

Changes to the Fees and Charges Schedule

2024-25 Statement of Proposal



We are proposing to make changes to the Fees and Charges Schedule to enable Environment Southland to recover actual and reasonable costs for the services we provide. Feedback from the community is sought on the proposed changes to the schedule.

Background

Environment Southland's Fees and Charges Schedule describes the fees and charges we have set under legislation such as the Resource Management Act 1991 (RMA), Local Government Act 2002 and Building Act 2004. These Acts allow us to recover all reasonable costs incurred in respect of the activity to which the charge relates. The fees and charges covered in the schedule include:

- Resource Management Act 1991 charges under Section 36 of the RMA:
 - changes to policy statements and regional plans;
 - resource consent application charges (including transfers of resource consents and reviews of resource consents);
- annual consent holder charges and compliance charges
- Local Government Act 2002 charges for incident cost recovery;
- Biosecurity Act 1993 charges;
- Local Government Act 2002 charges for Spatial Information Data;
- Local Government Act 2002 charges for River and Catchment Services;
- Local Government Official Information and Meetings Act 1987 charges;
- Building Act 2004 charges;
- Maritime Transport Act 1994 and Southland Regional Council Navigation Bylaw charges;
- Southland Flood Control & Drainage Management Bylaw 2020 charges; and
- Coastal Occupation Charges from Policy 9.1.9 of the Southland Regional Coastal Plan.

Environment Southland regularly reviews and updates its Fees and Charges Schedule. Primarily, the changes proposed this year are to keep up with inflationary costs and better reflect the services being provided and how they are charged.

Proposed changes

All our fees and charges are set on a cost recovery basis so that individuals pay for the services they use.

Our resource management plans have been developed using ratepayer funding and have set limits that the community are happy with that also allow for extensions subject to going through a consent application process and having appropriate conditions apply. Council aims to recover these costs from the consent applicants as they seek to derive additional benefit than that proposed in the resource plans.

The changes proposed have been guided by more than just inflation adjustments or legislation change. This review is based on a strategic intent to move, over time, to a more risk-based approach to our monitoring and compliance, to put in place the tools and systems to allow a greater level of self-monitoring and to have sufficient time to adjust our revenue and resources that will be needed. In addition to this the review was informed by process and efficiency reviews that have been undertaken in the period leading up to this review.

Adjusted fees and charges

A CPI increase of 4.75% has been applied to all current charges, apart from the annual coastal occupation charges, which has been adjusted by the more precise CPI figure of 5.6%. This is to ensure that the costs being incurred for this work are adequately covered by the fees being charged.

Updates to legislation and overall review

Legislative changes require all the text to be reviewed to ensure correct referencing to legislative changes since the publication of the current schedule.

Rounding

All amounts rounded to the dollar.

Resource monitoring costs

Council completed a comprehensive review of monitoring costs with a strategic intent in place. The focus is a risk-based approach to monitoring. This new strategy was supported by actual testing of processes and procedures to ensure the fees proposed could be justified from both an efficiency point of view as well as providing sufficient financial recovery. This testing also occurred after streamlining of processes had occurred over the previous two years, by removing unnecessary steps and automating as much as possible. The table below summarises these changes.

Science research and management costs

Council has reviewed science research and management costs to ensure continued cost recovery. In addition the fee cap for groundwater take will increase by \$545 (excluding GST).

Fee description	Table	Current fee (\$) (Excl. GST)	Proposed fee (\$) (Excl. GST)	Increase (\$)
Groundwater monitoring - with sample	8	278	600	322
Groundwater monitoring - without sample	8	225	313	88
Alarmist - annual fee	8	128	261	133
Discharge to land - minor	11	actual costs	450	
Surface water take - minor	14	177	225	48
Surface water take - large	14	257	600	343
Groundwater take - minor	15	177	225	48
Groundwater take - large	15	257	450	193
Groundwater take - significant	15	257	600	343
Whitebait stand other than Hollyford & Awarua	16	123	225	102
Whitebait stand Hollyford & Awarua	16	251	375	124
Coastal occupy/structure outside of Fiordland	17	123	225	102
Coastal occupy/structure in Fiordland	17	251	375	124
Coastal (other)	18	123	225	102
Coastal surface water (CSWA logs)	18	300	600	300
Coastal marine farms	18	251	360	109
Coastal discharge to water	18	251	360	109

Discharge to land fee will increase by \$114 (excluding GST) for the following five categories which are detailed in table 11:

