraws a resource consent application.

If your application is not processed within statutory timeframes, a discount will be identified accordingly in line with the Discount Regulations.

### **Your right of objection and appeal**

If you consider any additional charge (that is any charge which exceeds the initial fixed fees specified in Tables F, G, H and I) is unreasonable, you may object to Environment Canterbury in accordance with s357B of the RMA. You need to make your objection in writing to Environment Canterbury within 15 working days of receiving your account. Environment Canterbury will hear your objection and make a decision on whether to uphold it.

If you are still not satisfied, then you may appeal Environment Canterbury's decision to the Environment Court. You may not object to any of the fixed charges listed in Tables E and J.

# Compliance monitoring

## Summary

Your compliance monitoring programme is tailored to your individual circumstances. You pay the cost of monitoring your consent.

This section of the Policy sets the charges which Environment Canterbury levies annually in relation to resource consents and monitoring permitted activities under the National Environmental Standard - Plantation Forestry.

Environment Canterbury may charge for costs associated with our ongoing consent management responsibilities, which includes the costs for ongoing maintenance and monitoring of consents (RMA 36(1)(c)), and monitoring specified permitted activities under a national environmental standard (RMA s36(1)(cc)).

Where the charges set in this section are inadequate to cover actual and reasonable costs, we may impose an additional charge (RMA s36(5)).

## What we do to monitor your consent

The purpose of compliance monitoring is to confirm consent holders are meeting the conditions of their consents. The conditions on resource consents are designed to control any adverse effects on the environment arising from the exercise of the consent.

We need to know consents are being complied with. In this way we can ensure the resource you are using remains fit for you and other consent holders to use.

We tailor a compliance monitoring programme based on the risk of the activity on the environment. Consents with an ongoing effect on the environment have a monitoring programme, though it is important to note that the monitoring programme may not always require inspections of the site. Consents with a finite effect (e.g. installation of a culvert) may only need one site visit.

The programme is initially determined at the time your consent is granted. How much compliance monitoring is required varies according to the nature of your activity, its size and frequency, and its potential environmental impact.

Your compliance programme can be reduced where you establish a good compliance record (for some consents), or where you hold two or more consents at the same location. It may also be increased where you establish a poor compliance record.

Consents that require inspections will receive an initial site visit to ensure the consent is being appropriately implemented. More than one visit may be required if the consent is for an activity with a lengthy construction period (e.g. a sizeable structure).

After this visit we will advise you on the status of your consent compliance. As part of the compliance monitoring programme for a consent, we:

- carry out site visits and inspections (where required);
- review the results of any monitoring carried out by you or your consultants;
- advise you on the outcome of the compliance visit; and
- carry out tests and analyse samples at a laboratory (where relevant).

Occasionally, we may also need to use outside expertise to assist with the monitoring of some consents. The costs of these experts may be included as part of your consent monitoring charge. In most cases, however, Environment Canterbury staff will carry out compliance checks.

## Compliance monitoring charges

The basis for the compliance monitoring charge is the actual and reasonable cost of carrying out your compliance monitoring programme. Each consent has a separate monitoring programme. You pay the cost of monitoring compliance for your consent.

Environment Canterbury has considered the criteria in section 36 of the RMA before setting this charge. We consider that the need for this type of monitoring arises only because of consent holders' activities and that the benefits accrue entirely to consent holders. It is appropriate, then, for consent holders to bear the actual and reasonable cost of this monitoring.

The charge consists of the cost of staff time to carry out an inspection, audit any monitoring information provided by you, reporting back to you on outcomes of any compliance monitoring and, where necessary, laboratory costs (e.g. to test water quality). You will also be charged for the costs of travel, consultants and disbursements.

The staff charge-out rate is dependent on the service provided as outlined in Table B.

**Resource management (National Environmental Standard – Plantation Forestry) Regulations 2017 (NES-PF)**

The NES-PF came into effect in May 2018 and allows Regional Councils to recover the cost of permitted activity monitoring for specified activities within the NES-PF (Subpart 3 c106).

