

User fees and charges



User fees and charges

This section includes the full schedules of the council's fees and charges.

Northland Regional Council Navigation, Water Transport and Maritime Safety Bylaw Charges 2012

Introduction

A Statement of Proposal and the special consultative procedure is required pursuant to sections 83, 86 and 156 of the Local Government Act 2002 in order that any clauses of the **Navigation, Water Transport and Maritime Safety Bylaw Charges 2011**, adopted in June 2011, may be amended and the Bylaw Charges re-adopted.

Section 156 of the Act requires that a bylaw or an amendment to an existing bylaw be made pursuant to the special consultative procedure set out in section 83. That section requires both a Statement of Proposal, and a summary of the information to be prepared, with the summary to be circulated widely and publicly notified. The full Statement of Proposal must be available for public inspection at all offices of the Council during the submission period.

Section 86 requires that a draft of the full bylaw to be amended be included in the Statement of Proposal, setting out the reasons for the proposal and whether a bylaw is an appropriate mechanism pursuant to section 155.

Reasons for the proposal

Section 3(b)(1): the Navigation Safety Bylaw fee has been amended to separate out the charges for boat ramps under 15 metres x 4.5 metres. This fee category has been amended and a new category has been introduced for boat ramps/slipways over 15 metres and grids. The other categories in this section 3(b)(1) remain the same, and the fee category continues to be set at \$60 plus GST. The reason for the change is because larger boat ramps are likely to have more

activity, and or be used by larger vessels. The cost to council and benefit to the user, of the council providing, improving and maintaining navigational aids is thus larger. Generally smaller structures service smaller vessels and/or numbers of vessels. Restricting the size of the structure is intended to create a more equitable method of setting this fee.

Section 3(b)(7): a new Navigation Safety Bylaw fee category has been introduced for boat ramps/slipways over 15 metres x 4.5metres and grids. The fee category has a charge of \$120 plus GST. The reason for the change is because larger boat ramps are likely to have more activity, and or be used by larger vessels . The cost to council and benefit to the user, of the council providing, improving and maintaining navigational aids is likely to be greater for larger vessels or higher activity areas. Setting a fee category for larger sized structures is intended to create a more equitable method of setting this fee.

There were no other changes to the bylaw.

This bylaw amendment is made pursuant to the bylaw provisions of the Local Government Act for setting fees and charges as mandated by section 684B(h)(i)-(iii) of the Local Government Act 1974 (Part 39A Navigation), saved in Schedule 18 of the Local Government Act 2002. It is the most cost effective way of recovering the costs arising from the regulation of recreational maritime activities and commercial shipping as appropriate.

The bylaw is as follows:

Navigation, Water Transport and Maritime Safety Bylaw Charges 2012

These bylaws shall be known as the Northland Regional Council Navigation, Water Transport and Maritime Safety Bylaw Charges 2012:

1. These bylaws shall apply throughout the region of the Council.
2. In these bylaws, unless the context otherwise requires:
 "Maritime facility" means any jetty, jetty berth, wharf, ramp, slipway, boatshed, marina berth, pontoon or, whether private, commercial or a recreational public facility, that is located within the coastal marine area of the Northland.
 "Mooring" means any swing or pile mooring whether private, commercial or recreational mooring that is located within the coastal marine area of the Northland.

"Owner" includes:

- (a) in relation to a vessel, the agent of the owner and also a charterer; or
- (b) in relation to any dock, wharf, quay, slipway or other maritime facility,
 means the owner, manager, occupier or lessee of the dock, wharf, quay, slipway or other maritime facility.

3. Navigation Safety Bylaw Fees

For the period specified hereunder and for each year thereafter until amended or superseded by a subsequent bylaw charge, the owner of every maritime facility or mooring in the region shall pay to the Council an annual navigation fee fixed herein.

- (a) The navigation safety bylaw fee shall be payable on the number of berths available at the maritime facility, whether or not all berths are used. The Council's Harbourmaster shall determine the number of berths available at any maritime facility.

		Excluding GST
(b) (1)	For every mooring, jetty, jetty berth, boatshed, boat ramp up to 15 m x 4.5 m, minor structure, and any group of piles with 74 berths or less owned by one organisation.	\$60.00
(2)	For every berth holder not otherwise included herein a fee for the recovery of the cost of the navigation safety equipment in the upper Hātea river, per berth.	\$60.00
(3) (a)	For every berth in a marina containing more than 75 berths, provided that if the fee is not paid within 60 days of invoice, the fee shall revert to \$60.00 per berth.	\$50.00
(b)	For every berth in marinas containing 24 or more, but less than 75 berths, provided that if the fee is not paid within 60 days of invoice, the fee shall revert to \$60.00 per berth.	\$56.00
(4)	Boatsheds, per additional berth.	\$60.00
(5)	Community and boating club structures, jetties and private accommodation in the coastal marine area.	\$60.00
(6)	Marine farms	\$60.00
(7)	Boat ramps/slipways over 15 metres and grids	\$120.00
(8)	High use structures and jetties, marine-related, not more than 300 m ² in plan area within the coastal marine area	\$330.00
(9)	High use commercial slipways with a maximum capacity of less than 50 tonnes.	\$330.00
(10)	High use structures and jetties, marine-related and more than 300 m ² but less than 1,000 m ² in plan area within the coastal marine area	\$1,430.00
(11)	High use structures and jetties, marine-related and more than 1,000 m ²	\$2,530.00

- in plan area within the coastal marine area.
- (12) High use commercial slipways with a maximum capacity of more than 50 tonnes. \$2,530.00
- (13) Pursuant to the provisions of Navigation Safety Bylaw clause 3(1)(6), should any mooring licence fees or other charges due to the Council under the provision of this bylaw remain unpaid for a period of 60 days, then the Harbourmaster may remove, or clause to be removed, the mooring and detain the vessel using the mooring, until such fees and charges, including the cost of removing the mooring and storing eh vessel, have been fully paid and discharged. Should such debts have not been paid and discharged within a further 60 days, the Council has the right to sell the mooring and/or vessel to recover the debt.

4. Hot Work Permits

For vessels alongside wharves or at anchor, per permit. \$70.00

5. Safe Operating Licences

For all Northland harbours, unpowered craft not subject to a maritime rule and available for lease or hire, including: dinghies, kayaks, canoes, aqua-cycles, surf cats or similar commercially available craft, an inspection fee to verify the adequacy of procedures and safety equipment, up to one hour. \$70.00

Where inspection time exceeds one hour, the charge shall be at the rate of \$70.00 per hour plus vehicle running costs at the rates approved from time to time by the Inland Revenue Department.

6. Jet Ski Registration Fees

As resolved and prescribed by the Auckland Council which undertakes this function on behalf of the Northland Regional Council under delegated authority.

7. (a) Pilotage²⁴

(i)	Inwards/outwards to wharf, Opua – per visit	
	Where GRT is greater than 500 but less than 3000	\$1,500.00
	Where GRT is greater than 3000 but less than 18,000	\$2,900.00
(ii)	Ships to anchor in Bay of Islands – per visit	
	Where GRT is greater than 500 but less than 3000	\$1,500.00
		Excluding GST
	Where GRT is greater than 3000 but less than 18,000	\$2,900.00
	Where GRT is greater than 18,000 but less than 40,000	\$3,400.00
	Where GRT is greater than 40,000 but less than 100,000	\$3,800.00
	Where GRT is greater than 100,000	\$4,200.00

(b) Shipping

Navigation and Safety Services Fee Per ship visiting the Bay of Islands regardless of which pilotage organisation or company actually services the vessel

Where GRT is less than 3000	\$1.00/GRT
Where GRT is greater than 3000 but less than 18,000	\$2,900.00
Where GRT is greater than 18,000 but less than 40,000	\$3,200.00
Where GRT is greater than 40,000 but less than 100,000	\$3,500.00
Where GRT is greater than 100,000	\$4,000.00

²⁴ Charges for Bay of Islands apply for vessels entering inside the pilotage limits as marked on chart NZ 5125.

(c) Shipping

Navigation and Safety Services Fee Per ship visiting the Bay of Islands when the Master is exempt from compulsory pilotage

Up to 3000 GRT \$1.00/GRT

Per ship visiting the Bay of Islands when the vessel's GRT is more than 100 and less than 500

From 100 to 500 GRT \$1.00/GRT

(d) Shipping

Navigation and Safety Services Fee Per ship visiting Whangaroa Harbour except when the ship is also visiting the Bay of Islands during the same voyage

\$1,000.00

8. Harbourmaster's Navigation Safety Services Fee

- (a) North Port Ltd \$110,000.00
- (b) For water transport operators not serviced by a port company, at actual time and cost.
- (c) Where the actual costs on a labour time and plant recovery basis exceed the annual fee, the Council will recover any balance on an actual cost basis.

9. Applications for Reserved Area for Special Event (clause 3.13 of the Navigation Safety Bylaw 2012)

Special Event Processing Fee \$140.00
 The Council shall recover from the applicant all actual and reasonable costs incurred in arranging for the publication of a public notice. These costs are additional to the above fee.

10. All navigation and other fees specified herein are exclusive of Goods and Services Tax.

11. These bylaw fees shall apply for the period 1 July 2012 to 30 June 2013 and will continue to apply until superseded by a subsequent bylaw charge fixed by resolution and publicly notified or by the review required by section 158 of the Local Government Act 2002.

These bylaws will be sealed, publicly notified pursuant to the Local Government Act 2002 and will be confirmed at a meeting of the Council on 26 June 2012. Following confirmation, the bylaws will come into force on 1 July 2012.

Charging Policy

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Charging Policy – Resource and User Fees

Pursuant to:

- The Biosecurity Act 1993;
- The Building Act 2004;
- The Local Government Act 2002;
- The Local Government Official Information and Meetings Act 1987;
- The Resource Management Act 1991; and
- The Aquaculture Reform (Repeals and Transitional Provisions) Act 2004

1. Introduction

The Resource Management Act 1991 and the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 authorise the Northland Regional Council to fix resource consent charges relating to the Council's functions and responsibilities under the Act. Charges may be set as specific amounts, as a scale of charges or as formulae. The Council has chosen to use a combination of these approaches. Section 36(1)(c) of the Resource Management Act, provides for the charging of fees to recover costs associated with:

- the administration of resource consents;
- the supervision of resource consents; and
- monitoring – the gathering of information necessary to effectively monitor both the state of the environment and the resource consents that have effect in the region.

Additionally, costs are recoverable under the Building Act 2004 under its building consents, enforcement and safety provisions in regard to dams, the bylaw charging provisions of the Local Government Act 2002, and the Council's Navigation Safety Bylaws. Costs may also be recovered under the authority of the Biosecurity Act 1993, the Local Government Act 2002, and under the Local Government Official Information and Meetings Act 1987.

The Council's Charging Policy defines fees and charges for the following classes:

- (i) The Building Act 2004.
- (ii) The Biosecurity Act 1993:
 - Cost recovery schedule for Northland Regional Pest Management Strategy for Nassella Tussock.
- (iii) The Local Government Act 2002:
 - Inspections, investigations and/or environmental incidents.
 - Management charges for laboratory and miscellaneous services.
 - Navigation and safety activities.
 - Inspections of dairy farms operating under the permitted activity rules for discharges to land.
- (iv) The Local Government Official Information and Meetings Act 1987:
 - Information charges.
- (v) The Property Law Act 2007
- (vi) Navigation Water Transport and Maritime Safety Bylaw Charges.
- (vii) The Resource Management Act 1991:
 - Application fees for resource consents and certificates of compliance.
 - Application fees for preparing or changing a policy statement or plan.
 - Resource consent annual administration and monitoring charges.
 - Additional supervision charges for investigation of potential non-compliances and non-compliance with consent conditions.
 - Charges set by regional rules.
 - Applications for offsite farms and reviews of deemed coastal permits for marine farms pursuant to the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004.

The Council reviews its schedule of charges each year to provide for the recovery of the costs associated with the inspection and mitigation of adverse environmental impacts arising from the agricultural and industrial sectors.

The Council's Revenue and Financing Policy sets out the funding and recovery targets for each Council Activity. The funding targets and criteria set out in the Revenue and Financing Policy have been considered

by Council in setting fees and charges as set out in the Charging Policy. The Northland Regional Pest Management Strategies provide a schedule of cost recovery for certain works.