- agricultural discharges (dairy, piggery, wintering barn / pad effluent)
- minor (sewerage < 2,000 l/day, cleanfill, gravel wash water)
- medium (solid waste contaminant, sewerage > 2,000 l/day)
- significant (reticulated stormwater)
- major (solid waste, hazardous or industrial discharges)

Discharge to water fee will increase by \$1,056 (excluding GST) for the following three categories which are detailed in table 12:

- medium (discharge of contaminants)
- significant (reticulated storm water discharges)
- major (industrial)

Application fee types

Section 4.2 includes reference to resource consent application processing (Sections 36(1)(ae), (af), (b), (c) and (cb)) and includes the ability for Council to charge for a full voluntarily surrendered consent. Table 3 now includes a cancellation fee of \$209 (excluding GST) for consent holders wishing to voluntarily surrender consents.

Farm environmental management plans and freshwater farm plans

A new section 5.8 has been included to ensure cost recovery. Section 36(1)(cd) of the RMA enables Environment Southland to charge the farm operator of a farm that is required to have a certified freshwater farm plan in relation to Environment Southland's functions under section 217I of the RMA. Fees relating to Farm Environmental Management Plans (FEMP) are set under section 150 of the Local Government Act 2002. The Southland Land and Water Plan includes requirements for the preparation and implementation of FEMPs. Proposed charges are as follows:

National environmental standards for freshwater

- monitoring compliance with Regulation 33 (2) associated with the requirement that the application of nitrogen, as a component of the synthetic nitrogen fertiliser, to the land in pastoral land use in a contiguous landholding must not exceed the nitrogen cap (\$101 excluding GST)
- monitoring compliance with Regulations 13(3), 26 (3) and 38 (5) (e) (ii) and (7) that the activities relevant to those regulation are undertaken in accordance with a certified freshwater farm plan (\$220 excluding GST)

Charges in relation to freshwater farm plans

- receiving notification of a certified freshwater farm plan (\$220 excluding GST)
- receiving audit reports and related notification from auditors (\$220 excluding GST)
- monitoring requirements of farm operators under RMA and regulations (actual cost)
- other functions under section 2171 (actual cost)

Charges in relation to farm environmental management plans

- any certificate, authority, approval, permit, or consent from, or inspection by Environment Southland associated with FEMPs (\$220 excluding GST)

Wording changes

There have been updates to wording throughout the proposed Fees and Charges Schedule, which are largely to provide additional explanation and clarity.

The following list notes the main amendments to wording in each part of the schedule, beyond those mentioned already:

Section 2.6 – Minimum amount for invoicing and refunds.

Wording now includes legislation reference regarding Council ability to remit whole, or any part of any charge.

Section 5.6 – Permitted activities under the National environmental standards for commercial forestry. Wording has changed from plantation forestry to commercial forestry. The section includes the amended legislation date and regulation section.

Section 5.9 - Other Compliance costs. This section now clarifies that if a resource consent does not clearly fall into a class based on scale and complexity, then the 'medium' class should be assumed.

Table 16 - Whitebait and coastal. The table now includes an asterisk to clarify that additional monitoring costs may apply dependent on consent conditions.

Section 6.1 - Biosecurity Act 1993. This now includes clarification regarding costs and expenses of Section 128 of the Biosecurity Act in the event of non-compliance with a legal direction.

Table 20 – Biosecurity. The description for other cost recovery now includes reference to RPMP marine inspection breaches.

Table 21 – Table index now included for ease of reference.

Have your say

We are now consulting and would like your views on the changes to our Fees and Charges Schedule. Submissions can be made in a number of ways:



Online

www.es.govt.nz/consultations



Email

consultation@es.govt.nz



Mail

Freepost Authority No. 247418
Environment Southland
Private Bag 90116
Invercargill 9840



Delivery

Environment Southland
Cnr North Rd & Price St
Invercargill

Please ensure that if you wish to speak to your submission, you indicate this in your written submission.

Submissions close on Monday 6 May 2024.

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FEES & CHARGES SCHEDULE

2024-2025

Working together for a thriving Southland

For now & our future

Fees and Charges Schedule 2024/25

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Environment Southland Fees and Charges Schedule

Environment Southland may charge people when discharging a range of its functions and responsibilities under legislation, including under the Resource Management Act 1991 (RMA), the Local Government Act 2002 (LGA), the Building Act 2004 and the Biosecurity Act 1993. This schedule outlines Environment Southland's current policy and charges payable under the specific legislative functions.

1. Principles

The following principles are applied to the Council's decision to set charges in this Fees and Charges Schedule.