The charge consists of the cost of staff time to carry out an inspection, audit any monitoring information provided by you, reporting back to you on outcomes of any compliance monitoring, and, where necessary, laboratory costs (e.g. to test water quality). You will also be charged for the costs of travel, consultants and disbursements.

The staff charge-out rate is dependent on the service provided as outlined in Table B.

**Consultants and disbursements**

If Environment Canterbury needs to use an external consultant due to staff shortage, the relevant staff charge-out rate listed in Table B will be applied and charged to the consent holder as a disbursement.

In instances where Environment Canterbury utilises an external consultant due to the complexity/technical nature of the activity being monitored, or where the consent holder agrees, the full cost of the consultant is charged to the consent holder as a disbursement.

Where the full costs of the consultant are charged, Environment Canterbury will charge the consent holder for staff time spent managing the consultant. The most appropriate charge-out rate in Table B will be applied in these instances.

Other disbursements include advertising expenses, laboratory analysis, photocopying.

**Travel**

We charge for the travel costs of our staff when making site visits.

The travel cost will be the hourly chargeout rate of the staff member and the vehicle cost which is calculated in accordance with Table D. The actual time spent on site will be charged at the appropriate hourly rate per Table B.

**Fixed consent monitoring fees**

Environment Canterbury charges a fixed compliance monitoring fee for bore installation. The fixed fee is per bore (to a maximum of 5 bores) and is payable at the time you lodge your consent application.

**Table J: Fixed bore monitoring compliance charge**

Bore monitoring and compliance	Initial fixed charge
To carry out compliance monitoring and administration requirements of a bore installation (per bore to a maximum of five bores)	\$66.13

If the installation is for more than five bores, an additional charge will be payable for staff time, disbursements and travel.

Environment Canterbury charges a fixed fee for receiving and verifying of water use data, along with assessing compliance, recording and reporting of water consent compliance. This charge will be levied annually.

Miscellaneous charges	Charge
Annual water consent compliance charge	\$230.00 per water permit per year.

### Reduction in compliance monitoring charges – reward for good compliance

Some consent holders may become eligible for a decrease in the level of compliance monitoring required for their consent. This typically occurs when consent holders comply with all their consent conditions, resulting in a reduced need for frequent inspection. In these cases, we can pass on some savings to those consent holders. Compliance with your consent conditions can result in significantly reduced monitoring charges.

### Incident notifications, compliance with enforcement orders and compliance with abatement notices

Where we carry out an inspection as a result of an incident notification (e.g. a complaint about water pollution or odour release), the consent holder is only charged if the consent is breached and non-compliance is observed.

Where we carry out an inspection as a result of an incident notification (e.g. outdoor burning) a minimum inspection fee will be charged where it is determined a breach to a regional rule or the Resource Management Act 1991 has occurred. This minimum fee will be as follows:

*30 mins travel + 30min investigation time + 1 hour of reporting, identifying parties, considering any further actions needed x staff hourly charge out rate as published in Table B.*

Where we carry out an inspection to determine compliance with an enforcement order or abatement notice for a consented activity, we will charge the consent holder actual and reasonable costs for any follow up visit to confirm that the required action has been taken and full compliance with the notice and your resource consent is achieved.

### Maritime New Zealand Fees

Section 89A of the Resource Management Act 1991 requires Environment Canterbury to engage Maritime New Zealand (MNZ) to assess applications affecting the safety of navigation made under the Act. Environment Canterbury will recover related MNZ charges from the applicant for either resource consent application or compliance monitoring activities.

Maritime New Zealand fees	1 July 2018 onwards	
Assessment of applications under Resource Management Act 1991 affecting navigation	Office based	\$235.00 per hour
	Off-site (first visit)	\$313.00 per hour

#### Notes on MNZ fees:

1. The charges quoted are as required under the Shipping (Charge) Regulations 2014 and are likely to change in accordance with amendments made to these regulations.
2. As these charges are not set by Environment Canterbury they are included as a guideline only and you will pay the actual charges of MNZ.