The Resource Management Act **consent classes** include permits to take water, permits to discharge contaminants to air, land or water; land use consents, coastal permits, and building consents in the coastal marine area. The major types of consent classes and criteria for charging purposes are as follows:

- Discharges to water (including):
 - major industries
 - major effluent discharges
 - refuse landfills
 - timber treatment plants
 - Other water permits
- Discharges to air
- Coastal (including):
 - moorings, jetties and structures
 - marinas
 - slipways and maintenance facilities
 - major coastal activities
- Land use consents

Environmental Incidents

Management charges for labour, laboratory services, supply of information and the Council plant and equipment are detailed in Appendix 16²⁵.

2. General policies and principles

2.1 General principles

The principles which apply to the charges set out in the Charging Policy document are based on the requirements of Section 36 of the Resource Management Act 1991; Section 77 of the Biosecurity Act 1993, Sections 53 and 243 of the Building Act 2004, Section 13 of the Local Government Official Information and Meetings Act 1987, Section 227(2) of the Property Law Act 2007 and the Local Government Act 2002 – as set out below:

Democratic process

The Council's role as a local authority is recognised. Thus, the costs associated with the political process are not charged directly to resource consent users.

Cost recovery

The scale of annual charges is in some cases based on the full costs of the Council's supervision role plus a share of the costs of its state of the environment monitoring role.

Actual and reasonable costs will be recovered from resource users and consent holders where the use of a resource directly occasions costs to the Council. A contribution from the general rate meets a share of the cost where the community benefits from environmental monitoring.

Consistency

Charges will not vary greatly within classes and within the context of the scale of the activity, except where environmental incidents and non-compliance with consent conditions incur additional supervision costs.

Equity

Costs will be recovered on an equitable basis, with charging criteria applied consistently across the region. Classes of users will share the costs attributable to that class.

²⁵ As provided for by 150(6) of the Local Government Act 2002.

Simplicity

The system of establishing charges will be kept as simple and as economically efficient as possible.

Resource Use

The charges will reflect preferred resource use practices which as a consequence will require less work to be undertaken by the Council.

2.2 Time period

The policies, formulae and charges set out in this document apply each year from 1 July to the following 30 June, or until replaced by new charges adopted during the Annual Plan special consultative procedure as prescribed by the Local Government Act 2002.

2.3 Performance

With regard to all application fees and amounts specified in this document, the Council need not perform the action to which the charge relates until the charge has been paid in full [Resource Management Act, Section 36(7)].

2.4 Remission of charges

The Council may remit any charge referred to in this document, in part or full, on a case-by-case basis, and at its absolute discretion. [Resource Management Act, Section 36(5).]

2.5 Goods and Services Tax

The charges and formulae outlined in this document are exclusive of GST, except where noted otherwise.

2.6 Debtors

All debtors' accounts will be administered in accordance with this policy and outstanding debts will be pursued until recovered. Account offset will be considered on merit in situations where the Council is indebted to the same person.

2.7 Regulations

The Council will apply Crown charges, which may be set from time to time by Order in the Council (Regulations). [Resource Management Act, Section 36(1)(g).]

2.8 General policies for charges

The general policies for charges are set out in the Annual Plan, which is adopted following the Special Consultative Procedure prescribed in the Local Government Act 2002. In the case of fees for annual charges and consents applications, the policies are as follows:

- (i) The annual charges shall apply from 1 July to the following 30 June each year, or until amended by the Council.
- (ii) Account offset will be considered on merit in situations where the Council is indebted to the same person.
- (iii) Where compliance monitoring charges are expected to equal or exceed \$1,000 (GST exclusive), the consent holder will generally be invoiced the actual costs of monitoring during the progress of the work, once costs have exceeded a prescribed sum (refer Section 4.2.5).
- (iv) Where any resource consent for a new activity is approved during the year and will be liable for future annual charges, the actual costs of monitoring activities will be charged to the applicant subject to Clause (vi). Consents for activities in the Coastal Marine Area are also subject to the Navigation Water Transport and Maritime Safety Bylaw Charges.
- (v) A minimum fee of \$80.00 will apply to all significant recoverable charges (except for the Navigation Safety Bylaw fees) other than for new consents granted after 1 March each year when the minimum fee will be waived for the remainder of that financial year.
- (vi) In any case where a resource consent expires, or is surrendered, during the course of the year and the activity or use is not ongoing, then the associated annual charge will be based on the actual costs of monitoring activities to the date of expiry or surrender, subject to Clause (v) and also administrative/monitoring costs incurred as a result of the expiry/surrender of the consent.

- (vii) Where a resource consent expires during the course of the year but the activity or use continues and requires a replacement consent, then the annual charges will continue to be applied.
- (viii) Where non-compliance with resource consent conditions is encountered, or unprogrammed additional monitoring is necessary, the costs will be recovered in addition to the set annual fee.
- (ix) Bonafide community organisations that own community structures in the coastal marine area, which are available for unimpeded public use free of charge; or consent holders undertaking activities for the principal purposes of enhancing the natural environment, may apply to the Council to waive the annual charges, and the Council may remit all or part of the user fees, pursuant to Section 36 of the Resource Management Act.
- (x) Upon application and the approval of the Chief Executive Officer, all or part of the Council's user charges for structures in the coastal marine area or activities undertaken for the purposes of protecting or enhancing the natural environment, may be remitted where cases of genuine hardship are proved.

3. Application fees

3.1 Introduction

This part of the policy deals with application charges in respect of two areas:

- applications for the preparation or change of a policy statement or plan;
- applications for resource consents, for the review of resource consent conditions, building consents and project information memoranda.

The Resource Management Act allows the Council to fix charges for the carrying out of its functions in respect of applications.

The fixed initial deposits listed in Appendix One: Resource Consent Applications – Fixed Initial Deposits and Consents Staff Hourly Processing Rates, are minimum charges for resource consent applications and are charges 'fixed' under section 36(1) of the Resource Management Act (they are therefore not subject to objection rights). All consent processing costs which exceed the fixed initial deposit are considered to be additional charges pursuant to section 36(3) of the Resource Management Act and these may be progressively charged on a monthly basis or invoiced at the end of the consenting process.

3.2 Prepare or change a policy statement or plan

Any person may apply to the Council for the preparation of or change to a regional plan. Any Minister of the Crown, or any territorial authority of the region may request a change to a policy statement.

When considering whether costs should be borne by the applicant, shared with the Council, or borne fully by the Council, the following will be taken into account:

- the underlying reason for the change; and
- the extent to which the applicant will benefit; and
- the extent to which the general community will benefit.

For the receipt and assessment of any application to prepare or change a policy statement or plan, actual and reasonable costs will be recovered. The charging policies are outlined below:

- (i) All applicants will be required to pay a deposit of \$6,000.00 plus GST based on the expected costs of receiving and assessing the application, up to but not including the costs of public notification.

Actual and reasonable costs based on an hourly rate, mileage and disbursements will be included in the deposit.

- (ii) Any additional costs incurred in processing the application will be invoiced to the applicant. For any action required to implement a decision to proceed with the preparation or change to a policy statement or plan, a deposit of \$3,000.00 plus GST shall be made for the costs of public notification. This will be followed by a case-by-case assessment of where the costs should fall. Any costs charged will be invoiced monthly from the date of public notification.

Prior to public notification, an estimate of total costs will be given to the applicant. The applicant will have the option of withdrawing the request on receipt of notice of the estimated costs.

Withdrawn requests are subject to payment of the actual and reasonable costs of relevant work completed to the date of withdrawal.

Labour (standard charge rates includes mileage)

	Excluding GST Cost per hour
• Policy Analyst	\$77.00
• Policy Specialist	\$87.00
• Senior Programme Manager	\$113.00
• Manager	\$150.00

3.3 Resource consents and Building Act applications

Applicants will be charged for the actual and reasonable costs, including disbursements, of receiving and processing applications for resource consents, building consents and project information memoranda.

These costs will include:

- (i) **Staff Costs** - Officers' actual recorded time, charged at the relevant hourly rate in the table of Consents Staff Hourly Processing Rates in Appendix 1. These rates are derived from actual employment costs plus a factor to cover administration and general operating costs.
- (ii) **Discounts** - The Council will provide a discount, if applicable, on the administrative charges imposed under section 36 of the Resource Management Act 1991 in accordance with the Resource Management Discount Regulations for all applications lodged on or after 31 July 2010.
- (iii) **Hearings** - The costs of pre-hearing meetings and hearings will be charged to the applicant. Council members' hearing costs will be recovered as determined by the Remuneration Authority. Staff costs and Committee Members' fees or the actual costs of independent commissioners at formal hearings will be charged.
- (iv) Charges relating to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.
- (v) Where a hearings panel has directed that expert evidence is pre-circulated then all persons who are adducing such evidence shall be responsible for providing the prescribed number of copies of such evidence to the Council. In the event that the Council needs to prepare copies of such evidence the person adducing the evidence will be charged for the copying.
- (iv) **External costs** including disbursements will also be charged; for example advertising, legal and consulting advice, laboratory testing, hearing venues and incidental costs.
- (v) All applicants for a resource consent will be required to pay a fixed initial deposit on application as set out in Appendix One Resource Consent Applications – Fixed Initial Deposits and Consents Staff Hourly Processing Rates. Prior to consideration of the application, the Chief Executive Officer is authorised to require an additional deposit of up to \$20,000 for complex applications.
- (vi) The costs of processing applications to change, cancel or review consent conditions under Sections 127 and 128 of the Resource Management Act 1991 and Sections 10, 20, 21 and 53 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004.
- (vii) All applications for a project information memorandum and a building consent, as well as the issuing of notices to rectify, will be subject to a minimum estimated charge as set out in Appendix 2 Standard Charges Under the Building Act 2004.
- (viii) Charges for Building Act functions other than the issuing of project information memoranda and building consents, will be charged a set fee per individual element, or on the basis of actual and reasonable cost, as set out in Appendix 2. These functions include the issue of compliance schedules, requests for information on building consent applications, extension of valid term, actions re dangerous buildings, inspections and technical processing.
- (ix) Withdrawn applications are subject to the minimum fees set out in Section 2.8(vi), Appendix 1 or Appendix 2 as appropriate, or the actual costs of the work completed to the date of withdrawal (whichever is greater).

- (x) All processing costs which exceed the application deposit may be progressively charged on a monthly basis. [Note: Section 36(7) of the Resource Management Act 1991 and 243 of the Building Act 2004.]
- (xi) Applications for consents may incur any additional Crown charges or levies as prescribed in relevant legislation or Regulations fixed from time to time.

Appendix 1 lists the minimum fixed initial deposit charge for resource consent applications and Consents Staff Hourly Processing Rates.

Appendix 2 lists the standard charges under the Building Act 2004.

4. Resource consent holder and other resource user charges

4.1 Introduction

Under Section 36(1)(c) of the Resource Management Act, the Council may charge for costs associated with the:

- (a) administration, supervision and monitoring of resource consents; and
- (b) for carrying out its resource management functions under Section 35 of the Act.

Administration covers how the Council records and manages the information it has on the resource consents it grants. The Council is obliged to keep “records of each resource consent granted by it” under Section 35(5)(g) of the Act, which must be “reasonably available [to the public] at its principal office” [Section 35(3)] of the Act. The Council keeps this information on hard copy files and electronic databases. The costs of operating and maintaining these systems are substantial.

The minimum fee recovers some of the costs of the administration of resource consents.

Supervision covers functions that the Council may need to carry out in relation to the ongoing management of resource consents. This can include the granting of approvals to plans and other documentation, review and assessment of self monitoring results provided by the consent holder, provision of monitoring information and reports to consent holders, meetings with consent holders relating to consent compliance and monitoring, and participation in liaison and/or peer review groups established under consent conditions or to address issues relating to the exercise of resource consents.

Monitoring is the gathering of information to check consent compliance and to ascertain the environmental effects that arise from the exercise of the resource consents. The Council is obliged to monitor “the exercise of the resource consents that have effect in its region” under Section 35(2)(d) of the Act.