1. Charges must be lawful

The Council can only levy charges which are allowed by legislation. Charges set under this Schedule are set under a range of different legislation, including the Resource Management Act 1991, Local Government Act 2002, and Local Government Official Information and Meetings Act 1987. The statutory basis for charges is set out within this schedule.

2. Charges must be reasonable

The purpose of a charge is to recover the reasonable costs incurred by the Council in respect of the activity to which the charge relates. Actual and reasonable costs will be recovered from resource users and resource consent holders where the use of a resource directly incurs costs to the Council. For more information about how the Council funds its activities from its various funding sources, please refer to its revenue and financing policy.

Some charges imposed on consent holders are based on the full costs of the Council's administration and monitoring of their consents, plus a share of the costs of its state of the environment monitoring activities that relate to the resource used by those consent holders.

3. Charges must be fair

Charges must be fair and relate to resource users' activities. The Council can only charge resource users to the extent that their actions have contributed to the need for the Council's work.

Wherever possible, the Council will look for opportunities to streamline and improve processes to ensure that consent processing and compliance monitoring functions continue to be cost effective and efficient.

4. Charges must be transparent

Charges should be calculated in a way that is clear, logical and justifiable. The work of the Council for which costs are to be recovered should be identifiable. Charges should be clear and easy to understand, and their administration and collection should be simple and cost effective.

Consent applicants and resource users are entitled to certainty about the cost of their dealings with the Council. The manner in which charges are set should enable customers to evaluate the extent of their liability. Some charges associated with resource consent application processing contain both initial charges, and additional charges. Where additional charges apply, applicants are able to request an estimate of the consent processing charge. These matters are detailed further in the Consents sections.

2. General Provisions Applicable to Fees and Charges

The following section of this Schedule outlines the formula and other matters that apply to the calculation of all charges within the following schedules (except for fixed charges).

To calculate the fee and charges payable you will need to consult the relevant section of this Schedule, along with these general provisions.

The Schedule contains fees and charges relating to:

- Resource Management Act 1991 charges under Section 36 of the RMA:
 - changes to policy statements and regional plans;
 - resource consent application charges (including transfers of resource consents and reviews of resource consents);
 - annual consent holder charges and compliance charges
- Local Government Act 2002 charges for incident cost recovery;
- Biosecurity Act 1993 charges;
- Local Government Act 2002 charges for Spatial Information Data;
- Local Government Act 2002 charges for River and Catchment Services;
- Local Government Official Information and Meetings Act 1987 charges;
- Building Act 2004 charges;
- Maritime Transport Act 1994 and Southland Regional Council Navigation Bylaw charges;
- Southland Flood Control & Drainage Management Bylaw 2020 charges; and
- Coastal Occupation Charges from Policy 9.1.9 of the Southland Regional Coastal Plan.

Unless otherwise stated in this Fees and Charges Schedule, all of the following general provisions applicable to fees and charges apply to any fee and charge imposed by the Council.

2.1 Charging Formula

Other than in relation to fixed charges (as specified in this Schedule) Environment Southland will apply the following formula to calculate the charge payable in relation to any matter that it is entitled to charge for in accordance with this Schedule:

$$\text{(Staff hours x hourly charge-out rate) + disbursements = charge payable}$$

2.2 Staff services and hourly charge out rates

Staff time is charged on the basis of actual time spent at a rate consistent with the staff members experience level and role.

Table 1 – Staff services and hourly rates

Staff type and Service	Charge per hour (GST exclusive) 2024/25	Charge per hour (GST exclusive) 2023/24
Customer services officer / administration officer	\$117	\$112
Technical officer including consent / resource management and field officers	\$169	\$161
Senior consent /resource management/ technical specialist / manager / team leader / harbour master	\$202	\$193
General Managers	\$337	\$321

2.3 Disbursements

Disbursements include advertising costs, legal charges, laboratory analysis, travel, consultant(s), consultation with mana whenua, photocopying and hearing logistic costs (other than staff time).

2.3.1 Consultancy costs

Environment Southland uses consultants in a range of situations (both in relation to processing resource consents, but also in other situations, including in relation to charges under the Local Government Act 2002). Consultants are used where the person subject of the charges has required or requested the use of the consultant, the matter involves urgency, the matter involves complex and/or technical matters, or a peer review is necessary or in the case of a resource consent application, where a report is commissioned under Section 92 of the RMA. In all of these situations the full cost of the consultant will be charged to the person as a disbursement.

Consultant costs will include the time and cost spent by Environment Southland staff engaging and managing the consultant.

2.3.2 Travel

Environment Southland charges for the travel costs of its staff when making site visits.

The travel cost will consist of the hourly charge out rate of the staff member, see Table 1, and the vehicle mileage cost at the current km rate recommended by the Inland Revenue Department (IRD).