# Harbourmaster, Maritime Transport Act 1994, Navigation Safety Bylaw 2016

The port safety function of the Environment Canterbury Regional Harbourmaster are fully funded by user pay fees to port companies, facility owners and shipping companies. There are also some fees and charges for recreational boating activities. Fees and charges are provided below:

Permission of the Harbourmaster	Charge
Specific approval from the Harbourmaster required for hot work in certain circumstances as stated in the Harbourmaster's Direction on a vessel carrying liquid or gas hydrocarbons in bulk (i.e. a fuel, oil, or gas tanker)	\$287.50
Any other exemption, permission or authorisation of the Regional Harbourmaster or Regional On-Scene Commander not otherwise specified	\$213.33 per hour

Suspensions, exemptions, reservations	Charge
Application to the Harbourmaster for a suspension or exemption under clause 45(1) of the Canterbury Regional Council Navigation Safety Bylaw 2016	\$287.50
Application to the Harbourmaster for a reservation, regulation, prohibition, permission or authorisation under any of clauses 7(3), 8(2)(E), 12(1)(B), 21(2), 24(1) of the Canterbury Regional Council Navigation Safety Bylaw 2016	\$287.50

Port charges	Charge
For Kaikōura, payable per quarter by the Kaikōura District Council	\$1,150.00
For Lyttelton Port, payable per quarter by Lyttelton Port of Christchurch	\$63,388.00
For Akaroa Harbour, payable per quarter by the Christchurch City Council	\$5,750.00
For the Port of Timaru, payable per quarter by Prime Port Timaru Ltd	\$28,750.00

Swing mooring charges	Charge
Swing mooring annual fee for administration, supervision and monitoring	\$230.00
Fee for receiving and processing of a mooring inspection report not provided to the Harbourmaster in accordance with clause 27(4), 27(6), 27(2)	\$115.00
Charge for processing an application for approval of a swing mooring, or variation to an existing mooring authorisation	\$287.50
Rental or use of an Environment Canterbury owned/administered mooring suitable for a vessel up to 12.0 metres length overall	\$57.50 per week
Rental or use of an Environment Canterbury owned/administered mooring suitable for a vessel over 12.0 metres length overall	\$115.00 per week

Akaroa Harbour and Kaikōura ship charges	Charge
Fees for vessel calls to Akaroa and Kaikōura for costs of chart updates, operation and maintenance of navigation aids, and operation and maintenance of Safety Management systems, per vessel call (based on ship length (LOA)):	
- less than 100m	\$1,495.00
- 100m or greater, but less than 200m	\$1,840.00
- 200m or greater, but less than 300m	\$2,415.00
- 300m or greater	\$2,760.00
Charge for cancellation of a vessel booking when undertaken fewer than seven days prior to the scheduled visit	\$57.50

Harbourmaster services and Regional On-Scene Commander services charges	Charge
Examination of a candidate for a Masters Pilotage Exemption Certificate	\$575.00
Review* or Approval of an operator party to a Mobile Operators Joint Port Tier 1 Marine Oil Spill Response Plan, including an initial audit	\$750.00
Review* or Approval of a mobile operator's Tier 1 Marine Oil Spill Response Plan (for those in places where a joint plan is unavailable), including initial audit	\$1,500.00
Review* or Approval of an operator's small fixed site (e.g jetty bowser) Tier 1 Marine Oil Spill Response Plan, including initial audit	\$1,500.00
Review* or Approval of an operator to a large fixed site (e.g terminal) Tier 1 Marine Oil Spill Response Plan (for those in places where a joint plan is unavailable), including initial audit	\$3,000.00
Attendance at Tier 1 Plan site visit, exercise or audit	\$213.33 per hour
Charge for travel to or from any location to undertake a site visit, auditor examination	\$213.33 per hour
For an application for an exemption, permission or authorisation of the Regional On-Scene Commander not otherwise specified	\$213.33 per hour
Notification of change of ownership of a boatshed or slipway	\$115.00

\* Reviews are normally conducted triennially

# Farm Environment Plan Auditor Certification Programme

Fees relating to the certification of FEP auditors and ISO programmes are set under section 150 of the Local Government Act 2002.

The Land and Water Regional Plan (LWRP), has a requirement that Farm Environment Plans (FEPs) be audited by Certified FEP Auditors.