In determining charges under Section 36 of the Resource Management Act, the Council has given consideration to the purpose of the charges and the Council’s functions under the Act. It is considered that consent holders have both the privilege of using resources and responsibilities for any related effects on the environment. It is the Council’s role to ensure that the level of effects is managed, monitored and is acceptable, in terms of sustainable management and the community’s values. The annual charges for the administration, monitoring and supervision of resource consents are based on the assumption that those consents will be complied with and exercised in a responsible manner.

Annual resource consent management charges will be based on a set minimum fee plus, charges for consent supervision and/or monitoring undertaken by Council staff, and where appropriate a portion of costs associated with State of The Environment monitoring of resources used by consent holders, e.g. the costs of running Council’s hydrological sites, water quality monitoring networks and associated surveys such as macro invertebrate and fish monitoring. This particularly applies to water take consents both surface and groundwater and marine farms.

4.2 Annual charges

4.2.1 Basis of charges

The charges reflect the nature and scale of consented activities. In general, those activities having greater actual or potential effects on the environment require greater supervision and monitoring from the Council. In setting these charges, the Council has duly considered that their purpose is to recover the reasonable costs in relation to the Council's administration, supervision and monitoring of resource consents and for undertaking its functions under Section 35 of the Resource Management Act. The estimated full costs of the Council's supervision role and planned monitoring of consents will be recovered.

In respect of the Council's administration role a standard minimum annual charge will apply to cover some of the costs of operating and maintaining its consents-related information systems.

Where appropriate, a proportion of the costs of **monitoring the state of the environment** (Section 35(2)(a)) is incorporated in the charge to the consent holder. In such cases, the Council has had particular regard to Section 36(4)(b)(iii), i.e., the extent that the monitoring relates to the likely effects of consent holder's activities or the extent that the likely benefit to consent holders exceeds the likely benefit of the monitoring to the community. The costs to the Council associated with this activity may be shared between consent holders and the community. This recognises that there is value and benefit to the community of work the Council undertakes with respect to monitoring the state of the environment. In the Council's judgement this is a fair and equitable division.

In relation to swing/pile moorings within the Marine 4 Management Areas which meet the permitted activity criteria, the costs of providing Council services will be recovered through the Navigation and Safety Bylaw Charges outlined in Section 10.

In relation to swing/pile moorings outside the Marine 4 Management Areas without consent (non-consented), costs will be recovered through the Navigation and Safety Bylaw until consent is gained. Application for consent must be in accordance with Council's programme for applications. Under Section 36(1), these charges "shall be either specific amounts or determined by reference to scales of charges or other formulae fixed by the (Council)". The Council has fixed charges by all these methods in the past.

Specific amount fees are not often charged for larger activities the preferred method is to apply the formulae specified in Section 4.2.3 to determine the expected costs of both scale fees and the expected costs of monitoring larger consents as outlined in the appendices.

4.2.2 Resource user charges

Many water resources in Northland are highly allocated and are under increasing pressure. It is difficult to assess the natural flows/levels of water bodies as there is limited data available on water use and flows/levels in some high allocation areas.

In order to address these issue, and central governments Sustainable Water Programme for Action initiatives. A Sustainable Water Allocation Plan is being prepared which requires further resourcing by council to give effect to. Such work provides benefit to both the community and water users together. Much of the information provided by council's current hydrometric network will provide an initial basis for this work as such a part of the cost of running this network shall be recovered from water users through a resource user charge.

The detail of this charge are outlined in Appendices 3 and 15.

The "resource user charge" for hydro electric companies will be considered on a case by case basis due to the size and complex nature of their takes.

4.2.3 Scale charges

Scaled charges are attributed to consents for minor to moderate activities and the charge reflects the costs of administering and monitoring that class of consent and/or the actual and/or potential effects of the activity. The latter will reflect the resource affected by the consented activity. Scale charges relate to the following "classes" of consents:

- Water takes fee scale (Appendix 3)
- Minor to moderate discharges to air and water and small to moderate scale discharges to land, and land use activities including quarries (Appendix 4)
- Farm dairy effluent discharges (Appendix 5)
- Coastal structures (post construction or installation) (Appendix 6)
- Coastal structures (construction or installation phase) (Appendix 7)
- Land use consents for boating-related structures in waters upstream of the coastal marine area (post construction) (Appendix 8)

4.2.4 Large scale activities

Consents that do not fall into the classes listed in Section 4.2.3 will be for larger scale activities or activities with high potential adverse effects (estimated compliance monitoring costs of \$1,000 and over per year inclusive of GST). In most cases these consents will generally be subject to comprehensive monitoring programmes, regular inspections and involve routine sampling and testing or audit monitoring functions or contribute towards the costs of the council's State of the Environment Monitoring as is the case for many of the larger water take consents. Large scale activities may require more monitoring inspections. As the sampling and testing requirements for these consents will vary, so too will the costs incurred by the council to carry out those monitoring programmes.

Annual charging for the monitoring of these consents is calculated using the following formulae and/or the actual and reasonable historical costs:

Labour (staff time) + sampling and testing costs + monitoring equipment costs + administration Fee + SOE monitoring charge/resource user charge = annual charge

Labour (standard charge rates includes mileage)	Excluding GST per hour
• Monitoring Technician/Administrator	\$66.00
• Monitoring Officer Scale 1	\$77.00
• Monitoring Officer Scale 2	\$87.00
• Monitoring Officer Scale 3	\$97.00
• Senior Monitoring Officer Scale 1	\$103.00
• Senior Monitoring Officer Scale 2	\$113.00
• Manager	\$150.00

Where there is a need for two or more officers to attend, the costs of all officers will be recovered.

Sampling and testing costs

- Internal Costs per Clause 2.1-2.7
- External Costs at cost

Monitoring Equipment Costs

Generally applied to consents where special equipment has been installed to monitor those consents. For example, hydrometric stations on rivers from which water is taken for irrigation purposes, water quality monitoring sounds and/or automatic sampling equipment.

	Excluding GST per hour
Administration Fee Per consent or consent "package"	\$80.00

State of the environment costs

Where appropriate the addition of a specified amount contributing towards the recovery of costs incurred by Council as part of its State of the Environment monitoring and/or the hydrometric network.

The estimated monitoring costs are then rounded to an appropriate sum which becomes the expected annual charge. These formulae and the historical cost data of monitoring like consents provides a reasonable estimate of the actual costs of monitoring consents each year and will be used to provide the expected costs of monitoring in the forthcoming years. These expected costs of monitoring are itemised in the fee schedules included in appendices outlined below:

- Major Industries (Appendix9)
- Timber Treatment Plants (Appendix 10)
- Major Effluent Discharges (Appendix 11)
- Refuse Landfills (Appendix 12)
- Large Scale Discharges to Air (Appendix 13)
- Major Coastal Activities (Appendix 14)
- Water Takes with High Potential Effects (Appendix 15)

4.2.5 Additional supervision charges

Introduction

The annual consent charges outlined in Section 4 above are based on the assumption that the consents they relate to will be complied with and exercised in a responsible manner, and recover the cost of work undertaken each year by the Council in the administration, monitoring and supervision of those consents.

The purpose of additional supervision charges is to recover costs of additional supervisory work that is required to be undertaken by Council when people, including consent holders, do not act in accordance with consents or council's rules relating to resource use.

Additional supervision charges relate to those situations where:

- consent conditions are not being met or adverse effects are resulting from the exercise of a consent; or
- unauthorised activities are being carried out.

Procedure

When consent non-compliance or an unauthorised activity is found, the person is, if possible, given the opportunity to remedy the situation and is informed that costs of additional supervision will be recovered. Such activity may also be subject to infringement notices, enforcement orders or prosecutions.

Calculation

Charges for additional supervision will be calculated on an actual and reasonable basis.

The costs that make up the charge will include:

- labour costs; officers' actual recorded time spent, including travel time, in following up the non-compliance matter or unauthorised activity (charged at the appropriate hourly rate listed in Section 4.2.3); plus
- any sampling and testing costs incurred; plus any equipment costs (excluding vehicle running costs) associated with the monitoring of the non-compliance; plus
- any external costs incurred (e.g. external consultants, hire of clean-up equipment).

For consent holders only, no additional supervision charge will be applied where the annual charges for their consents are sufficient to cover the costs incurred in following up their consent non-compliance.

In the case of water takes annual charges are estimated on the basis of normal summer flows and consequently during drier than normal years further monitoring may be required in the form of flow, water level and/or water abstraction measurements. The costs of this further work will be charged to the consent holder in the form of additionally supervision charges as outlined above.

4.2.6 Invoicing – non-scale fees

The majority of large scale activities or activities with high potential adverse effects (where annual monitoring costs exceed \$1,000, GST inclusive) and certain small scale activities such as short term earthworks/construction type consents, will be monitored, the results recorded/reported and subsequently invoiced to the consent holder on a cost recoverable basis.

Invoices will be generated once the costs of any work have exceeded a prescribed sum. This will be determined by the scale of the activity. Costs will be invoiced in a timely manner during the progress of the work to ensure that large amounts of costs do not accrue.

In the case of significant water takes charges will generally be invoiced annually in line with Appendix 15 and any further supervision charges will be invoiced on a regular basis as costs are incurred by council.

4.3 Change in resource consent status

Where any resource consent is approved during the year, and will be liable for annual charges, the actual costs of monitoring activities will be charged to the applicant. The annual minimum fee will continue to apply per the Council's general policy 2.8(vi).

For large scale activities where a resource consent expires, or is surrendered, during the course of the year and the activity or use is not on-going, then the associated annual charge will be based on actual and reasonable costs incurred to the date of expiry or surrender, including costs incurred as a result of monitoring and administration activities associated with the expiry or surrender of the consent. The annual minimum fee will continue to apply.

Where a resource consent expires during the course of the year but the activity or use continues and is subject to a replacement process, then the annual charges will continue to apply.

4.4 Timing

Invoicing of consent annual charges will be in the quarter following the adoption of the Long Term Council Community Plan or Annual Plan by the Council or after monitoring of the consent has been undertaken (post billing).

In some cases, invoicing of charges may be deferred until after the Council has completed all, or a significant portion of its planned monitoring of a consent.

4.5 Permitted activity dairy shed effluent systems – fees

These charges are made to recover the costs of inspecting farm dairy effluent systems, wintering barns or pad discharges to determine compliance with the permitted activity rules in the Regional Water and Soil Plan. The inspections are conducted in order that the Council adequately carries out its functions and responsibilities pursuant to Sections 30(1)(f), 35(2)(a) and 36 of the Resource Management Act. The fees are set according to Section 150 of the Local Government Act.

The charges are as follows:

	Excluding GST
(i) Inspection and monitoring fee:	
Grades 1P, 2P, 3P (fixed fee)	\$164 00
Grades 4P, 5X, C (fixed fee)	\$246.00
(ii) Second and subsequent visits and inspections including travel time, (for non-complying or inadequately treated discharges, grades 4P, 5X and C)	\$80.00 per hour

Where there is a need for two officers to attend, the costs of both officers will be recovered.

Administration costs incurred will be charged in addition to the costs of the site visit/inspections, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required (see Appendix 16).

Note: For charges for consented farm dairy effluent discharge consents, refer to Appendix 5.

4.6 Permitted activity monitoring/inspections – fees

These charges are made to recover the costs of inspections of permitted activities to determine compliance with the permitted activity rules in the Regional Plans. The inspections are conducted in order that the Council adequately carries out its functions and responsibilities pursuant to Sections 30, 35 and 36 of the Resource Management Act. The fees are charged pursuant to Section 150(1) of the Local Government Act on a cost recoverable basis (officer time, sampling and equipment costs).

The charges are as follows:

	Excluding GST Per Hour
• Monitoring Technician/Administrator	\$66.00
• Monitoring Officer Scale 1	\$77.00
• Monitoring Officer Scale 2	\$87.00
• Monitoring Officer Scale 3	\$97.00
• Senior Monitoring Officer Scale 1	\$103.00
• Senior Monitoring Officer Scale 2	\$113.00
• Manager	\$150.00

plus the actual and reasonable cost of any specific water quality testing and equipment required (see Appendix 16).