Vessel charges will be incurred for any coastal monitoring or where access to the sea, lake or a river is otherwise requested. Staff time and vessel costs will apply as per Table 22.

2.3.3 Photocopying charges

Black and White A4 or A3:

- First 20 pages – free of charge
- Excess of 20 pages – 0.20 cents per page

Colour A4 or A3:

- 0.40 cents per page

2.4 Goods and Services Tax (GST)

Charges outlined in this Schedule exclude GST unless otherwise stated.

2.5 Review

The Fees and Charges set under this Schedule are reviewed annually with the policy remaining in effect until such time as it has been reviewed, all consultation requirements have been completed and have been amended or revoked by Council resolution.

Fees and charges that require formal adoption under Section 150 of the Local Government Act 2002 (LGA) may be consulted on in conjunction with the Long-term or Annual Plan.

The fees set out in this schedule will come into effect on 1 July 2023 and will continue until superseded. A copy of this Fees and Charges Schedule will also be published on Council's website.

The fees and charges set out in this document are consistent with the Council's revenue and financing policy, which sets out the funding and cost recovery targets for each Council activity.

2.6 Minimum amount for invoicing and refunds

Refunds of charges or invoicing of charges for consent applications or monitoring shall only occur if the amount is greater than \$45.

Section 36AAB of the RMA enables the Council, at its absolute discretion, to remit the whole, or any part of any charge under section 36 that is otherwise payable.

2.7 Debt Collection Costs

All collection costs incurred by Environment Southland in the recovery of a debt will be added to the amount due.

Overdue invoices will incur an interest charge at 12% per annum.

3. Resource Management Act 1991 Charges

Section 36 of the RMA enables Environment Southland to charge for a range of matters including in relation to plan change requests, resource consent applications and compliance monitoring.

The Council may charge for costs under the RMA for a range of activities. These include the following:

- processing resource consent applications, including additional costs which may be incurred when applicants or submitters request a hearing by a Commissioner under Section 100A of the Act;
- review of consent conditions (in certain situations);
- processing applications for certificates of compliance and existing use certificates;
- the administration, monitoring and supervision of resource consents;
- monitoring and making data available in accordance with Section 35 of the RMA;
- applications for the preparation of, or changes to, regional plans or policy statements; and
- for providing information in respect of plans and resource consents and the supply of documents.

The RMA enables Environment Southland to fix charges (Section 36) and where the fixed charge is not sufficient to recover the actual and reasonable costs incurred in carrying out those functions, allows for additional charges to be made (Section 36(5)). The charges set in this section have been set with reference to the criteria in Section 36AAA of the RMA.

This section of the Fees and Charges Schedule utilises the following charges:

- fixed charge fees;
- initial fixed charge fees (deposits); and
- additional charges.

Fixed charge fees cover the total cost of the matter and are deemed to be "actual" charges. Fixed fee charges are not supplemented by additional charges.

Initial fixed charge fees are a deposit based on the estimated costs of a matter. Initial fixed fee charges can be supplemented by additional charges.

Additional charges will be charged where the total cost of a matter exceeds an initial fixed charge fee or where a specific amount has not been set. Additional charges will be charged in accordance with the

charging formula set out in section 2.1. Staff hourly rates will be charged at the appropriate rate as set out in Table 1. The Council must, on request, provide an estimate of any additional charge likely to be imposed as an additional charge.

3.1 Objections

Certain charges under the RMA may be the subject to objection or appeal under the provisions of the RMA.

Fixed charges are not open to objection or appeal.

An invoice for an additional charge, such as for consent processing costs in excess of the initial fixed charge fee, is a requirement for payment under s36(5) of the Resource Management Act. However, under Section 36(7) of the RMA, Sections 357B to 358 (which deal with rights of objection and appeal against certain decisions) apply in respect of the requirement to pay an additional charge under Section 36(5). Any objection to an additional charge must:

- be in writing
- set out the reasons for objecting and the relief sought; and
- **be lodged with the Council within 15 working days of the notice of requirement to pay the additional charge (the invoice).**

Consideration of objections may be liable for costs, particularly where external decision-making input is required. Costs of such an objection are payable by the applicant under Section 357A(1)(f) and (g). Refer to Table 3.