The Certification Programme has two key components:

1. the criteria and process to certify an individual FEP Auditor, including the process to recognise individuals already certified under Primary Industry Certification Programmes; and
2. the criteria and process to approve ISO Accredited Audit Programme (ISO Programme), to allow all farms belonging to that ISO Programme to have one audit only.

## **Individual FEP Auditor Certification**

The process and cost recovery framework to certify an FEP Auditor includes:

1. registration supported by a registration fee;
2. one annual Spot-Check, to check ongoing proficiency in the application of the auditing standards, supported by an annual fee. The annual fee will be at a discounted rate as Environment Canterbury recognises that there is some benefit for the farming community to check the ongoing proficiency of the auditor in applying the auditing standards; and
3. re-registration, every three years, supported by a re-registration fee.

Refer to Table 1 (FEP Auditor Certification) for details.

## **Recognition of Primary Industry Certification Programmes and Approval of ISO Programmes**

As mentioned, the Certification Programme includes recognition of Primary Industry Certification Programmes and approval of ISO Programme.

The purpose of recognising Primary Industry Certification Programmes is to integrate and support Primary Industry Certification Programmes. Applicants holding a Recognised Primary Industry Certification would meet some of the Certification criteria.

The recognition of Primary Industry Certification Programmes process and cost recovery framework includes:

1. registration supported by a registration fee; and
2. re-registration, every three years, supported by a re-registration fee.

The purpose of approving ISO Programmes is to allow all farms belonging to the programme to have a single audit only. The approval of ISO Programme process and cost recovery framework includes:

1. registration supported by a registration fee; and
2. one annual Spot-check for ongoing proficiency in the application of the auditing standards, supported by an annual fee and a three yearly re-registration fee.

Please refer to:

- Table 2 (Recognition of Primary Industry Certification Programmes) for details; and
- Table 3 (Approval of ISO Programmes) for details. The proposed fees and charges also take into account the costs to retain and issue ISO Certification.

## FEP Audit Disputes

The FEP Disputes Programme describes how Environment Canterbury will deal with a farmer over a dispute about an audit grade given by an Individual Certified FEP Auditor. Disputes related to an assessment undertaken by a FEP Auditor belonging to an approved ISO Programme will be dealt by that ISO Programme.

The inspection and disputes process and cost recovery framework include the submission of a dispute supported by a fee which will be paid by:

1. farmer paying a submission fee upfront. This fee will be refunded if the complaint is substantiated. The fee will be retained if the dispute is unsubstantiated; and
2. auditor if dispute is substantiated.

Environment Canterbury will inspect the proficiency of an auditor in the application of the Farm Environment Plan Audit Manual to keep their certification status as a result of a dispute raised by a farmer.

Please refer to Table 4 (FEP Audit Disputes) for details.

**Table 1: FEP Audit Certification fees and charges**

Charge	
<b>Registration</b>	
<ul style="list-style-type: none"> <li>Desktop study (not required for applicants holding a Recognised Primary Industry Certification)</li> <li>On Farm assessment.</li> </ul>	\$152.50 (per hour)
Maximum fee	
<ul style="list-style-type: none"> <li>For applicants not holding a recognised primary industry certification.</li> <li>For applicants holding a recognised primary industry certification.</li> </ul>	\$2,570.00 \$2,440.00
<b>Annual Fee</b>	
<ul style="list-style-type: none"> <li>Covering one annual check - on farm assessment</li> <li>*Discounted Rate - Environment Canterbury recognises that there is some benefit for the farming community to check the ongoing proficiency of the auditor in applying the auditing standards.</li> </ul>	\$76.50 (per hour*)
Maximum fee	\$650.25
<b>Re-registration</b>	
<ul style="list-style-type: none"> <li>Every three years</li> <li>1 on farm audit.</li> </ul>	\$152.50 (per hour)
Maximum fee	
<ul style="list-style-type: none"> <li>For applicants not holding a recognised primary industry certification.</li> <li>For applicants holding a recognised primary industry certification.</li> </ul>	\$1,525.00 \$1,297.00

