



**PROPOSED AMENDMENTS TO THE  
RESOURCE CONSENT, ENGINEERING FEES  
AND OTHERS CHARGES SCHEDULE**

**STATEMENT OF PROPOSAL**

**11 September 2017**

## 1. INTRODUCTION

- 1 Section 36 of the Resource Management Act (RMA) enables the Queenstown Lakes District Council (the Council; 'QLDC') to set fees and charges payable by applicants for resource consent, by holders of resource consents, and for other matters set out in section 36 that relate to the Council's administration of its functions under the RMA.
- 2 Section 150 of the Local Government Act allows a local authority to prescribe fees or charges payable for a certificate, approval, permit or consent from, or inspection by, the local authority in respect of a matter set out in a bylaw or any other enactment.
- 3 Following the Resource Act 2017 (RLAA 2017) the Council has undertaken a review of the present fees and charges, which were last reviewed as part of the 2017/18 Annual Plan. The Council is proposing to amend its fees schedule to reflect the changes brought about by the RLAA 2017.
- 4 Where the proposal includes a new fee, consideration has been given to new section 36AAA(2) and (3) of the RLAA 2017 which state:

*(2) The sole purpose of a charge is to recover the reasonable costs incurred by the local authority in respect of the activity to which the charge relates.*

*(3) A particular person or particular persons should be required to pay a charge only—*

*(a) to the extent that the benefit of the local authority's actions to which the charge relates is obtained by those persons as distinct from the community of the local authority as a whole; or*

*(b) where the need for the local authority's actions to which the charge relates results from the actions of those persons; or*

*(c) in a case where the charge is in respect of the local authority's monitoring functions under section 35(2)(a) (which relates to monitoring the state of the whole or part of the environment),—*

*(i) to the extent that the monitoring relates to the likely effects on the environment of those persons' activities; or*

*(ii) to the extent that the likely benefit to those persons of the monitoring exceeds the likely benefit of the monitoring to the community of the local authority as a whole.*

- 5 This Statement of Proposal has been prepared in accordance with the requirements of sections 83 of the LGA.

## 2. PROPOSAL

- 6 It is proposed to make a small number of amendments to the fee schedule as shown in **Attachment A**. Key changes are described below:
  - a. New section "87BA Boundary activities approved by neighbours on infringed boundaries are permitted activities." This section establishes a new class of permitted activity, where in a residential zone a side yard or height plane breach is permitted, if the affected neighbour provides affected party approval. A person can make an application to the Council.

It is proposed to charge a fixed fee of \$320 for the processing and issuing of these notices.

- b. New section “87BB Activities meeting certain requirements are permitted activities.” This section provides the discretion for a consent authority to make marginal or temporary breaches a permitted activity. For example a temporary breach of a noise standard. It is proposed to charge an initial fee of \$390 for these activities. An initial fee is required as there is assessment of environmental effects, and effect son people, under these provisions.
- c. New sub-section 36(1)(af) where a person making an objection under section 357A(1)(f) or (g) (relating to decisions on resource consents) can request an independent commissioner. The cost of using an independent commissioner can then be recovered. It is proposed that the cost of the hearings commissioners be recovered at their hourly rate for the time spent.
- d. Due to increases in cost of securing engineers and engineering services in the Queenstown Lakes district the hourly rate for RM Engineering services is proposed to increase from \$165 to \$185 (\$160.86 ex GST). This is to ensure that ratepayers are not burdened with increased costs due to recognised national and local shortages in engineers driving up the cost of engineering related services.

### **3. REASON FOR PROPOSAL**

- 7 The changes are primarily the result of the RLAA 2017 which has introduced new provisions and types of applications. Council is seeking to recover the reasonable costs it incurs in respect of the activity to which the charge relates.
- 8 With regard to the increase in the hourly rate for resource management engineers, Council is seeking to recover the reasonable costs it incurs in respect of the activity to which the charge relates. It has proven necessary to outsource the processing of engineering comments, and the hourly rate as it currently stands is not adequate to cover the reasonable cost of providing the service, either internally or externally.