3.2 Contaminated Land

Specifically in relation to the Council's functions to identify and monitor contaminated land under Section 30(1)(ca) of the RMA, the Council will recover costs to the extent available as follows:

- as part of resource consent processing when a resource consent application is made in relation to contaminated land (for example, under Rule 46 and 46A of the proposed Southland Water and Land Plan) see Table 8 - Discharge to Land;
- as part of compliance monitoring Tables 7-15;
- as part of conducting inspections under Section 332 of the RMA Table 5 – Other Compliance Costs. This will include actual time spent by Council staff undertaking any inspection (including but not limited to preparation, travel, time on site and administration associated with the inspection).

3.3 Changes to Policy Statements and Plans (Section 36(1)(A))

When Environment Southland receives a request to prepare or change a regional plan, or to change the regional policy statement, it may decide as follows:

- decline the request. In this case, the request will go no further;
- accept the request, and charge the applicant the cost of processing the application;
- adopt the request. In this case, Council will meet the cost of processing the application, after the initial assessment (which is charged to the applicant).

Table 2 – Change requested

Change Requested	Initial fixed fee per application (GST exclusive) 2024/25	Initial fixed fee per application (GST exclusive) 2023/24
Assessment of a request before deciding to decline, accept or adopt it	\$41,900	\$40,000
Additional fixed fee charge if the request accepted for processing	\$41,900	\$40,000

Where the actual cost of the application processing and hearing is different to the deposits charged, the difference will be refunded to the applicant if the costs are lower, or an additional charge will be required if the costs are higher. Additional charges will be charged in accordance with the charging formula set out in section 2.1. Staff hourly rates will be charged at the appropriate rate as set out in Table 1. Council will inform applicants if the costs are expected to significantly exceed the deposit amount.

4. Resource Consent Applications

4.1 Resource consent pre-application advice and information

Consents division staff are available to meet potential consent applicants to provide pre-application advice. The first hour of assistance on any application or proposal is free of charge, with subsequent assistance being charged according to Table 1 and the charging formula on page 6 of this Schedule.

4.2 Resource consent application processing (Sections 36(1)(ae), (af), (b), (c) and (cb))

For carrying out its functions in relation to the receiving, processing and deciding on resource consent applications (including assessment of applications for certificates of compliance), and for considering and deciding on changes to or reviews of consent conditions and transfer of consents, the Council will:

- fix specific amounts to be charged for specified resource consent applications and set initial fixed charges for other specified activities (see Table 3);
- require applicants and consent holders to pay the full fixed charge or initial fixed charge prior to work commencing on the application or review;
- where a specific amount has not been fixed (or only an initial fixed charge exists), require applicants or consent holders to pay the actual and reasonable costs of processing the application as determined in accordance with the charging formula set out on page 6;
- refund the residual if the total cost does not exceed the initial fixed charge amount, noting section 2.6, any residual under \$45 will not be refunded.

The charges for resource consent applications are set out in Table 3 below. Some of the resource consent applications are subject to fixed fees and the remainder are subject to initial fixed charges (deposits). Where the total cost of processing an application exceeds an initial fixed charge, additional charges will be charged in accordance with the charging formula set out on page 6. Staff hourly rates will be charged at the appropriate rate as set out in Table 1.

Where a resource consent application includes multiple different activities, then the charge for each different activity in Table 3 must be paid by the applicant. Depending on the application this may mean that several different initial fixed fees have to be paid as a deposit.

Deemed permitted activities are activities which meet the criteria in Section 87BB of the RMA.

The Council may charge a person proposing to undertake such an activity for the issuing of a notice under Section 87BB that the activity is a deemed permitted activity, pursuant to Section 36(1)(ae) of the RMA.

For carrying out its functions in relation to the holder of a resource consent voluntarily surrendering a resource consent in full under section 138 of the RMA, the Council fixes a charge pursuant to Section 36(1)(c) of the RMA.

