

Non-Payment of Fixed Charges (Deposits)

If any Fixed Charge for an application is not paid by the due date then Environment Canterbury reserves the right under S36(7) of the Resource Management Act to stop processing the application. This may include the cancellation of a hearing.

Should a hearing be cancelled or postponed due to the non-payment of a Fixed Charge, the applicant will be charged for any costs that may arise from that cancellation or postponement.

How To Calculate the Hearing Fixed Charge

Example: Two applications to take Groundwater, hearing duration 3 days, with 2 commissioners

First day of hearing	= \$11,500
+	
Charge for additional days (\$7,360 x 2 days x 2 commissioners)	= \$29,440
÷	= \$40,940
No. applications being heard	= 2
=	
Total fixed charge per application	= \$20,470 incl GST

Compliance monitoring charges

Compliance monitoring is necessary to ensure you meet the conditions of your consent which in turn safeguards our environment. As a responsible environmental guardian, Environment Canterbury is the statutory body under the Resource Management Act to carry out this regulatory function.

Costs cover services such as providing certain information and guidance about your consent; systems to capture and store consent data; the maintenance of records, implementing new government regulations and administration of consent monitoring charges.

Fees and Charges: (include GST)

Annual compliance monitoring charge	\$64.40
Hourly rate for monitoring consents	\$76.15

Additional Charges

Additional charges are payable when the Fixed Charges are insufficient to cover the reasonable costs incurred in processing your application. It is difficult to predict accurately the exact time needed by staff to process each application for consent.

Each application will incur charges for administration tasks and staff time auditing the application and preparing a recommendation to a decision-maker – but just how much time can vary from application to application. Other than for standard administration charges, staff time is charged using the following formula:

Charge = (Staff time x Staff Charge-out Rate) + all actual and reasonable additional charges including disbursements

The following is a list of tasks that may occur on some applications but not on others. This list is not an exhaustive list of all possible application events but it will give an indication of some of the additional work that can be done and will be charged for.

- Staff time in discussions with affected and interested parties.
- Staff time travelling to and from the application site and time spent at the site.
- Staff time to prepare application for public notification and identify potentially affected parties.
- Actual costs for hiring technical/legal experts to produce a report.

Objecting To Additional Charges

If you feel that any additional charges incurred are not actual or are unreasonable, you have the right to object to those additional charges. An objection cannot be lodged to any Fixed Charge. If you further believe that a fixed charge should be refunded then this is considered a remission of the whole or any part of the processing charges incurred.

An objection or request for remission must be lodged in writing and received by the Council within 15 working days of you receiving the invoice.

Resource Management Act Charges Fact Sheet

From 1 July 2011

Environment Canterbury recovers the cost of carrying out many of its Resource Management Act functions, including processing resource consent applications, by way of charges to applicants and consent holders.

Costs include the cost of staff, contractors, councillors, commissioners, and all other costs incurred in carrying out those functions.

A combination of “Fixed Charges” (deposits) and “Additional Charges” is used.

This fact sheet is a summary of the charges that can and may be applied.

For full details of the Council policy and resource consent charges, please refer to Environment Canterbury’s Annual Plan document. This can be viewed at www.ecan.govt.nz or a copy can be obtained by contacting our Customer Services section.

1901 - July 2011

Fixed Charges (Deposits)

Fixed Charges will be treated as deposits against the total cost to process your application.

A Fixed Charge is required to be paid with every application for:

- A resource consent for a new or existing activity.
- A certificate of compliance.
- A change or deletion of a condition on an existing resource consent.
- The transfer of water from site to site.

To make the costs clear at each stage of the audit and decision-making process, Environment Canterbury has set a Fixed Charge at three stages of the process:

- (1) Fixed Charge payable on application.
- (2) Fixed Charge payable following Limited or Public Notification (if required).
- (3) Fixed Charge payable 5 working days prior to the commencement of any Hearing set to decide the application (if required).

A breakdown of the Fixed Charges payable at each stage of the audit and decision making process can be found on the table below.

Refunds: Where a deposit exceeds the actual costs of processing a consent application, then the balance will be refunded to the applicant after the decision has been released.

Table: Fixed and Additional Charges for the processing of an application for Resource Consent (All charges include GST)

Application Type	(1) Fixed Charge per application lodged	PLUS	IF Notification is required	PLUS	IF A Hearing is required to decide the Consent Application (3) Fixed Charge per application proceeding to a hearing		PLUS	(4) Additional Charge per application if the total costs exceed the Fixed Charges
			(2) Fixed Charge per application notified		Charge per application for the first day of hearing or part thereof	PLUS		
Resource consent to install a bore/gallery	\$460.00		\$ 1,150.00		\$ 6,900.00		(\$7,360.00 x No. of additional hearing days x No. of commissioners ÷ No. of applications)	Total Costs to process application less Fixed Charges
Resource consent to place a swing mooring	\$575.00							
Resource consent to discharge sewage tank effluent (domestic)	\$1150.00							
Resource consent to discharge to air from a domestic pellet burner	\$345.00							
Resource consent to discharge to air from a small scale burner	\$667.00							
Resource consent to discharge dairy effluent	\$1,472.00							
Resource consent to discharge water from an aquifer test	\$621.00							
Resource consent to stockpile effluent/organic waste (when applied for in conjunction with a discharge of dairy effluent)	\$483.00							
Resource consent to discharge storm water (residential)	\$1,472.00		\$ 1,150.00		\$ 11,500.00		(\$7,360.00 x No. of additional hearing days x No. of commissioners ÷ No. of applications)	Total Costs to process application less Fixed Charges
Resource consent to discharge storm water (industrial)	\$2,668.00							
Resource consent to take surface water	\$2,277.00							
Resource consent to take groundwater	\$2,277.00							
Resource consent for any other activity	\$1,472.00							
Authorisation to transfer a holder's interest in a water permit to another person on another site or to another site in the same catchment or aquifer	\$2,277.00		\$1,150.00		\$ 11,500.00		(\$7,360.00 x No. of additional hearing days x No. of commissioners ÷ No. of applications)	Total Costs to process application less Fixed Charges
Authorisation to partially transfer a holder's interest in a water permit to another person on another site or to another site in the same catchment or aquifer	\$2,277.00							
To change or cancel the conditions on a land use consent to install a bore or gallery	\$276.00		\$1,150.00		\$ 6,690.00		(\$7,360.00 x No. of additional hearing days x No. of commissioners ÷ No. of applications)	Total Costs to process application less Fixed Charges
To change or cancel the conditions of a resource consent for groundwater or surface water	\$2,277.00							
To change or cancel the conditions of any other resource consent	\$598.00							
Certificate of Compliance	\$ 230.00	N/A						Total Costs to process application less Fixed Charges
Certificate of Existing Use	\$644.00							
To process a partial surrender of a resource consent	\$172.50							
To process a partial transfer of a water permit	\$230.00							
Monitor compliance and complete administration requirements of a bore installation (per bore, maximum of 5 bores charged)	\$66.13							
When Payable:	Must be paid with application		Within 20 working days of invoice		Must be paid a minimum of 5 working days prior to start of hearing. (Hearing days and No. of commissioners will be advised to the applicant prior to a hearing being set)			Must be paid within 20 working days of invoice