4.7 Fees for emergency works and environmental incidents

Under Section 331 of the Resource Management Act, the Council may charge for the costs associated with any emergency works required for the:

- (a) Prevention or mitigation of adverse environmental effects;
- (b) Remediation of adverse effects on the environment; or
- (c) Prevention of loss of life, injury, or serious damage to property.

The costs charged will be the actual and reasonable costs incurred by Council to do the works.

4.8 Fees for the investigation of land for the purposes of identifying and monitoring contaminated land

Under Section 30 of the Resource Management Act Council is responsible for identifying and monitoring contaminated land. Council will recover the costs of inspections plus the actual and reasonable cost of any specific testing of samples taken. The fees are charged pursuant to Section 150(1) of the Local Government Act on a cost recoverable basis (officer time, sampling and equipment costs).

The charges are as follows:

	Excluding GST Per Hour
• Monitoring Technician/Administrator	\$66.00
• Monitoring Officer Scale 1	\$77.00
• Monitoring Officer Scale 2	\$87.00
• Monitoring Officer Scale 3	\$97.00
• Senior Monitoring Officer Scale 1	\$103.00
• Senior Monitoring Officer Scale 2	\$113.00
• Manager	\$150.00

5. Biosecurity Act 1993

5.1 Northland Regional Pest Management Strategies Cost Recovery Policy

Section 135 of the Biosecurity Act provides regional councils with options to recover the costs of administering the Act and performing the functions, powers and duties under a pest management strategy. The mechanisms include user charges and cost recovery in the event of non-compliance with a legal direction.

5.1.1 Request for work

An authorised person may request any occupier to carry out specified works or measures for the purposes of eradicating or preventing the spread of any pest in accordance with the Northland Regional Pest Management Strategy.

5.1.2 Legal directions

An authorised person may issue a legal direction to any occupier to carry out specified works or measures for the purposes of eradicating or preventing the spread of any pest in accordance with a Northland Regional Pest Management Strategy. The legal direction shall be issued under Section 122(a) of the Biosecurity Act and specify the following matters:

- The land in respect of which works or measures are required to be undertaken;
- The pest for which the works or measures are required;
- Works or measures to be undertaken to meet the occupier's obligations;
- The time within which the works or measures are to be undertaken;
- Action that may be undertaken by the management agency (generally, the Council) if the occupier or occupiers fail to comply with any part of the direction;
- The name, address, telephone number and fax number of the management agency and the name of the authorised person issuing the legal direction.

5.1.3 Failure to comply with a legal direction

Where a legal direction has been given to an occupier under Section 6.5.1 of the Northland Regional Pest Management Strategies and the occupier has not complied with the requirements of the legal direction within the time specified, then the management agency may enter onto the land specified in the legal direction and carry out, or cause to be carried out, the works or measures specified in the legal direction, or such other works or measures as are reasonably necessary or appropriate for the purpose of giving effect to the requirements of the legal direction.

5.1.4 Recovery of costs incurred by management agency

Where a management agency undertakes works or measures for the purposes of giving effect to the requirements of a request for work or a legal direction it shall recover the costs incurred from the occupier pursuant to Sections 128 and 129 of the Biosecurity Act and may register the debt as a charge against the land.

5.2 Regional Pest Management Strategy (RPMS) for Nassella Tussock

This strategy adopted by the Council on 19 September 2001, pursuant to Section 77(7) of the Biosecurity Act 1993 supersedes the former Operative Northland Regional Pest Management Strategy for nassella tussock adopted in April 1998. The Strategy continues the funding policy of the former Operative Strategy, which identifies the regional benefits of eradicating nassella tussock but also recognises benefits to the occupiers of infested properties. It now includes rules for the recovery of costs incurred by the Council.

To recognise the regional benefit of eradicating nassella tussock, the Council recovers only part of the costs of ranging and grubbing infested land from the owner/occupier of the land. The proportion of the cost recovered is categorised as follows:

- **Category I** – Surveillance sites, that is sites found free of nassella for the preceding three or more years. No cost recovery.
- **Category II** – Sites where nassella is still being found but which have been permanently retired from grazing and on which there is a full canopy cover of indigenous scrub or forest, or such a cover is being actively encouraged. No cost recovery.
- **Category III** – Sites where nassella is still being found but which are being managed to encourage a dense, well grazed pasture with easy access and no obstructions which prevent plants being seen. Twenty percent cost recovery.
- **Category IV** – Active sites with major obstructions to access and visibility. Typically non or lightly grazed pasture with less than 10% scrub or scrubby weeds. Forty percent cost recovery.
- **Category V** – Active sites with major access problems and obstructions to visibility. Typically reverted pasture with greater than 10% cover of gorse or scrub, unpruned pine forest and long

grass or scrub under storey or pine forest with heavy pruning and/or thinning slash. Sixty percent cost recovery.

NB: Under the Biosecurity Act 1993, any unpaid charges due to the Council can be registered as a debt against the certificate of title for the land on which the eradication works were carried out.

The charges levied are as follows:

	Excluding GST Per Hour
• Biosecurity Technician/Administrator	\$66.00
• Biosecurity Officer Scale 1	\$77.00
• Biosecurity Officer Scale 2	\$87.00
• Biosecurity Officer Scale 3	\$97.00
• Senior Biosecurity Officer Scale 1	\$103.00
• Senior Biosecurity Officer Scale 2	\$113.00
• Manager	\$150.00

6. Local Government Act charges

6.1 Fees for maritime related incidents

These charges are made to recover the costs incurred by the Council as a result of staff responding to any incident that causes or may have the potential to cause, adverse environmental effects or effects on navigation and safety. The response action taken by Council staff may include, but will not be limited to, the monitoring, inspection, investigation, clean-up, removal, mitigation and remediation works. Actual costs for consumables, plant and equipment used/hired during a response will also be charged in addition to staff hours as appropriate.

The charges are as follows:

	Excluding GST Per Hour
• Technician/Administrator	\$66.00
• Officer Scale 1	\$77.00
• Officer Scale 2	\$87.00
• Officer Scale 3	\$97.00
• Senior Officer Scale 1	\$103.00
• Senior Officer Scale 2	\$113.00
• Manager	\$150.00

For incidents occurring outside normal business hours, a minimum call out fee of two hours at the above rates shall apply.

7. Charges set by regional rules

When developing a regional plan, the Council may create regional rules to prohibit, regulate or allow activities. These rules may specify permitted activities, controlled activities, discretionary activities, non-complying activities, prohibited activities and restricted coastal activities.

Permitted activities are allowed by a regional plan without a resource consent, if the activity complies with any conditions, which may have been specified in the plan. Conditions on a resource consent may be set in relation to any matters outlined in Section 108 of the Resource Management Act. They may include a specific condition relating to a financial contribution (cash, land, works and services) for any purpose specified in a plan.

The Council therefore reserves the right to set other charges pursuant to regional rules in regional plans. These charges will include staff costs for giving evidence in a New Zealand court; matters pertaining actions required under the Maritime Transport Act 1994 or Biosecurity Act and any other regulated activities. Any new charges would be notified through the public process required for a regional plan prior to its approval.

7.1 Actual and reasonable costs for charges arising from regional rules

Actual and reasonable costs will be charged for fees set by regional rules. These costs will include:

- Staff Costs – Officers’ actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs.
- Hearings – The costs of pre-hearing meetings and hearings will be charged to the applicant. Council members’ hearing costs will be recovered as determined by the Remuneration Authority. Staff costs and Committee Members’ fees or the actual costs of independent commissioners at formal hearings will be charged.
- For applications relating to restricted coastal activities, the applicant will also be charged the Council’s costs of the Minister of Conservation’s representative. Charges related to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.
- External Costs, including disbursements, are additional to the above charges, for example advertising, consulting and legal advice, laboratory testing, hearing venues and incidental costs.

8. Provision of information and technical advice

A. Information provided under the RMA – consents, hearings etc

The Council recognises that it has a significant advisory and information role. The Council has the right, under legislation, to recover the costs of providing certain information.

Pursuant to the Local Government Act, and sections 36(e) and (f) of the Resource Management Act, the Council may charge for the provision of information as follows:

- (i) Actual and reasonable charges will be made to cover the costs of making information and documents available, for the provision of technical advice and consultancy services. These costs will include:
 - staff costs related to making the information available - i.e., officers’ actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs;
 - any additional costs incurred, for example, photocopying, printing binding; and – computer processing costs - refer Appendix 16 (item 6).
- (ii) Where an inquiry requires less than 30 minutes of staff time, no staff costs will be charged. Additional costs of less than \$10.00 will not be charged.
- (iii) Photocopying (per page)

	Excluding GST Colour		Excluding GST Black	
	A4	A3	A4	A3
Consents, hearing agendas				
Cost to applicants	\$0.31	\$0.44	\$0.09	\$0.18
Other parties	\$0.44	\$0.88	\$0.18	\$0.26

Note: A double-sided page is equivalent to two pages.

B. Guidelines for staff – charging for advice/information and technical data

Charging for the cost of time and disbursements incurred when providing information to prospective applicants for resource consents, or third parties, shall be charged in accordance with Section 8A and 8C herein. This guideline is provided so that all officers are conversant with the principles of cost recovery, and how to distinguish chargeable technical information from freely available educational material.

(i) Consistency, distance, location

All time after the first half hour²⁶ and any disbursements involved in providing information that confers a private benefit on the recipient(s) shall be recovered by way of invoicing the cost at the rates set out in Section 8A. This policy is consistent with that applied in Local Government, except when information is requested under the Official Information Act (refer to Section 8C).

There is no concession for time or distance travelled by the Council’s officers to provide technical information. No such concession is provided by other technical consultants.

²⁶ in relation to a specific matter (or related matters) regardless of whether a single staff member or multiple staff members are approached or deal with it.

Information given **by telephone** is to be treated exactly the same as information provided at an interview. Technical data provided by hydrology, the laboratory etc, for the purposes of assessing the criteria for a consent application is commercial data with an economic value (i.e., private benefit).

(ii) Advise the cost in advance

Officers must **warn the person seeking information in advance**, that a cost will be incurred after the first half hour, and the estimated cost per hour to be charged. This process allows the applicant to weigh the value of his requirements, and will effectively control the level of information sought and deflect frivolous requests.

The provision of information should be **charged separately** from the cost of processing any future resource application.

(iii) Community and environmental groups

Where an organisation clearly gains no economic or private benefit for its members from the information sought, then the free time available should be **extended to one hour**, and be treated on the same basis as requests under the Local Government Official Information and Meetings Act (refer section 8C) unless a Regulation or Plan provides otherwise. Additional time and disbursements may be charged for, as a reasonable control mechanism, to avoid frivolous or indulgent requests at the ratepayers' cost. These requests should be referred to a Senior Programme Manager for a decision on charging.

(iv) Educational information and materials, and consent holders

It is important to distinguish environmental "incidents" that relate to the Hotline, as these are generally within the educational activity/monitoring roles of the Council. It is unlikely that information will be sought in this area.

When the Council's officers are involved in Resource Management Act workshops or public promotions aimed at increasing the public's awareness of the Resource Management Act consent procedures, the Council's environmental role, liaison on planning issues, etc., there is a benefit to the greater community as well as the people attending. Information provided in this context clearly falls within the educational role of the Council and is not charged for.

Consent holders: All consent holders are entitled to information arising from the monitoring of their consents, including district councils and other corporate bodies.

Other information sought by district councils is to be assessed on individual merit, and referred to the Department Manager for a decision, to ensure political appropriateness.

C. Information provided under the Local Government and Official Information and Meetings Act

The purposes of the Local Government and Official Information and Meetings Act (LGOIMA) are set out in section 4 of that Act. In summary they enable the public to have access to any official information held by local authorities because this is good for accountability and effective participation. However, official information and deliberations are protected to the extent that this is consistent with public interest and personal privacy.

Reasons for withholding information requested under LGOIMA

The following paraphrases some of the reasons from sections 6, 7, and 17 for withholding or refusing information requested under LGOIMA. For example to:

- Avoid prejudicing the maintenance of the law ... and the right to a fair trial
- Protect the privacy of natural persons, including that of deceased natural persons;
- Protect information where making it available, would disclose a trade secret, or would prejudice the commercial position of the person who supplied/is the subject of the information;

- In certain circumstances detailed in the Act, avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu;
- Maintain the effective conduct of public affairs...
- Protect information which is subject to an obligation of confidence...etc;
- Maintain legal professional privilege;
- To enable a local authority to carry out, without disadvantage, commercial activities;
- Prevent the disclosure or use of official information for improper gain or advantage;
- The document alleged to contain the information does not exist or cannot be found;
- The information requested cannot be made available without substantial collation or research
- The request is frivolous or vexatious, or that the information requested is trivial.