Table 3 – Application fee type

Application fee type	Activity	2024/25 Fee \$ (GST exclusive)	2023/24 Fee \$ (GST exclusive)
Fixed charge	Whitebait stand - occupational of coastal marine area by existing structure	\$270	\$257
	Bore (individual, with pump tests < 20,000 L / day) per bore	\$543	\$519
	Transfer of consent holder ¹ (per consent)	\$112	\$107
	Deemed Permitted Activity	\$523	\$500
Initial fixed charge - Non notified	Bore (multiple and/or water takes for pump tests > 20,000 L / day)	\$841	\$803
	Gravel Extraction	\$2,242	\$2,140
	Groundwater takes <200 m3/day	\$1,681	\$1,605
	Agricultural effluent storage pond construction	\$1,681	\$1,605
	Effluent discharge to land	\$2,802	\$2,675
	Coastal - Commercial Surface Water Activity (CWSA)	\$3,363	\$3,210
	Coastal structure / occupation	\$2,802	\$2,675
	All other activities including partial transfers	\$1,681	\$1,605
Initial fixed charge - notified (public & limited)	Notified application deposit on lodgement (up to hearing stage) where notification requested by applicant (per application)	\$11,208	\$10,700
Further initial fixed charge	Application processed that requires a public hearing - deposit payable to set matter down for hearing (if deposit not paid on lodgement) (per application)	\$11,208	\$10,700
Initial fixed charge - notified (public & limited)	Application for further charges for each additional day of scheduled hearing or part thereof (per day)	\$5,604	\$5,350
Initial fixed charge	Review of consent conditions where the review is carried out at the request of the consent holder, or under Section 128(1)(a), 128(1)(c), or 128(2) of the RMA	\$2,242	\$2,140
Initial fixed charge	Certificate of compliance or certificate of existing use	\$1,402	\$1,338
Initial fixed charge	Objection under s357A(1)(f) and (g)	\$2,802	\$2,675
Fixed charge - surrender fee	Full voluntarily surrendered consent	\$209	-

¹ Transfer of a consent to a new site is treated as a new resource consent application for the purposes of charging.

4.3 Pre-hearing meetings and hearings

The costs of pre-hearing meetings and hearings will be charged to the applicant. The costs of hearings includes:

- the costs of Councillors who are members of hearing panels, at the rates determined by the Remuneration Authority;
- staff costs;
- (non-Councillor) hearing panel members' fees (including independent hearing commissioners, where permitted).

Applicants that request independent hearing commissioners under Section 100A of the RMA will be charged for the cost of the application being heard and decided by the independent hearing commissioner.

Charges relating to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.

Where a hearing panel has directed that expert evidence is pre-circulated then all persons who are

producing 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 producing the evidence will be charged for the copying.

4.4 Discount policy for applications processed in excess of statutory timeframes

The Resource Management (Discount on Administrative Charges) Regulations 2010 apply to applications for resource consents and application to change or cancel conditions of a resource consent (under Section 127 of the RMA) processed by Environment Southland. Applicants are entitled to a discount if the application takes longer to process than the statutory timeframes allowed under the RMA.

The Discount Regulations do not apply to the following:

- applications to extend consent lapsing periods (RMA s125);
- consent reviews (RMA s128);
- certificates of compliance (RMA s139);
- when an applicant withdraws a resource consent application.

The Discount Regulations will be applied to any applicable charges made under this Schedule.

5. Resource Consent and Compliance Monitoring

Tables 5 to 18 outline all consent and compliance administration and monitoring charges set by the Council in relation to resource consent administration, monitoring and supervision and the other associated RMA monitoring the Council undertakes. The following sections 5.1 to 5.9 describe each of these charges in further detail.

5.1 Annual resource consent holder charges

Annual charges specified in this section apply to all current resource consents whether or not the consents have been used or exercised. The annual fee for various resource consents is prescribed in Tables 10-18.

5.1.1 Administration Charge (Section 36(1)(c))

Environment Southland invoices annual administration charges to recover the costs associated with consent processing that cannot be directly attributed to individual users. This includes costs involved in the maintenance of the consents database, correspondence with consent holders, provision of expiry notices, responding to requests for information on consents generally, and meeting with consent holders to discuss matters relating to their consents.

A scale of charges is applied to resource consents. These charges vary due to the scale and complexity and administrative time involved for the consent groups, as described in Table 19.

5.1.2 Science Research and Management Charge (Section 36(1)(c))

Section 36(1)(c) charges are payable by holders of resource consents for the carrying out by a local authority of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its resource management functions under Section 35.

Science research and management activities are undertaken to gather information about resources to ensure they are managed on a sustainable basis. The information is used to determine the nature and state of a resource, to enable Council to grant resource consents with confidence and to check whether the

management tools for resources in regional plans are working properly. A large amount of information is made publicly available.

Both the consent holder and the regional community benefit from the science research and management undertaken. The consent holder benefits through the protection of resources through management, early warning of changes in resources and information and data to aid business planning, exercising of their consent and re-consenting process.

The research charge contributes towards the costs incurred by Council in researching and identifying the cumulative impact on our environment of all such activities across the region. Information gained from this research can also be used by applicants during the resource consent application process.

A scale of the annual Science Research and Management charges are applied to resource consents. These charges vary primarily due to the following factors:

- the nature and scale of activity, e.g. the size of a water take or type of discharge; and
- the level of stress a particular catchment, coastal area or groundwater zone is under.

The charges and the application to various consent types are described in Tables 10-18.