**Table 2: Recognition Primary Industry Certifications fees and charges**

Charge	
<b>Registration</b>	
<ul style="list-style-type: none"> <li>Desktop study.</li> </ul>	\$152.50 (per hour)
Maximum fee	\$1,068.00
<b>Re-registration</b>	
<ul style="list-style-type: none"> <li>Every three years</li> <li>Desktop study.</li> </ul>	\$152.50 (per hour)
Maximum fee	\$1,068.00

**Table 3: Approval of ISO Programmes fees and charges**

Charge	
<b>Registration</b> • Desktop study.	\$152.50 (per hour)
Maximum fee	\$1,525.00
<b>Annual Fee</b> One annual check – on farm assessment  *Discounted Rate - Environment Canterbury recognises that there is some benefit for the farming community to check the ongoing proficiency of the auditor in applying the auditing standards.	\$76.50 (hourly rate*)
Maximum fee	\$650.25
<b>Re-registration</b> • Every three years • Desktop study.	\$152.50 (per hour)
Maximum fee	\$1,525.00

**Table 4: Disputes**

Charge	
<b>Registration</b> • Desktop assessment • Interviews.	\$152.50 (per hour)
Maximum fee:	\$750.00 (refunded if dispute upheld)
Initial fee paid by farmer	
Substantiated dispute fee paid by FEP Auditor.	\$4,880.00

# Building Act 2004

The Building Act 2004 (BA) gives responsibilities relating to dams to Regional Authorities (s13).

Provisions in the BA relating to dams include:

- Building control functions - building consents, Code Compliance Certificates (CCC), Project Information Memoranda (PIM); and
- Dam Safety Scheme - potential impact categories, dam safety assurance programmes, annual compliance certificates, dangerous dams.

Building control functions and the dam safety scheme only apply to large dams. A large dam has a height of 4 or more metres and holds 20,000 cubic metres or more of water or other liquid. Construction of dams that are not large do not require a building consent but are still required to comply with the building code.

**Note:** Dam construction may also require resource consent under the Resource Management Act 1991 (RMA).

## Charges

Environment Canterbury may recover the costs for performing its functions under the BA (s243). Our cost recovery policy is based on the principle of 'user pays', which means the dam owner will be charged all costs associated with their dam project including future monitoring.

A combination of 'Deposits', 'Processing Fees' and 'Levies' will be used. Environment Canterbury will not issue a building consent until total payment is received from the applicant / dam owner, unless agreed otherwise.

## Deposits

Deposits listed in Table L are payable by the applicant at the time the application is lodged and will be treated as a part payment against total costs.

## Processing fees

Due to the scale, complexity and specialist design features associated with each dam project, the costs associated with processing individual building consents will vary greatly and, in many instances, the total cost of processing an application or performing a monitoring duty will exceed the deposit. In these instances, a processing fee will be charged to recover all actual costs incurred.

*Processing fee = (staff hours x hourly rate) + (external processing consultant hours x hourly rate) + disbursements*

Table C contains our staff charge-out rates for building control functions, dam safety activities and monitoring. Disbursements may include such items as travel costs.

## Levies

Ministry of Business, Innovation and Employment (MBIE) and Building Research Association of New Zealand (BRANZ) levies apply to building consent applications where the estimated value of building work is **greater than \$20,444**.

Environment Canterbury is required to collect these levies from the applicant on behalf of MBIE and BRANZ. The levies quoted are as required by regulation on 1 March 2008 and may change in accordance with amendments made to regulations.

**Note:** Prior to 1 July 2012, the MBIE levy was known as the Department of Building and Housing (DBH) levy.

## Dam safety

The Building (Dam Safety) Regulations 2008 were revoked under the Building (Dam Safety) Revocation Order 2015, with effect from 30 June 2015. The Government is in the process of formulating the regulations under the BA.

No further information is available at this time. Environment Canterbury will continue to operate on a cost recovery 'user pays' basis in relation to dam safety activities, unless directed otherwise.