Only the Chief Executive Officer (or other officer or employee specifically authorised by the Council) may refuse an official information request.

Section 13 provides for the recovery of the cost of making information available under LGOIMA.

Black and white photocopying or printing on standard A4 or foolscap paper where the total number of pages is in excess of 20 pages will be charged out at 20c for each page after the first 20 pages. All other photocopying and printing charges will recover the actual and reasonable costs involved.

For staff time:

First Hour: No charge.

Additional Hours: Ministry of Justice, Charging Guidelines

	Excluding GST
First half hour (after the initial free hour)	\$33.04
Per hour	\$66.08

Note: Under Section 13(1) of LGOIMA the Council has 20 days to make a decision (and communicate it to the requestor) on whether we are granting or withholding the information, including how the information will be provided and for what cost. We will also tell the requester that they have the right to seek a review by an Ombudsman of the estimated charge. If the charge is substantial the requester may refine the scope of their request to reduce the charge. We may request a deposit be paid under the 2002 Charging Guidelines issued by Secretary for Justice. We will recover actual costs involved in producing and supplying information of commercial value. In stating our fee schedule we reserve discretion to waive a fee if the circumstances of the request suggest this is appropriate for example in the public interest or in cases of hardship.

9. Fee to consent lessee to transfer a lease and fee to consent lessee to enter into a sublease

Pursuant to the general provisions in section 12 of the Local Government Act and section 227 (2) of the Property Law Act 2007, Council can require a charge to cover reasonable legal or other expense of the lesser in giving consent.

	Excluding GST
The charges are as follows:	
(i) transfer or assign the lease	\$150.00
(ii) enter into a sublease	\$150.00

10. Standard charges under the Building Act 2004

The Building Act 2004 allows the Council to impose fees and charges for and recover costs of exercising or performing any of its functions, powers, or duties under the Act or under the regulations.

Section 243 of the Act specifically allows for the Council to impose a fee or charges for:

- Issuing a project information memorandum.
- The performance of any other function or service under this Act.
- Recover its costs from the owner if it carries out building work under Section 156 of this Act.
- Where a fee or charge is payable for the performance of a function or service, then the Council may decline to perform the function or service, unless the fee or charge is paid.

The minimum estimated charges and set fees are the standard charges and are exclusive of GST. Costs incurred beyond the minimum estimated charges are to be recovered on the basis of actual and reasonable costs incurred by the Council.

The minimum fees for the different consent activities are set out in Appendix 2.

11. Northland Regional Council Navigation, Water Transport and Maritime Safety Bylaw Charges 2012

These bylaws shall be known as the Northland Regional Council Navigation, Water Transport and Maritime Safety Bylaw Charges 2012:

1. These bylaws shall apply throughout the region of the Council.
2. In these bylaws, unless the context otherwise requires:

“Maritime facility” means any jetty, jetty berth, wharf, ramp, slipway, boatshed, marina berth, pontoon or, whether private, commercial or a recreational public facility, that is located within the coastal marine area of the Northland.

“Mooring” means any swing or pile mooring whether private, commercial or recreational mooring that is located within the coastal marine area of the Northland.

“Owner” includes:

- (a) in relation to a vessel, the agent of the owner and also a charterer; or
- (b) in relation to any dock, wharf, quay, slipway or other maritime facility, means the owner, manager, occupier or lessee of the dock, wharf, quay, slipway or other maritime facility.

3. Navigation Safety Bylaw fees

For the period specified hereunder and for each year thereafter until amended or superseded by a subsequent bylaw charge, the owner of every maritime facility or mooring in the region shall pay to the Council an annual navigation fee fixed herein.

- (a) The navigation safety bylaw fee shall be payable on the number of berths available at the maritime facility, whether or not all berths are used. The Council’s Harbourmaster shall determine the number of berths available at any maritime facility.

		Excluding GST
(b)	(1) For every mooring, jetty, jetty berth, boatshed, boat ramp up to 15 m x 4.5 m, minor structure, and any group of piles with 74 berths or less owned by one organisation.	\$60.00
	(2) For every berth holder not otherwise included herein a fee for the recovery of the cost of the navigation safety equipment in the upper Hātea river, per berth.	\$60.00
	(3) (a) For every berth in a marina containing more than 75 berths, provided that if the fee is not paid within 60 days of invoice, the fee shall revert to \$60.00 per berth.	\$50.00
	(b) For every berth in marinas containing 24 or more, but less than 75 berths, provided that if the fee is not paid within 60 days of invoice, the fee shall revert to \$60.00 per berth.	\$56.00
	(4) Boatsheds, per additional berth.	\$60.00
	(5) Community and boating club structures, jetties and private accommodation in the coastal marine area.	\$60.00
	(6) Marine farms	\$60.00
	(7) Boat ramps/slipways over 15 metres and grids	\$120.00
	(8) High use structures and jetties, marine-related, not more than 300 m ² in plan area within the coastal marine area	\$330.00
	(9) High use commercial slipways with a maximum capacity of less than 50 tonnes.	\$330.00
	(10) High use structures and jetties, marine-related and more than 300 m ² but less than 1,000 m ² in plan area within the coastal marine area	\$1,430.00

	Excluding GST
(11) High use structures and jetties, marine-related and more than 1,000 m2 in plan area within the coastal marine area.	\$2,530.00
(12) High use commercial slipways with a maximum capacity of more than 50 tonnes.	\$2,530.00
(13) Pursuant to the provisions of Navigation Safety Bylaw clause 3(1)(6), should any mooring licence fees or other charges due to the Council under the provision of this bylaw remain unpaid for a period of 60 days, then the Harbourmaster may remove, or clause to be removed, the mooring and detain the vessel using the mooring, until such fees and charges, including the cost of removing the mooring and storing eh vessel, have been fully paid and discharged. Should such debts have not been paid and discharged within a further 60 days, the Council has the right to sell the mooring and/or vessel to recover the debt.	
4. Hot work permits	
For vessels alongside wharves or at anchor, per permit.	\$70.00
5. Safe operating licences	
For all Northland harbours, unpowered craft not subject to a maritime rule and available for lease or hire, including: dinghies, kayaks, canoes, aqua-cycles, surf cats or similar commercially available craft, an inspection fee to verify the adequacy of procedures and safety equipment, up to one hour.	\$70.00
Where inspection time exceeds one hour, the charge shall be at the rate of \$70.00 per hour plus vehicle running costs at the rates approved from time to time by the Inland Revenue Department.	
6. Jet ski registration fees	
As resolved and prescribed by the Auckland Council which undertakes this function on behalf of the Northland Regional Council under delegated authority.	
7. (a) Pilotage²⁷	
(i) Inwards/outwards to wharf, Opua – per visit	
Where GRT is greater than 500 but less than 3000	\$1,500.00
Where GRT is greater than 3000 but less than 18,000	\$2,900.00
(ii) Ships to anchor in Bay of Islands – per visit	
Where GRT is greater than 500 but less than 3000	\$1,500.00
Where GRT is greater than 3000 but less than 18,000	\$2,900.00
Where GRT is greater than 18,000 but less than 40,000	\$3,400.00
Where GRT is greater than 40,000 but less than 100,000	\$3,800.00
Where GRT is greater than 100,000	\$4,200.00
(b) Shipping	
Navigation and safety services fee per ship visiting the Bay of Islands regardless of which pilotage organisation or company actually services the vessel	
Where GRT is less than 3000	\$1.00/GRT
Where GRT is greater than 3000 but less than 18,000	\$2,900.00
Where GRT is greater than 18,000 but less than 40,000	\$3,200.00
Where GRT is greater than 40,000 but less than 100,000	\$3,500.00
Where GRT is greater than 100,000	\$4,000.00

²⁷ Charges for Bay of Islands apply for vessels entering inside the pilotage limits as marked on chart NZ 5125.

Excluding GST

(c) Shipping

Navigation and safety services fee per ship visiting the Bay of Islands when the Master is exempt from compulsory pilotage

Up to 3000 GRT \$1.00/GRT

Per ship visiting the Bay of Islands when the vessel's GRT is more than 100 and less than 500

From 100 to 500 GRT \$1.00/GRT

(d) Shipping

Navigation and safety services fee per ship visiting Whangaroa Harbour except when the ship is also visiting the Bay of Islands during the same voyage

\$1,000.00

8. Harbourmaster's navigation safety services fee

- (a) North Port Ltd \$110,000.00
- (b) For water transport operators not serviced by a port company, at actual time and cost.
- (c) Where the actual costs on a labour time and plant recovery basis exceed the annual fee, the Council will recover any balance on an actual cost basis.

9. Applications for reserved area for special event (clause 3.13 of the Navigation Safety Bylaw 2012)

Special Event Processing Fee \$140.00
 The Council shall recover from the applicant all actual and reasonable costs incurred in arranging for the publication of a public notice. These costs are additional to the above fee.

- 10.** All navigation and other fees specified herein are exclusive of Goods and Services Tax.
- 11.** These bylaw fees shall apply for the period 1 July 2012 to 30 June 2013 and will continue to apply until superseded by a subsequent bylaw charge fixed by resolution and publicly notified or by the review required by section 158 of the Local Government Act 2002.

These bylaws will be sealed, publicly notified pursuant to the Local Government Act 2002 and will be confirmed at a meeting of the Council on 26 June 2012. Following confirmation, the bylaws will come into force on 1 July 2012.

12. Standard charges under the Maritime Transport Act 1994 - marine tier 1 oil transfer sites

Maritime Rule Part 130B requires that the operator of an oil transfer site obtain the approval for a site marine oil spill contingency plan from the Director of Maritime New Zealand. The power to approve these plans has been delegated by the Director to the Chief Executive Officer (sub-delegated to Council employees) of the Northland Regional Council in an Instrument of Delegation pursuant to Section 444(2) of the Maritime Transport Act 1994.

Section 444(12) of the Maritime Transport Act 1994 allows the Council to charge a person a reasonable fee for:

- i. Approving Tier 1 site marine oil spill contingency plans and any subsequent amendments
- ii. Inspecting Tier 1 sites and any subsequent action taken thereafter in respect of preparation of inspection reports or reporting on non-conformance issues.

The fee set is based on officer's actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. Should travel be required, additional costs for mileage will be charged the standard rate as approved by the Inland Revenue Department.

