

STATEMENT OF PROPOSAL

Resource Management Act – Fees and Charges

Boundary activities and marginal or temporary non-compliances

Reason for the Proposal

Recent amendments to the Resource Management Act 1991 have created additional activities and processes which require associated charges. These include:

- Boundary 'deemed permitted' activities – Council must exempt 'boundary activities' from needing a resource consent if neighbour approval is provided.
- Marginal/temporary breaches – Council may exempt 'marginal or temporary' activities from needing resource consent.
- Fast track process – land use controlled activities must be processed within 10 working days

These activities come into effect on 18 October 2017, and in order for Council to recover costs for processing and deciding on these, fees need to be set. The fees are required to cover the reasonable costs of processing the applications.

Option One

Use the special consultative procedure to set fees. The proposed fees are two deposits and a fixed fee. The total cost of processing for marginal/temporary exemptions and fast track consents, will be determined at the end of the process. It is proposed that the existing hourly rates specified in the schedule of fees and charges are used if additional fees are to be charged. All fees include GST.

As these are new activities a deposit structure is considered appropriate to ensure that the fair costs associated with processing the application are paid.

- Boundary activities – fixed fee of \$300.00
- Marginal or temporary activities – deposit of \$150.00
- Fast track applications – deposit of \$1125.00

If approved, the consultation on proposed fees will be notified to the public on 2 October 2017 and be open to submissions until 2 November 2017.

This option is the preferred method to set the new application fees as it provides more certainty to applicants and is in line with the aims of the RLAA to streamline processes. Prior to the special consultative procedure being complete, time spent processing the new applications will be cost recovered. Applicants will be invoiced at the end of the process and staff will monitor time spent on applications to ensure that charges are in line with the fees proposed to be set.

Option Two

Use the cost recovery method of invoicing costs at current hourly rates set in the resource management fees schedule for time spent processing the new types of applications.

This option results in much more uncertainty for applicants as they won't know the costs associated with their application until processing is completed and the costs are accrued. This lack of certainty is considered to be inconsistent with the aim of the RLAA amendments.

This option also leaves Council open to risk for non-payment by applicants, and potentially needing to rely on debt collection for recovery of unpaid charges. This makes it less administratively efficient.

Legislation

The fees are made in accordance with section 36 of the Resource Management Act 1991.

Submissions

Written submissions may be made until 5pm Thursday, 2nd November 2017.

Submissions can be lodged via one of the following methods of delivery:

- Emailed to resource.consents@kapiticoast.govt.nz and marked: Resource Management Act New Application Fees
- Dropped into the Paraparaumu, Waikanae or Otaki Libraries or any Council service centre
- Sent to Kapiti Coast District Council, 175 Rimu Road, Private Bag 60601, Paraparaumu 5254

Those who make a written submission may also make an oral submission. Hearings will be scheduled following the end of the submission period and will be held at the Council Chambers in Paraparaumu. Please indicate on your submission form if you wish to speak to your submission.

Further information

Further information, including a submission form, is available from the Paraparaumu, Waikanae or Otaki Libraries or any Council service centre, from the Council's website www.kapiticoast.govt.nz or you may request a copy to be emailed or posted to you by calling 0800 486 486. If you have any questions please contact Marnie Rydon, Resource Consents Planner.