**Table L: Charges for building control functions and dam safety activities**

Activity	Levies	Deposit	Processing fee
Project Information Memorandum (PIM)		\$257.50	Based on charge formula
Building consent application - estimated value of building work <b>under \$20,444</b>		\$575.00	Based on charge formula
Certificate of Acceptance - estimated value of building work <b>under \$20,444</b>		\$2,875.00	Based on charge formula
Code Compliance Certificate (CCC) for building consent applications		Nil	Based on charge formula
Review Potential Impact Classifications submitted by dam owners		\$172.50	Based on charge formula
Review Dam Safety Assurance Programmes		Nil	Based on charge formula
Review Warrant of Fitness (dams)		Nil	Based on charge formula
Any other activity under the Building Act 2004		Nil	Based on charge formula

*Key notes to Table L:*

- a. *Charge formula = (staff hours x hourly rate) + (external processing consultant hours x hourly rate) + disbursements.*
- b. Staff charge-out rates for building control functions, dam safety activities and monitoring are contained in Table C.
- c. Disbursements may include such items as travel costs.

# Local Government Act 2002

## Property information

The Land Information Requests (LIR) system contains important information on consents, wells, water resources, natural hazards, pests, contaminated land and air quality.

A flood hazard assessment provides site-specific flood information for most areas in the Canterbury region. The information may relate to property transactions, subdivision, valuations, insurance, resource consent applications and plan changes.

The administration of specific aspects of Land Improvement Agreements (LIA) are made under the Soil Conservation and Rivers Control Act 1941. LIA tend to relate to soil and water conservation, erosion control, firebreaks, sediment control and berm protection.

Property information charges	Charge
Applications for information on a specific property (RMA s35 and LGOIMA s13):	
- through the formal Land Information Request (LIR) system	\$235.00
- for flood hazard assessment	\$172.50
Application to terminate a Land Improvement Agreement (LIA) or part thereof based on the Revised Council Policies for LIA Management (26 August 2011) - Policy 3	\$408.25
Application to obtain written consent for the acceptance of a substantive proposal (Crown Pastoral Land Act 1998 S60(4))	\$483.00

*Note: Environment Canterbury has a policy that no cancellations will be accepted 24 hours after the application is received.*

## Authorised clean air zone fuel-burning equipment and classes of fuel

Clean air zone: Fuel-burning equipment and classes of fuel	Charge
Processing an application for authorisation in a clean air zone for the use of any class of fuel-burning equipment (s30(1) RMA)	Based on charge formula
Monitoring and inspection of fuel-burning equipment that has been authorised (s30(1) RMA)	Based on charge formula

## Miscellaneous charges

Miscellaneous charges	Charge
Processing an application for a reclamation survey plan approval (RMA s245)	\$172.50
Monitoring of an activity authorised as a permitted activity by a rule in a regional plan or a proposed regional plan, to determine compliance with the conditions of the relevant rule	Based on charge formula
Monitoring of compliance with the requirements for water measurement and reporting as prescribed within the Resource Management (Measurement and Reporting of Water Takes) Regulation 2010	Based on charge formula
Annual water consent compliance charge for the collection, verifying, assessing compliance, recording and reporting of water use consent compliance	\$230.00 per water permit per year

Key notes:

- $Charge\ formula = (staff\ hours \times hourly\ charge-out\ rate) + disbursements$
- Hourly charge-out rates are shown in Tables A and B.
- Disbursements may include such items as travel costs.

## Authorised/permitted river-based gravel extraction charges

The below charges apply to authorised and permitted river-based gravel extraction. Resource consent application charges for river-based gravel extraction are contained in Table F of this Policy under 'consent for other activity'. Please note the gravel management fee applies to all authorisations / permits and consents.

River-based gravel extraction	Charge
Gravel management fee (payable by the holder of a gravel extraction authorisation/permit/consent)	\$0.11 per cubic metre
Authorised/Permitted activity for river-based gravel extraction (up to 12 months):	
- 1500 cubic metres or less	\$345.00 + \$0.11 per cubic metre
- Over 1500 cubic metres	\$850.00 + \$0.11 per cubic metre
Monitoring of compliance with the requirements of the authorisation /permit to remove river-based gravel	Based on charge formula

### Key notes:

- a. The gravel management fee applies to all authorisations/permits and consents.
- b. *Charge formula= (staff hours x hourly charge-out rate) + disbursements*
- c. Hourly charge-out rates are shown in Table B.
- d. Disbursements may include such items as travel costs.