Schedule two – Fee appendices

Appendix 1 – Resource consent applications – fixed initial deposits and consents staff hourly processing rates

Schedule of fixed initial deposits

Description	Fixed initial deposit \$ excluding GST	\$ including GST
Notified & limited notified applications		
▪ Coastal permits (excluding moorings), land use consents, water permits, and discharge permits	2,558.70	2,942.50
▪ Moorings	1,279.13	1,471.00
New non-notified applications		
▪ Coastal permits (excluding moorings), land use consents (excluding Bore Drilling Permits), water permits, and discharge permits (including farm dairy effluent and domestic on-site wastewater)	682.17	784.50
▪ Moorings	468.70	539.00
▪ Bore drilling permits	236.96	272.50
plus per additional bore	28.70	33.00
▪ Existing Moorings within High Priority Marine 4 Mooring management Areas. Application fee (minimum charge)	106.52	122.50
▪ Fixed Fee for Discharge Permit for burning of specified materials, including vegetation, by way of open burning or incineration device (e.g. backyard burning) (see Note 8)	51.30	59.00
Replacement non-notified applications		
▪ Coastal Permits (excluding moorings), Land Use Consents, Water Permits, and Discharge Permits (excluding Domestic On-site Wastewater)	596.96	686.50
▪ Moorings (includes moorings that have previously had a licence and are seeking to be authorised under the RMA)	383.91	441.50
▪ Domestic On-site Wastewater Discharge Permits	426.52	490.50
Certificate of compliance	383.91	441.50
Transfer of consents from the consent holder to another person (payable by the person requesting the transfer)	47.39	54.50
Transfer existing water permit between sites within catchment		
▪ Notified (including limited notification)	596.96	686.50
▪ Non-notified	236.96	272.50
S127 Change or cancellation of consent conditions		
▪ Notified (including limited notification)	895.22	1029.50
▪ Non-notified	383.91	441.50
▪ Minor administrative change	85.22	98.00
Request to review deemed coastal permit to reflect actual space (off-site review) under s53 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004		
▪ Notified (including limited notification)	2,558.70	2,942.50

Description	Fixed initial deposit \$ excluding GST	\$ including GST
▪ Non-notified	682.17	784.50
S128 Review of consent conditions, and review of deemed coastal permits under S10(4), 20(3) and 21(3) of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 (see Note 7)		
▪ Notified (including limited notification)	895.22	1,029.50
▪ Non-notified	383.91	441.50
Extension of period until a consent lapses	236.96	272.50
Hearing costs (per hearing day per Committee member) at hourly rates set by the Remuneration Authority* or the actual costs of independent Commissioners. See also Note 6.	(Per RA)	
* Determination dated 1 July 2006 of consent hearing fees payable and defining the duties covered by the fee or excluded, currently \$68 per hour (Committee Member) and \$85 per hour (Chairman).		
Requests by applicants and/or submitters for independent Commissioner(s) to hear and decide resource consent applications as provided for by s100A(2) of the RMA:		
<ul style="list-style-type: none"> • In cases where only the applicant requests independent commissioner(s), all the costs for the application to be heard and decided will be charged to the applicant. • In cases where one or more submitter requests independent commissioner(s), the Council will charge as follows: <ul style="list-style-type: none"> a) The applicant will be charged for the amount that the Council estimates it would cost for the application to be heard and decided if the request for independent commissioner(s) had not been made; and b) The requesting submitters will be charged equal shares of any amount by which the cost of the application being heard and decided in accordance with the request exceeds the amount payable by the applicant outlined in a) above. • Notwithstanding the above, in cases where the applicant <u>and</u> any submitter(s) request independent commissioner(s) all the costs for the application to be heard and decided will be charged to the applicant. 		

Note: Approved resource consents attract annual charges.

For Building Consent application fees – refer Appendix 2.

Consents hourly processing rates

Description	Hourly rate excluding GST	Hourly rate including GST
▪ Secretarial/adminISTRATION	\$66.00	\$75.90
▪ Consents officer scale 1	\$77.00	\$88.55
▪ Consents officer scale 2	\$87.00	\$100.05
▪ Consents officer scale 3	\$97.00	\$111.55
▪ Programme manager scale 1	\$103.00	\$118.45
▪ Programme manager scale 2	\$113.00	\$129.95
▪ Consents manager	\$150.00	\$172.50
▪ Consultants	Actual Costs	

Note 1: Complex applications for resource consent(s): Notwithstanding the above schedule, the Chief Executive Officer may require an Additional Charge pursuant to Section 36(3) based on the Council’s estimate of actual and reasonable cost for the processing of complex applications.

Note 2: The fixed initial deposits listed in the above table are minimum charges for resource consent applications and are charges ‘fixed’ under section 36(1) of the RMA (they are therefore not subject to objection rights). All consent processing costs which exceed the fixed initial deposit are considered to be additional charges pursuant to section 36(3) of the RMA and these may be progressively charged on a monthly basis or invoiced at the end of the consenting process.

Note 3: The final costs of processing each resource consent application will be based on actual and reasonable costs and will include the charging of staff time at the rates in the above schedule of Consents Staff Hourly Processing Rates and disbursements. In the event that consultants are used to assist the Council in processing resource consent applications, the actual costs of the consultants will be used in calculating the final costs.

Note 4: All applications will be publicly notified unless the consent authority is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor. Where the adverse effects are considered to be minor the application will be processed on a limited notified basis unless the written approval has been provided from every person whom the consent authority is satisfied may be adversely affected by the granting of the consent, in which case the application will qualify to be processed on a non-notified basis.

Note 5: Where an application is for multiple activities involving more than one type of consent, deposits are required for each type with the following exceptions:

- The fee for land use consents for earthworks and/or vegetation clearance (including mining, quarrying, forestry, bridging, and gravel extraction) also includes the water and discharge permits to divert and discharge stormwater where these are required;
- The fee for discharge permits for sewage volumes greater than 3 cubic metres per day (eg communal subdivision systems, marae etc) includes the associated discharge to air resource consent; and
- The fee for discharge permits to discharge stormwater includes the associated water permit to divert stormwater.

Notwithstanding the above the Council may determine that other ‘packages’ of consent applications do not require individual deposits for each consent type.

Note 6: For applications relating to restricted coastal activities, the applicant will also be charged the costs of the Minister of Conservation’s representative. Additional costs of the Minister of Conservation’s representative will also be charged with the prior agreement of the applicant.

Note 7: The consent holder will be invoiced the amount of the deposit for reviews of consent conditions at the time the review is initiated by the Northland Regional Council.

Note 8: This 'fixed fee' only applies where such an application is able to be processed on a non-notified basis and no additional charges will be invoiced for such applications even if the costs exceed the fixed fee. However, in the event that the application is required to be limited notified or publicly notified then the Council will require the applicable Fixed Initial Deposit for Notified & Limited Notified Applications (as outlined in the box above) before notification of the application.

Appendix 2 – Standard charges under the Building Act 2004

Charges fixed under the Building Act 2004 are resolved by the Council and fixed pursuant to the Local Government Act 2002 process until subsequently amended.

1. Project and Land Information Memoranda (PIM/LIM)

Estimated value of work	Minimum estimated charge (MEC) excluding GST	(MEC) including GST
All Applications	\$1,025.00	\$1,178.75

Notes:

- MEC is payable upon application for a PIM/LIM.
- Final actual and reasonable costs are payable upon uplifting the PIM/LIM based on Standard Labour Charges in Section 4 of this appendix.

2. Building Consents and Certificates of Approval

Incorporating receipt of a building consent application, the issue of a building consent, including project information memorandum, payment of a Building Research Levy and/or Department of Building and Housing Levy (where applicable) and the issue of a code compliance certificate (where applicable).

Under section 244 of the Building Act 2004, Council has decided to transfer the Building Act functions for consenting dams to the Waikato Regional Council (WRC). Fees will be charged in accordance with the Fees and Charges policy set by WRC. All fees and charges for consent processing will be invoiced directly to the applicant by WRC.

3. Requests for information on building consents

Charges will be the actual and reasonable costs based on standard labour charge rates shown in Section 4 of this appendix.

4. Technical processing and the exercising of other functions, powers and duties under the Building Act 2004

For technical processing and other functions under the Building Act full costs over and above the deposit will be recovered in accordance with the additional hourly charges.

Function	Deposit including GST	Hourly charge for exercise of functions or to recover additional costs.
Action to be taken in respect of buildings deemed to be dangerous or insanitary		Standard labour charge rates shown below.
Issue of a Notice to Fix		Minimum charge of \$95.00 and further charges for inspections and other action to confirm compliance based on standard labour charge rates shown overleaf.
Lodge Building Warrant of Fitness	\$102.50	Standard labour charge rates shown overleaf.
Amendment to compliance schedule	\$1,025.00	Standard labour charge rates shown overleaf. Actual and reasonable for expert advice.
Building Warrant of Fitness audit		Standard labour charge rates shown overleaf.
Certificate of Acceptance	Large Dam (above \$100,000 value) \$4,100 Medium Dam (\$20,000 - \$100,000 value) \$2,050 Small Dam (\$0 to \$20,000 value) \$512.50	Standard labour charge rates shown below. Actual and reasonable for expert advice.

Function	Deposit including GST	Hourly charge for exercise of functions or to recover additional costs.
Lodge dam potential impact category	\$102.50	Standard labour charge rates shown below.
Lodge dam safety assurance programme	\$102.50	Standard labour charge rates shown below.
Lodge annual dam safety compliance certificate	\$102.50	Standard labour charge rates shown below.
Other Functions.		Standard labour charge rates shown below.

Standard labour charge rates

Excluding GST per Hour

• Technician/administrator	\$66.00
• Officer scale 1	\$77.00
• Officer scale 2	\$87.00
• Officer SCALE 3	\$97.00
• Senior Officer – scale 1	\$103.00
• Senior officer – scale 2	\$113.00
• Manager	\$150.00

Note: All charges are payable upon invoice, provision of service or upon the exercise of the function, power or duty. Progressive charging may be used where costs are greater than \$500 (excluding GST).

When building consent non-compliance or an unauthorised activity is found, the person is, if possible, given the opportunity to remedy the situation and is informed that costs of additional supervision will be recovered. Such activity may also be subject to, infringement offence notices, enforcement orders or prosecutions.

An enforcement officer who observes a person committing an infringement offence or has reasonable cause to believe that an infringement offence is being or has been committed is authorised and warranted under section 229 of the Building Act 2004 to issue an infringement notice.

Appendix 3 – Water takes fee scales

Scale of Annual charges for water takes

Note: Appendix 15 identifies water take consents that have fees set outside these scales

Fee level	Description/criteria	Admin charge \$ including GST	Compliance monitoring/supervision \$ including GST	Resource user charge \$ including GST	Total annual charge \$ including GST
8	1. Negligible potential effect: minor abstraction from water resource low level of allocation and limited future potential demand; no water use returns; Limited benefit from existing SoE monitoring. (Minimum Fee)	94.00	–	24.00	118.00
10	2. Minor potential effect: minor abstraction from water resource with low to moderate level of allocation; moderate abstraction from water resource with low level of allocation; water use returns; Small benefit from existing SoE monitoring and limited monitoring in the catchment.	94.00	25.00	71.00	190.00
12	3. Moderate potential effect: minor abstraction from water resource with moderate to high level of allocation; moderate abstraction from a water resource with moderate levels of allocation; major abstraction from water resource with low level of allocation; water use returns, resource monitoring by Consent Holder; Moderate benefits from existing SoE monitoring, data likely to be used for flow allocation management purposes and/or replacement of consent.	94.00	56.00	141.00	291.00
15	4. Medium potential effect: moderate abstraction from water resource with high level of allocation; major abstraction from resource with moderate level of allocation; water use returns, resource monitoring by Consent Holder; continuation flow conditions; Existing SoE monitoring has greater benefits to Consent Holder for management, security of supply and/or replacement of consent; Total estimated staff time relating to monitoring, supervision and reporting of compliance 1-2 hours.	94.00	126.00	236.00	456.00
19	5. Medium potential effect - moderate inspection time: Same criteria as Category 4. However total estimated staff time relating to monitoring, supervision and reporting of compliance 2-3 hours.	94.00	194.00	236.00	524.00
22	6. Medium potential effect - significant inspection time: same criteria as Category 4 but total estimated staff time relating to monitoring, supervision and reporting of compliance 3-4 hours	94.00	263.00	236.00	593.00

Fee level	Description/criteria	Admin charge \$ including GST	Compliance monitoring/supervision \$ including GST	Resource user charge \$ including GST	Total annual charge \$ including GST
24	<p>7. Medium to high potential effect - significant inspection time: moderate to major abstraction from resource with high level of allocation. Significant total estimated staff time for inspection and/flow monitoring and consent compliance > 4 hours; Existing SoE monitoring has considerable benefits to Consent Holder for management, security of supply and/or replacement of consent.</p>	94.00	318.00	413.00	825.00
25	<p>8. High potential effect – significant inspection time: major abstraction from resource with high level of allocation. Significant total estimated staff time for inspection and/flow monitoring and consent compliance >4 hours; Existing SoE monitoring has direct benefits to Consent Holder for management, security of supply, replacement of consent, and specific compliance monitoring of consent.</p>	94.00	389.00	825.00	1308.00

Appendix 4 – Minor to moderate discharges to air, water and land, and land use activities including quarries

Scale of annual charges for consents for minor to moderate discharges to air, water, and land (no or minor sampling and/or testing planned) and consents for land use activities including quarries

The fee levels provided below allow for the appropriate recovery of costs by the Council based on the degree of work required by the Council in monitoring each consent. The appropriate fee level will be determined using the formula outlined in Section 4.2.3 with the estimated cost then rounded to the appropriate fee level.