### **4. OPTIONS CONSIDERED**

- 9 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

#### 10 Option 1 – Do not amend the current fee schedule

Advantages:

- Does not increase costs to the industry
- Retains the fees structure that many are familiar with

- Does not require a separate Special Consultative Procedure as no change is proposed

Disadvantages:

- Does not address the costs associated with new provisions of the RLAA 2017.
- Council could not recover its reasonable costs for dealing with boundary activity notices and deemed permitted temporary and marginal consents.
- Will not cover the reasonable costs of providing engineering comment.
- Would not assist in meeting the revenue targets or achieve the funding policy for the Planning and Development activities as contained in the draft 2016/17 annual plan and may result in a funding deficit for the year

11 Option 2 – Amend the fee schedule as shown in **Appendix A**

Advantages:

- Would recover the reasonable costs of providing the services required by the RLAA 2017.
- Will cover the reasonable costs of providing engineering comment
- Will assist Council in meeting its budgets.

Disadvantages:

- New costs to applicants for the new activity classes (although these are typically less than a normal resource consent process).
- Increase in hourly rate of Resource Management Engineering comment will result in increased costs of providing engineering comment.

12 The Council resolved to consult on **Option 2** as its preferred option for addressing the matter.

## 5. TIMETABLE FOR CONSULTATION

13 The following dates represent the key times in the consultation programme:

- a. The draft Statement of Proposal and agenda items goes to Council – 28 September 2017.
- b. Advertisement in Otago Daily Times, Southland Times, The Mirror and Wanaka Sun stating that submissions open on Wednesday 4 October 2017 and **close on Wednesday 8 November 2017**.
- c. Submissions heard (if any) between 13 November 2017 and 24 November 2017 by the Planning & Strategy Committee (to be confirmed).

- d. Council considers outcome of consultation process and goes to Council for consideration / adoption at next available Full Council meeting (likely 14 December 2017).

14 The proposed fees and charges come into effect subject to the above.

## **6. INSPECTION OF DOCUMENTS AND OBTAINING COPIES**

15 Copies of this Statement of Proposal and the proposed fees and charges schedules may be inspected, and a copy obtained, at no cost, from:

- a. either of the Council offices at 10 Gorge Road, Queenstown or the Wanaka Service Centre, 47 Ardmore Street, Wanaka;
- b. any Council library within the Queenstown Lakes District; or
- c. the Council website – [www.qldc.govt.nz](http://www.qldc.govt.nz)

## **7. RIGHT TO MAKE A SUBMISSION AND BE HEARD**

16 Any person or organisation has a right to be heard in regard to this proposal and the Council encourages everyone with an interest to do so.

17 The Council would prefer that all parties intending to make a submission:

- a. go to the Queenstown Lakes District Council website: [www.qldc.govt.nz](http://www.qldc.govt.nz) or email [feesandcharges@qldc.govt.nz](mailto:feesandcharges@qldc.govt.nz)
- b. post their submission to: Planning & Development, Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348.

18 Submissions must be received by **Wednesday 8 November 2017**. The Council will then convene a hearing, at which any party who wishes to do so can present their submission in person. The Council will give equal consideration to written and oral submissions.

19 The Council will permit parties to make oral submissions (without prior written material) or to make a late submission, only where it considers that special circumstances apply.

20 Every submission made to the Council will be acknowledged in accordance with the LGA 2002, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

21 Section 82 of the LGA 2002 sets out the obligations of the Council in regard to consultation and the Council will take all steps necessary to meet the spirit and intent of the law.

## **8. MAKING AN EFFECTIVE SUBMISSION**

22 Written submissions can take any form (e.g. email, letter). An effective submission references the particular aspect of the proposed initial fees and other charges you wish to submit on, states why the initial fee or charge is

supported or not supported and states what change to the proposed initial fee or charge is sought.

- 23 Submissions on matters outside the scope of the proposed initial fees and charges cannot be considered by the Hearings Panel.