5.2 Resource consent compliance monitoring initial fixed charges (Section 36(3))

The initial fixed charges for compliance monitoring inspections and re-inspections are based on staff time for technical staff per Table 1 of this schedule. Fixed charges generally apply to activities where conditions are very similar or the same. If an activity identified for fixed charges is non-standard, then variable charges may apply to that non-standard activity. Fixed charges may be invoiced annually or per activity, as described in Tables 9-18.

5.3 Resource consent compliance monitoring (variable) charges (Section 36(1)(c))

The compliance monitoring programme is tailored to individual circumstances. All costs associated with monitoring the consent are passed on to the consent holder. As set out in the RMA, Environment Southland may charge for costs associated with its ongoing administration, monitoring and supervision of resource consents (RMA Section 36(1)(c)).

Where the initial charges set in this section are inadequate to cover actual and reasonable costs, Council may impose an additional charge.

What Council does to monitor resource consents

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

Council needs to know resource consents are being complied with. In this way, Council can ensure the resource the consent holder is using, remains fit for them and other consent holders to use.

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

Resource consents with an ongoing effect on the environment have a monitoring programme, though it is important to note that the monitoring programme may not always require site inspections. Resource consents with a finite effect may only need one site visit.

The compliance programme may be reduced if the consent holder establishes a good compliance record, or where two or more resource consents are held for the same location. It may also be increased if the consent holder establishes a poor compliance record.

As part of the compliance monitoring programme for a consent, Council may:

- carry out an initial visit to assess if the resource consent is being implemented in accordance with the consent conditions;
- carry out site visits and inspections (as required);
- review the results of any monitoring carried out by the consent holder or their consultants;
- advise the consent holder of the outcome of the compliance visit;
- carry out tests and analyse samples at a laboratory (if relevant).

The monitoring may be completed through desktop monitoring, physical or aerial review. If a consultant is used, these costs will be on-charged.

Council may also need to use outside expertise to assist with the monitoring of some consents.

The costs of these experts may be included as part of the consent monitoring charge. In most cases, Environment Southland staff will carry out compliance checks.

The monitoring charge includes all preparation prior to an inspection and reasonable administration time after the inspection to update Council databases and respond to the consent holder in writing.

5.4 Resource consent compliance additional charges (Section 36)

Where the initial fixed charge is inadequate to recover the Council's reasonable and actual costs for inspecting/monitoring of consents, additional inspection/monitoring charges and re-inspection of consents charges will be recovered on the basis of staff time, travel and disbursements.

These additional inspection/monitoring, including investigation and mitigation costs, may be required as a result of complaints regarding consented activities. The charge payable is calculated in accordance with the formula in section 2.1 of this Schedule and Tables 5-18.

The purpose of additional monitoring charges is to recover costs of additional work that is required to be undertaken by Council when consent holders do not act in accordance with consents.

Additional monitoring charges relate to those situations where consent conditions are not being met or adverse effects are resulting from the exercise of a consent.

When consent non-compliance 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.

Charges for additional monitoring 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, and administration time in following up the non-compliance matter or unauthorised activity (charged at the appropriate hourly rate listed in Table 1); 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 use of clean-up equipment

Table 4 – Consent Compliance – additional charges

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Consent compliance - additional charges	Non-compliance of resource consent	Actual cost (in addition to annual charge) - Staff costs (per Table 1) - Sampling and testing costs - Equipment costs - External consultants (on-charged) - Additional water monitoring costs	Actual cost (in addition to annual charge) - Staff costs (per Table 1) - Sampling and testing costs - Equipment costs - External consultants (on-charged) - Additional water monitoring costs

5.5 Incident and recovery charges (LGA (Section 150))

Environment Southland carry out inspections¹ to form a judgment on whether or not:

- (a) there has been compliance with the RMA, any regulations (including national environmental standards), a rule of a plan, a resource consent, or Sections 10, 10A, or 20A of the RMA; or
- (b) an enforcement order, interim enforcement order, abatement notice, or water shortage direction is being complied with; or
- (c) any person is contravening a rule in a proposed plan in a manner prohibited by any of Sections 9, 12(3), 14(1), 15(2), and 15(2A).

The Council may fix a fee or charge to recover the costs it incurs when carrying out inspections pursuant to Section 332 of the RMA to determine compliance with above matters.

Charges for inspections under Section 332 of the RMA will be for the reasonable costs incurred in carrying out the inspection, pursuant to Section 150 of the LGA, including:

- initial administration;
- attendance at the site for the purposes of carrying out the inspection (including staff time and vehicle mileage);
- analysis of any samples taken during the inspection; and
- administration associated with the inspection itself.