Fee

Fee level	Annual charge \$ excluding GST	Annual charge \$ including GST	Fee code narration
1	0.00	0.00	Invoiced manually
2	0.00	0.00	Waived or remitted annual charges
3	0.00	0.00	Charged under another consent
4	0.00	0.00	Post billed (non-scale)
5	0.00	0.00	Special arrangement
6	0.00	0.00	Domestic sewage discharges (Post Billing)
7	82.17	94.5	Minimum loaded with additional fees post monitoring
8	82.17	94.5	Annual monitoring charge (and for all the following fees)
9	88.26	101.50	
10	99.57	114.50	
11	116.96	134.50	
12	129.13	148.50	
13	146.52	168.50	
14	176.52	203.00	
15	187.83	216.00	
16	204.78	235.50	
17	222.17	255.50	
18	234.78	270.00	
19	246.09	283.00	
20	263.48	303.00	
21	293.04	337.00	
22	304.35	350.00	
23	323.04	371.50	
24	381.30	438.50	
25	351.75	404.50	
26	410.00	471.50	
27	440.00	506.00	
28	469.13	539.50	
29	498.26	573.00	
30	528.26	607.50	
31	556.52	640.00	
32	586.52	674.50	
33	616.09	708.80	

Fee level	Annual charge \$ excluding GST	Annual charge \$ including GST	Fee code narration
34	644.78	741.50	
35	674.35	775.50	
36	703.04	808.50	Annual Monitoring Charge (and for all the following fees)
37	732.61	842.50	
38	762.61	877.00	
39	791.30	910.00	
40	820.87	944.00	
41	850.00	977.50	
42	879.13	1011.00	
43	909.13	1045.50	
44	938.26	1079.00	
45	967.39	1112.50	
46	996.52	1146.00	
47	1026.09	1180.00	
48	1055.65	1214.00	
49	1084.35	1247.00	
50	1114.35	1281.50	
51	1143.04	1314.50	

Appendix 5 – Farm dairy effluent charges

Scale of charges for consents for farm dairy effluent discharges (full and minor non-compliance and significant non compliance)

Full and minor non-compliance

Sampling and testing required where indicated.

Fee level	Description/criteria	Charge \$ excluding GST	Charge \$ including GST
4	Per inspection – (no sampling or testing)	241.30	277.50
4	Per inspection – (single sample only)	286.96	330.00
4	Per inspection – (two samples)	333.05	383.00
4	Per inspection – (three samples)	379.13	436.00
4	Per inspection – (four samples)	425.22	489.00
4	Per inspection – (five samples)	471.30	542.00
4	Per inspection – (six samples)	517.83	595.50

Significant Non-Compliance

Sampling and testing required where indicated.

Fee level	Description/criteria	Charge \$ Excluding GST	Charge \$ Including GST
4	Per inspection – (no sampling or testing)	323.04	371.50
4	Per inspection – (single sample only)	368.04	423.25
4	Per inspection – (two samples)	413.04	475.00
4	Per inspection – (three samples)	458.04	526.75
4	Per inspection – (four samples)	503.04	578.50
4	Per inspection – (five samples)	548.04	630.25
4	Per inspection – (six samples)	593.04	682.00

Second and subsequent visit, including follow-up inspections, for non-complying systems will be at \$80.00 per hour plus GST, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required.

Note: For fees charged under the Local Government Act for the inspection of non-consented dairy effluent discharge systems, refer to Section 4.5.

Appendix 6 – Coastal structures (post construction or installation)

Scale of Annual charges for coastal structures

Fee level	Description/criteria	RMA Administration fee or mooring licence fee \$ including GST	Navigation Safety Bylaw fee \$ including GST	Total fee \$ including GST
101	Individual swing, pile and jetty moorings with or without resource consents.	92.00	69.00	161.00
101	Swing and pile moorings owned by one person or organisation, comprising 10 to 24 moorings (per mooring). Note: No additional charge will be set for those structures which are an integral part of the mooring area, so long as those facilities and activities do not give rise to any significant adverse environmental effects.	80.50	69.00	149.50
3 or 4	Pile moorings and jetty berths owned by one organisation, comprising 25 berths or more, but no more than 75 berths (per berth). Note: No additional charge will be set for those structures which are an integral part of the mooring area, so long as those facilities and activities do not give rise to any significant adverse environmental effects.	51.50	69.00	120.50
1	Marinas comprising more than 75 berths. Navigation fee reverts to \$60.00 if fees are not paid within 60 days (per berth)		57.50	57.50
2	Dinghy pulls	99.50		99.50
8	Seawalls and reclamations	92.00		92.00
100	Boat ramps up to 15 m x 4.5 m	92.00	69.00	161.00
102	Boat ramps/slipways over 15 metres and grids	92.00	138.00	230.00
103	Boatsheds	107.50	69.00	176.50
104	Boatsheds with Additional Berth	107.50	138.00	245.50
9	Cables and Pipes	90.00		90.00
13	Private accommodation in the coastal marine area	107.50		107.50
108	Wooden minor structures and jetties not more than 10 m ² in plan area within the coastal marine area (no more than minor environmental effects)	102.00	69.00	171.00
107	Concrete minor structures and jetties not more than 10 m ² in plan area within the coastal marine area (no more than minor environmental effects)	92.00	69.00	161.00
108	Wooden minor structure and jetties: more than 10 m ² and up to 300 m ² in plan area	102.00	69.00	171.00
107	Concrete minor structure and jetties: more than 10 m ² and up to 300 m ² in plan area	92.00	69.00	161.00
108	Community and boating club structures and jetties, and non-commercial public structures	102.00	69.00	171.00
105	Marine farms and offsite farms	341.50	69.00	410.50
18	High use structures and jetties not marine related	107.50		107.50

Fee level	Description/criteria	RMA Administration fee or mooring licence fee \$ including GST	Navigation Safety Bylaw fee \$ including GST	Total fee \$ including GST
106	(a) High use structures and jetties, marine-related and not more than 300 m2 in plan area within the coastal marine area, and (b) Slipways with a maximum capacity of not more than 50 tonnes	107.50	379.50	487.00
115	High use structures and jetties, marine-related, more than 300 m2 but not more than 1,000 m2 in plan area within the coastal marine area	107.50	1644.50	1752.00
125	(a) High use structures and jetties, marine-related and not more than 1,000 m2 in plan area within the coastal marine area, and (b) Slipways with a maximum capacity of more than 50 tonnes	107.50	2909.50	3017.00

Note: All structures may be subject to additional charges that recovers the costs incurred by the Council for extra monitoring, such as sampling a discharge. Where the costs of monitoring the structure and discharge exceed the annual charge herein, the Council will recover the balance in accordance with Section 36(3) of the Resource Management Act 1991.

Wooden structures are inspected at three yearly intervals and concrete/rock structures at six yearly intervals. This reflects the durability of concrete/rock structures and the reduced risk to the environment and navigational safety from (structural) failure of these structures.

Consent Holders of multiple structures authorised under a single resource consent for contiguous facilities, will be charged one annual fee for the most significant structure authorised by that consent.

Appendix 7 – Coastal structures (construction or installation phase)

Monitoring inspection charges for consents for coastal structures during their construction or installation phase

Inspection charge	Excluding GST per hour
All coastal structures (per officer, plus costs of sampling/testing)	
Monitoring Officer Scale 1	\$77.00
Monitoring Officer Scale 2	\$87.00

Note: Refer to Section 4.2.2 for bases of charges.

Appendix 8

Land use consents for boating-related structures in waters upstream of the coastal marine area (post construction)

Scale of annual charges for land use consents for boating-related structures in waters upstream of the CMA with minor environmental effects (amended to match fees for similar structures in the coastal marine area, Appendix 6).

Fee level	Description/criteria	RMA \$ excluding GST	Total fee \$ including GST
100	Minor structures and jetties: not more than 10 m ² in plan area.	133.04	153.00
102	Jetties and other structures: more than 10 m ² in plan area.	189.57	218.00

Note: 1. Consents for new boat-related structures or to alter boat related structures in waterbodies will be subject to an inspection charge of \$65.00 per hour (plus GST) per officer during their construction phase.

Note: 2. Refer to Section 4.2.2 for bases of charges.

Appendix 9 – Major industries

Estimated annual charges for resource consents for major industries

Consent holder	Consent No(s)	Annual charge \$ excluding GST	Annual charge \$ including GST
AFFCO Moerewa	7381(1), (2), (4-11)	2,814.78	3,237.00
Ballance Agri-Nutrients Ltd	7247	1,172.61	1,348.50
GBC (Portland Cement Works)	5059 (1-6), (8)	1,172.61	1,348.50
NZMP Ltd (Kauri) (part of Fonterra Co-op Group Ltd)	4373, 4375, 4377, 4836, 7532, 7671, 8159	7,622.17	8,765.50
NZMP Ltd (Maungaturoto)	4204, 5139, 5140, 5145, 5146, 5147, 7119, 7155	9,966.96	11,462.00
Imerys Tableware NZ Ltd (Matauri Bay Plant)	1345, 2773, 5042, 6751, 6780, 6908, 8050	1,172.61	1,348.50
NZRC (Marsden Point Oil Refinery)	8319	14,070.87	16,181.50

Appendix 10 – Timber treatment plants

Estimated annual charges for resource consents for significant timber treatment plants

Consent holder	Consent No(s)	Annual charge \$ excluding GST	Annual charge \$ including GST
McEwing Enterprises Ltd (Oturei Timber)	4721	586.52	674.50
North Pine Ltd (Waipu)	7651	1,172.61	1,348.50
Donnellys Crossing Sawmills Ltd	4652	1,172.61	1,348.50
Kaihū Valley Sawmill	4653	1,172.61	1,348.50
Carter Holt Harvey Forests Ltd	7921	879.13	1,011.00
Croft Pole Distributors Ltd	8528 (incorporates 4758)	1,172.61	1,348.50
Sheppard, B (Matakohe)	7622	1,172.61	1,348.50
Kaitiāia Timber Co Ltd	4655	1,993.91	2,293.00

Note: For the basis of charging, refer Section 4.2.3.

Appendix 11 – Major effluent discharges or discharges to sensitive receiving environments

Estimated annual charges for resource consents for major effluent discharges

Consent holder	Consent No(s)	Annual charge \$ excluding GST	Annual charge \$ including GST
Far North District Council	3839, 2577, 2635, 3775, 7203, 7205	*1,759.13	,2023.00
Far North District Council	2337, 4007, 7205, 1108, 7399	*2,345.22	2,697.00
Far North District Council	4111, 2667	*2,638.26	3,034.00
Far North District Council	2417, 932	*3,048.26	3,505.50
Far North District Council	1168	7,738.70	8,899.50
Kaipara District Council	1102, 1115, 1116	*2,228.26	2,562.50
Kaipara District Council	3666	4,690.43	5,394.00
Kaipara District Council	3780	1,172.61	1,348.50
Whāngārei District Council	4509	1,172.61	1,348.50
Whāngārei District Council	7403	1,875.65	2,157.00
Whāngārei District Council	4155	1,172.61	1,348.50
Whāngārei District Council	2576	2,345.22	2,697.00
Whāngārei District Council	7445	1,993.91	2,293.00
Whāngārei District Council	4352	3,517.83	4,045.50
Ministry of Education	Administration Charge, schools charged separately for monitoring costs.	**3,166.52	**3,641.50
Ota Point Effluent Society	2724	2,931.30	3,371.00

*each Consent

** Combined Charge

Note: For the basis of charging, refer Section 4.2.3.