Mike Theelen  
CHIEF EXECUTIVE

**Appendix A** – Proposed Amendments to the ‘Resource Consent and Engineering Fees and Other Charges’ fee schedule



## **Resource Consent and Engineering Fees and Other Charges – from 1 July 2017**

Charges for processing resource consents, private plan changes and undertaking related activities have been set by the Queenstown Lakes District Council in accordance with section 36(1) of the Resource Management Act 1991 (RMA) and section 150 of the Local Government Act. Council has fixed a formula for charges as provided by section 36(1). The charges are comprised of an administrative fee of \$225.00, plus an amount calculated as the reasonable time spent processing the application by the staff involved at the hourly rates scheduled below. The initial fees and charges are set out below. All Land Use applications include a \$215 monitoring fee.

In accordance with section 36(3) of the RMA, the applicant is also required to pay an additional charge to cover the actual and reasonable cost of items such as printing, advertising, postage, additional reports and commissioners that may be required in the processing of their application.

At the time of lodging an application the applicant is required to pay the applicable initial fee set out below. They will then be invoiced monthly for other amounts payable under the fixed formula and for any additional charges payable under section 36(3).

Applications will not be received and processing will not continue while charges remain unpaid or overdue.

The following schedule of initial fees and charges is effective from 1<sup>st</sup> July 2017.

- All charges and initial fees are inclusive of GST and are payable on application.
- The initial fees are minimum charges based on the expected reasonable costs relative to the work. Further costs will be invoiced on a time basis and are payable before further work is completed.
- The use of [hearings commissioner and external consultants](#) where required will be charged on a full recovery basis [according to their hourly rate](#). Disbursements will be charged on a full recovery basis.

<b>HOURLY RATES</b>	<b>\$</b>
Senior Planner	165.00
Planner	145.00
Monitoring / Compliance	145.00
Development Contributions Officer	145.00
Engineering	<del>165</del> 185.00
Environmental Health	125.00
Administration Support	90.00

<b>INFRASTRUCTURE AND PARKS</b>	<b>\$</b>
Senior Infrastructure Engineer	165.00
Infrastructure Engineer/ Logistics	145.00
Infrastructure Other	145.00
Parks & Reserves Senior Planner / Planning Manager	165.00
Parks & Reserves Planner / Officer	145.00





<b>MONITORING (Initial Fees)</b>	<b>\$</b>
Compliance inspections	hourly rate
<b>ADMINISTRATIVE CHARGE (Fixed fee)</b>	<b>\$</b>
Administrative charge per consent	225.00
Administrative charge per pre-application request	90.00
<b>PRE-APPLICATION MEETINGS (Initial Fees)</b>	<b>\$</b>
Pre-Application Meeting including preparation - first hour free, after which at the applicable hourly rate.	hourly rate
<b>LAND USE CONSENTS (Initial fees unless otherwise stated)</b>	
<u>Boundary activity notice (fixed fee)</u>	<u>320.00</u>
<u>Marginal and temporary non-compliance notice</u>	<u>390.00</u>
Breach of site standard other than earthworks (all zones except Town Centre, Business and Industrial)	1045.00
Breach of site standard other than earthworks, Town Centre, Business and Industrial zones	1240.00
Breach of zone standard (all zones except Town Centre, Business and Industrial)	1,515.00
Breach of zone standard Town Centre, Business and Industrial zones	2165.00
Comprehensive residential development Low Density Residential zone	5,865.00
Controlled Activity	1,195.00
Design control minor (e.g. building in Town Centre, Business or Industrial zones or dwelling in any special zone)	1,195.00
Design control other (e.g. dwelling in Rural Residential zone or dwelling on a platform in Rural Lifestyle zone)	1,495.00
Earthworks minor (e.g. single dwelling or similar)	1,240.00
Earthworks other	3,340.00
Establish residential building platform in Rural General	4,065.00
Extensions or alterations to existing Rural General dwelling	1,515.00
Heritage Orders	2,165.00
Minor alterations to heritage building	730.00
New Rural General dwelling not on building platform	4065.00
Non-residential activity in residential or special zones	3,415.00
Signs	855.00
Visitor accommodation 1-2 units Low Density Residential zone	1,240.00
Visitor accommodation multi-units Low Density Residential zone	6,615.00
Visitor accommodation 1-2 units High Density Residential zone	855.00



Visitor accommodation or residential multi-units High Density Residential zone	5340.00
Other applications	1,240.00