# Provision of information

Environment Canterbury documents, plans and reports are generally published in electronic form at no charge on the Environment Canterbury website: [www.ecan.govt.nz](http://www.ecan.govt.nz)

Many Environment Canterbury brochures, guides and information documents are also available at our offices for no charge.

However, we are able to charge for providing information under the Resource Management Act 2002 (RMA) and Local Government Official Information and Meetings Act 1987 (LGOIMA).

## Information provided under the RMA

Environment Canterbury may charge for the provision of information in relation to resource consents and Regional Plans and Policies (RMA section 36(1)(e) and (f)).

We recognise that we have a significant advisory and information role and our aim is to assist you to have access to the information you need to make effective use of your resource consent. To this end, we provide a reasonable amount of information free of charge, as listed below. If more time is spent, or more photocopying required than is allowed for here, the provision of information may be subject to the following charges.

Any charge for information includes the following components:

- a. **Staff time** spent in making printed information available is charged at \$46 per hour.
- a. **All other disbursements** are charged at cost. We may pass on charges to the person requesting the information where the information held by us is subject to agreements with commercial data suppliers who may require us to levy charges.

We will provide you with an estimate of cost of producing the information and may require you to make payment before the information is released to you.

**Copying** charges are:

Copying charges	Charge
CD (if available)	No charge
Statutory recipients:	
- first copy	No charge
Other recipients:	
- documents fewer than 100 pages	\$20.00
- documents more than 100 pages	\$20.00+ \$0.10 per side over 100 pages
Fixed charges for resource consent applications:	
- up to 10 pages	No charge
- over 10 pages – black	\$0.10 per side
Technical, planning & general printed reports and documents:	
- fewer than 100 pages	\$20.00+ \$0.10 per side over 100 pages
On demand photocopying and reproduction	
- up to 10 pages	No charge
- over 10 pages – black	\$0.10 per side
- over 10 pages – colour	\$1.00 per side
Documents with special production requirements	Charged at cost

**Printed copies of specific plans and statements** are charged as follows:

Charges for specific plans and statements	Reference	Charge
Regional Policy Statement.	PU1C/8438-1	\$124.00
Regional Policy Statement – Appendix 5	PU1C/8438-2	\$42.00
Canterbury Air Regional Plan	PU1C/8468	\$79.00
Canterbury Land and Water Regional Plan	PU1C/8466	\$156.00
Canterbury Land and Water Regional Plan - Map Volume	PI1C/8467	\$182.00
Regional Coastal Plan Volume 1.	PU1C/7509-1	\$97.00
Regional Coastal Plan Volume 2.	PU1C/7510-1	\$48.00
Regional Coastal Plan Volume 3.	PU1C/7511-1	\$91.00
Hurunui Waiau River Regional Plan.	PU1C/7773-1	\$39.00
Opihi River Regional Plan	PU1C/5885	(B/w Price \$26.00)
Pareora Catchment Plan	PU1C/7597-1	\$30.00
Waimakariri River Regional Plan	PU1C/8469	\$56.00
Waipara Catchment Plan	PU1C/7595-1	\$31.00
Waitaki Catchment Plan	URI 3053789	\$36.00
Canterbury Regional Land Transport Plan	PU1C/8365-1	\$35.00
Canterbury Regional Public Transport Plan	PU1C/7910-1	\$29.00

### Information provided in response to a LGOIMA request

Information provided in response to requests under this Act may be charged for under section 13(1A) of the Local Government Official Information and Meetings Act 1987.

In summary:

- The first hour of time spent searching, abstracting, collating, copying, transcribing should be free.
- Charges for each subsequent hour of time are below.
- 20c per page after the first 20 pages.
- Actual costs may be recovered for:
  - provision of data on disc;
  - retrieval of information off-site; and
  - provision of maps, plans or other documents larger than foolscap size.

### Charge-out rates for provision of information

Hourly charge-out rate	Charge
Administration officer	\$105.00
Consent planning officer/consents hearing officer	\$135.00
Consents senior planning officer/specialist officer/management officer	\$155.00
Senior Leadership Team member	\$175.00
Executive Management Team member	\$295.00

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