Appendix 12 – Refuse landfills

Estimated annual charges for resource consents for closed and operating refuse landfills

Consent holder	Consent No(s)	Annual charge \$ excluding GST	Annual charge \$ including GST
Far North District Council	1824	703.04	808.50
Kaipara District Council	4816	1,172.61	1,348.50
Kaipara District Council	4809, 4814, 7234, 2257, 4433	* 703.04	* 808.50
Far North District Council	7503	1,407.39	1,618.50
Far North District Council	4789	1,523.91	1,752.50
Kaipara District Council	7562	7,035.65	8,091.00
Far North District Council	2918	1,875.65	2,157.00
Far North District Council	7502	4,690.43	5,394.00

* each Consent

Appendix 13 – Large scale discharges to air

Estimated annual charges for resource consents for large scale discharges to air

Consent holder	Consent No(s)	Annual charge \$ excluding GST	Annual charge \$ including GST
AFFCO (Moerewa) Ltd	7381(34)	2,931.30	# 3,371.00
Ballance Agri-Nutrients Ltd (Whāngārei Plant)	7068	4,690.43	# 5,394.00
Golden Bay Cement Ltd	5059(7)	3,517.83	# 4,045.50
Juken Nissho Ltd	7062	22,279.57	25,621.50
NZ Refining Co Ltd	8319(2) prev. 7075	1,993.91	2,293.00
NZMP Ltd (Kauri)	7072	5,276.52	# 6,068.00
NZMP Ltd (Maungaturoto)	7073	5,276.52	# 6,068.00
Richmond (Effluent Ponds)	7088	1,172.61	1,348.50
Croft Timber	8528	4,690.43	5,394.00
TDC Sawmills	8417	4,690.43	5,394.00

Industries requiring stack testing

Note: For the basis of charging, refer Section 4.2.3.

Appendix 14 – Marinas

Estimated annual charges for resource consents for major coastal activities

Consent holder	Consent No(s)	Annual charge \$ excluding gST	Annual charge \$ including GST
Far North Holdings Ltd, Opuia Marina	8385	4,690.43	5,394.00
Kerikeri Cruising Club	6260	4,690.43	5,394.00
Riverside Drive Marina Ltd	7926	351.74	404.50
Tutukaka Marina Management Trust	2093, 6267, 7836	*4,690.43	5,394.00
Whāngārei Marina Management Trust	7958, 8089, 8517	*4,690.43	5,394.00
Whangaroa Marina Trust	7940	4,690.43	5,394.00

* each consent

Note: The basis for charging are described in Section 4.2.4. Navigation, Water Transport and Maritime Safety Bylaw charges also apply to marinas as detailed in Appendix 6.

Appendix 15 – Water takes of high potential effects

Estimated annual charges for water take consents for high potential effects

Consent holder	Consent No(s)	Annual admin/ supervision/ monitoring charge \$ including GST	Resource user charge \$ including GST	Annual charge \$ including GST (Total)	Fee level
Whāngārei District Council	2960	*2,452.00	825.00	3,277.00	70
Fonterra Kauri	437304	*2,820.00	825.00	3,645.00	74
Far North District Council	4369	*2,697.00	412.50	3,109.50	52
Maungatapere Water Supply Co	4607	*368.00	825.00	1,193.00	53
Murphy Prosperity Trust	4715	*368.00	412.50	780.50	54
North Power	4845	*919.50	412.50	1,332.00	55
Ngāwhā Geothermal Resource Company Ltd	488312	*613.00	#1,237.50	1,850.50	56
Kokich & Anderson	4965	*735.50	825.00	1,560.50	57
Northern Dairylands Ltd	5004	*613.00	412.50	1,025.50	58
A B Kevey & L J Christie	5014	*429.00	412.50	841.50	59
McBeth Farms Ltd	5021	*429.000	412.50	841.50	59
Brown Trust Partnership	5022	*429.00	412.50	841.50	59
Leeuwenburg J A & G M Leewenburg	5027	*429.00	412.50	841.50	59
Bryant Fischer Family Trust	7330	*613.00	412.50	1,025.50	58
Whāngārei District Council	7398	*1,226.00	825.00	2,051.00	60
Whāngārei District Council	7404	*3,064.50	825.00	3,889.50	71
Whāngārei District Council	7405	*858.00	412.50	1,270.50	61
Woodbury Farming Ltd	7411	*858.00	412.50	1,270.50	61
Kaipara District Council	7582	*919.50	412.50	1,332.00	55
Burke Farms Ltd	7642	*735.50	412.50	1,148.00	62
Kaipara District Council	8032	*735.50	412.50	1,148.00	62
Kaipara District Council	8134	*858.00	412.50	1,270.50	61

* Includes a charge pursuant to Section 36(1)(c) towards the costs of specific investigations (flow and/or water quality monitoring) within catchment relating to consent and compliance monitoring (See Section 4).

Multiple consents taking from different catchments and/or resources.

Note: For the basis of charging, refer Section 4.2.3.

Appendix 16 – Miscellaneous management charges

The Council’s Resolution of 8 December 2004, “that pursuant to Section 150(6) of the Local Government Act 2002, Council Managers be authorised to set or vary labour, plant and equipment hire fees and fees for miscellaneous services provided by the Council as necessary from time to time.”

The Council’s labour, plant and equipment charges to external parties are as follows:

1. Laboratory services – laboratory test charges

Job ref. No.	Description/criteria	Per sample \$ excluding GST	Per sample \$ including GST
7346	Absorbance % Transmittance	5.22	6.00
7369	Conductivity	9.57	11.00
7349	Deposited Air Particulate	61.30	70.50
7368	Dissolved Oxygen	5.22	6.00
7377	E coli/Total Colifoms – Colilert	28.70	33.00
7378	Enterococci – Enterolert	28.70	33.00
7373	Faecal Coliforms by MF	22.61	26.00
7381	Microscopic Examination	24.35	28.00
7374	Faecal Coliforms by MPN	40.87	47.00
7370	pH	5.22	6.00
7348	PM10	30.87	35.50
7371	Salinity	5.22	6.00
7358	Suspended Solids	17.39	20.00
7372	Temperature	1.30	1.50
7365	Turbidity	6.52	7.50
7346	UV% transmittance	5.22	6.00

Any further tests required, please contact laboratory staff for prices.

2. Labour – general

Labour costs for the Council’s staff not previously specified in this Policy will be charged at an hourly rate determined from actual employment costs, including overtime rates if applicable, plus a multiplier to cover overheads and any internal costs incurred.*

3. Plant

3.1 Where any of the Council’s plant is hired, extra costs including additional labour cost in overtime hours, travelling allowance, transport charges, etc, shall be recovered from the hirer of the plant. Where plant is ordered and its services cancelled, all costs incurred by the Council are payable by the hirer.

3.2 Water quality monitoring devices

	\$ Excluding GST	\$ Including GST
YSI Sondes per day	61.30	70.50
ISCO Automated Sampler per day	51.30	59.00

All labour incurred in the hire of water quality monitoring devices, is additional and charged in accordance with the charge out rates specified in Section 4.2.3.

3.3 Vehicles/quads

Inland Revenue Approved Mileage Rates Annual Work Related Kilometres Travelled	External rate per km \$ Excluding GST	Internal rate per km \$ Excluding GST
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Motor vehicles

1 - 3000 km (total kms for a job)	0.62	0.28
3001 kms and over (for each km over 3000)	0.19	0.28
Transit Van or similar (Public Service Rate)	1.00	0.41
Light Truck (Public Service Rate)	1.20	0.55
Motor Vehicles - Flat Rate	0.28	0.26

* When tradesmen are called out, and their service is cancelled, all costs incurred by the Council are payable by the hirer, at the above charge-out rates.

Motor cycles/quad bikes

1 - 3000 km	0.31	0.14
3001 kms and over (for each km over 3000)	0.10	0.14
Transit Van or similar (Public Service Rate)	0.14	0.14
Light Truck (Public Service Rate)	1.20	0.55
Motor Vehicles - Flat Rate	0.28	0.26

Flat rates may be used where a great deal of travel related to one job is done regardless of the distance travelled in a year.

3.4 Waterblaster (Labour Additional)	\$ Excluding GST	\$ Including GST₁
Large 4000 p.s.i. per hour	39.13	45.00
Medium 3000 p.s.i. per hour	26.96	31.00

3.5 Floating plant – standard rates

(a) Workboat hire	\$ Excluding GST	\$ Including GST
Workboat – Waikare per hour	600.00	690.00
Standby - Waikare per hour	265.22	305.00

For significant commercial projects, the Council will negotiate hire, standby and total costs with contractors and other parties.

(b) Small launch hire	\$ Excluding GST	\$ Including GST
BOI Patrol Boat Gemini II per hour	150.00	172.50
Standby – Gemini II per hour	100.00	115.00
5 metre Lazercraft per hour	140.00	161.00
Standby – Lazercraft per hour	90.00	103.50
5.8 metre Inflatable (Tai Ao) per hour	200.00	230.00
Standby – Tai Ao per hour	130.00	149.50

All labour and transport costs incurred in the hire of vessels, are additional and charged at \$70.00 per hour per crew member.

NB: (Additional rates may apply in overtime hours)

Other plant not specified above

Each request to hire other Regional Council plant or equipment is to be referred to the appropriate Manager for approval, who shall apply a realistic charge-out rate and notify the Finance Manager so that an invoice can be raised.

4. Hire charge – council, committee, training/meeting rooms

Catering is the responsibility of the hirer. Any refreshments provided by the Council will be on charged at cost.

		\$ Excluding GST	\$ Including GST
Council Room	per day	150.00	172.50
Committee Room	per day	50.00	57.50
Council & Committee Rooms	per day	180.00	207.00
Kaipara Training Room	per day	150.00	172.50
Whangaroa Meeting Room	per day	50.00	57.50
Kaipara/Whangaroa Rooms	per day	180.00	207.00

5. Hire charge – council video conference facilities

Hire charge includes a meeting room.

	\$ Excluding GST	\$ Including GST
Price Per Hour	\$370.00	\$425.50

Bookings will be subject to the availability of a meeting room and the video conferencing unit. Priority will be given to Council business. Video Conferencing unit is a Tandberg unit with a 47 inch screen. Connection is IP only and is not configured for ISDN.

6. Photocopying (per page)

\$ Excluding GST	Colour A4	Colour A3	Black A4	Black A3
Applicants/Staff	0.31	0.44	0.9	0.18
Other Parties	0.44	0.88	0.18	0.26

Note: Double-sided is equivalent to two pages.
Labour costs also to be recovered.

7. Biosecurity – sale of pest control products

Northland landowners are entitled to a one off free issue of 2.5kg bag of Pestoff and 2kg bag of rabbit pindone. Landowners are also entitled to a one off free issue of a 5-gram sachet of herbicide to control wild ginger.

All other pest control products such as traps, pesticides, prefeed, bait stations, and associated equipment are resold at a 10% mark-up on the price they are purchased from the manufacturer. This 10% mark-up is to cover the administrative costs of supplying these products.

8. Digital colour aerial ortho-photography

The Council, through a partnership with the other councils in the region, is currently acquiring digital colour aerial ortho-photography for the region. Geo-referenced tiff images are available for purchase or use. Any purchase or use is subject to a licensing agreement, available on request.

The agreement may vary depending on the purchase or use and it is at the Council's sole discretion whether such an agreement is entered into.

Typical clauses in purchase agreements:

1. The owners will supply the aerial photography to the purchaser as GIS compatible geo-referenced tiff tiles and the associated registration file, with each tile scale covering 2500m x 3750m.
2. The said aerial photography is supplied to the purchaser for internal use only and may not be sold or distributed in any format.
3. The purchaser will not make the said aerial photography available to any other organisation or person in any form.
4. The purchaser will refer any request for derived or associated products by any third party, to the owners.

All hardcopies of the aerial photography produced by the purchaser for its own use shall be endorsed with a statement that the aerial photography is copyright and may not be reproduced in any form without the consent of the "Owners".

Purchase of small sets of 1:5000 tiles, for an organisation's own internal use: \$50 per tile plus compilation costs at the standard charge rate per hour and GST.

Purchase of large sets of 1:5000 tiles: Price negotiable, including recovery of compilation costs at the standard charge rate per hour and GST.

Use of sets for research purposes: Price negotiable, including compilation costs at the standard charge rate per hour and GST.

9. Publication Charges for RMA and miscellaneous documents

Plan	\$ Including GST
Regional Policy Statement	46.00
Regional Coastal Plan	206.50
Regional Air Quality Plan	46.00
Regional Water & Soil Plan	165.50
Integrated Transport Study	36.00
Regional Land Transport Strategy	56.00
Heavy traffic volumes in Northland	20.50
Oakleigh-Marsden Point Rail Link Project	20.50
On-site wastewater disposal from households & institutions	20.50
CDs of plans	20.50

Any Council publications not made freely available to ratepayers may be purchased at cost from the Council. Contact the Council for further details.