<b>SUBDIVISION CONSENTS (Initial fees)</b>	<b>\$</b>
Amalgamation Certificate - fixed fee	102.00
Boundary adjustment	1,025.00
Controlled activity up to two lots	1,300.00
Controlled activity more than two lots	1,950.00
Engineering Review & Acceptances, Inspections and Road Naming	412.50
Other subdivision (e.g. Rural Residential, Rural Lifestyle)	3,200.00
Rural General subdivision	3,850.00
Registered Bond / release of Registered Bond (each)	102.00
Cancellation of amalgamation conditions (s241)	1025.00
Section 223 Certificate	140.00
Section 224(c) Certificate	250.00
Signing and Sealing other plan or certificate	102.00

**MULTIPLE ACTIVITIES**

*Where an application includes both land-use and subdivision activities or multiple activities, only the higher or highest relevant charge is payable*

<b>OTHER APPLICATIONS / PROCESSES (Initial Fees)</b>	
Notice of Requirement for a Designation	3,850.00
Alteration of Designation	640.00
Removal of Designation or Heritage Order	195.00
Certificate of Compliance	640.00
Existing Use Certificate	640.00
Extension of lapse period of a resource consent	640.00
Outline Plan Approval Section 176A	640.00
Outline Plan Waivers Section 176A(2)(c)	300.00
Surrender of consent	195.00



Trees e.g. <i>trimming or removal of protected or heritage tree</i>	195.00
Residential Arrowtown Historic Management zone (with supporting Arboriculturist's report)	
Variation to resource consent conditions	640.00
Private plan change	10,000.00
<a href="#">Section 357</a>	

<b>LOCAL GOVERNMENT ACT CHARGES (Initial Fees)</b>		
Section 348 Right of Way certificate		512.00
Development Contribution Assessment and Estimates		hourly rate
Traffic Management Plans		125.00
Licence to Occupy		600.00
Temporary Road Closures		500.00
Corridor Access (Road Opening Permits)	< 20 m	185.00
	20-100 m	375.00
	100-500 m	560.00
	500-2000 m	750.00
	> 2000 m	1,875.00
Engineering Connection to Council Services (one connection)		280.00
Engineering Connection to Council Services (for each additional connection)		120.00
<b>OTHER APPLICATIONS / PROCESSES (Fixed Fees)</b>		
Urban Design Panel (prior to lodging resource consent)		250.00
Urban Design Panel (post lodging resource consent)		500.00

<b><a href="#">OBJECTIONS UNDER SECTION 357A(1)(f) OR (g) REQUESTED TO BE HEARD BY AN INDEPENDENT COMMISSIONER (initial fees)</a></b>	
<a href="#">Requested Commissioner consideration of objections under section 357A(1)(f) or (g)</a>	hourly rate

<b>NOTIFIED AND LIMITED NOTIFIED APPLICATIONS (Initial Fees)</b>		
<b>Limited Notification / Service (Section 95B)</b>		
The charges fixed by council under section 36(1) include the following extra charge if limited notification of an application is required. The extra limited notification charge is also payable at the time of lodgement. However, where the need for notification / service is not apparent at the time of lodgement, the extra \$1,300 is payable as soon as it becomes apparent that limited notification is required.		1,300.00
<b>Notified Applications (Section 95A or 95C) (Initial Fees)</b>		
The charges fixed by council under section 36(1) include the following extra charge if full notification of a resource consent or designation is required. The extra notification charge is payable at the time of lodgement or as soon as it becomes apparent that notification is required and is to proceed. Public notification will not occur before payment is made.		4,500.00

Formatted Table



<b>INITIAL CHARGES FOR HEARINGS (Initial Fees)</b>		
Where a hearing is required the applicant is liable to pay the costs for Commissioners attending hearings, undertaking site inspections and writing decisions as well as the cost of attendance of professional and secretarial staff.	Half Day	6,000.00
	Full Day	11,000.00
Prior to a hearing date being confirmed, an estimate of the hearing time (including site visit) will be made and the applicant will be required to pay the appropriate hearing initial fee. If the cost of the hearing and decision writing exceeds the hearing initial fee, the additional amounts will be invoiced. If actual charges are less than the initial fee, a refund will be issued.	Each additional day	9,700.00