Actual costs are charged based on staff time (including associated administration), per Table 1, mileage and disbursements related to the inspection.

¹ The term inspection is defined as the action taken by Council under section 332 of the RMA to form a judgment on whether there has been:

- (a) compliance with the RMA, its regulations, a rule of a plan or a resource consent;
- (b) compliance with an abatement notice, enforcement order or water shortage direction; or
- (c) contravention of a rule in a proposed plan.

5.6 Permitted activities under National Environmental Standards for Commercial Forestry

Under Regulation 106 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (amended 2023), the Council may charge for monitoring of permitted activities specified by Regulations 9 (afforestation), 24 (earthworks), 37 (river crossings), 51 (forestry quarrying) and 63(2) (harvesting).

This monitoring will be charged in accordance with principles and general policies of this charging document.

Charges will cover the travel and inspection time of the officer(s) undertaking the inspection (as per Table 1), as well as any sampling costs where required.

The Council may also charge for the monitoring of deemed permitted activities (pursuant to Section 87BB of the RMA) which would, if not for the marginal or temporary non-compliance, be a permitted activity under Regulations 9, 24, 37, 51, or 63(2) of the Standards.

5.7 Permitted activities under National Environmental Standards for Freshwater

Under Regulation 75 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, the Council may charge for monitoring of permitted activities covered by the Standards, where the Council is responsible for monitoring those activities.

The Council may also charge for the monitoring of deemed permitted activities (pursuant to Section 87BB of the RMA) which would, if not for the marginal or temporary non-compliance, be a permitted activity under the Standards.

These will be charged in accordance with the principles and general policies of this charging document. Charges will cover the travel and inspection time of the officer(s) undertaking the inspection (as per Table 1) as well as any sampling costs where required.

The Council will not charge to receive or review notifications of intended permitted activity work for wetland restoration, wetland maintenance, or biosecurity, pursuant to the Regulations.

Table 5 – National Environmental Standards for Freshwater

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
National Environmental Standards for Freshwater	Monitoring compliance with Regulation 33(2) associated with the requirement that the application of nitrogen, as a component of the synthetic nitrogen fertiliser, to the land in pastoral land use in a contiguous landholding must not exceed the nitrogen cap	\$101	-
	Monitoring compliance with Regulations 13(3), 26(3) and 38(5)(e)(ii) and (7) that the activities relevant to those regulations are undertaken in accordance with a certified freshwater farm plan	\$220	-

5.8 Farm Environmental Management Plans and Freshwater Farm Plans

5.8.1 Freshwater Farm Plans

Section 36(1)(cd) of the RMA enables Environment Southland to charge the farm operator of a farm that is required to have a certified freshwater farm plan in relation to Environment Southland's functions under section 217I of the RMA. Environment Southland's functions under section 217I of the RMA are summarised as including:

- enforcing the observance of the requirements of Part 9A of the RMA and regulations to the extent that their powers under this RMA enable them to do so; and
- monitoring compliance by farm operators with their duties under Part 9A of the RMA and with any requirements in regulations; and
- receiving notifications of freshwater farm plans that have been certified; and
- appointing certifiers and auditors under section 217K; and
- receiving audit reports and related notifications from auditors.

Refer to section 3 of the Fees and Charges Schedule for further detail in respect charges under the Resource Management Act 1991.

Table 6 – Charges in relation to freshwater farm plans

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Freshwater Farm Plan functions	Receiving notification of a certified freshwater farm plan	\$220	-
	Receiving audit reports and related notification from auditors	\$220	-
	Monitoring requirements of farm operators under RMA and regulations	Actual cost	-
	Other functions under section 217I	Actual cost	-

5.8.2 Farm Environmental Management Plans

Fees relating to Farm Environmental Management Plans (FEMP) are set under section 150 of the Local Government Act 2002. The Southland Land and Water Plan includes requirements for the preparation and implementation of FEMPs.

Table 7 – Charges in relation to farm environmental management plans

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Farm Environmental Management Plans	Any certificate, authority, approval, permit, or consent from, or inspection by Environment Southland associated with FEMPs	\$220	-

5.9 Other Compliance Costs

Table 8 – Other Compliance Costs

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Permitted Activities	<p>Monitoring in accordance with relevant National Environmental Standards (for Commercial Forestry and Freshwater) where charging for monitoring of permitted activities is authorised.</p> <p>Charges are for actual and reasonable costs including:</p> <ul style="list-style-type: none"> - site inspections (including staff time and vehicle mileage) - associated reporting - analysis of any samples taken during the site visit - associated administration - non compliance follow ups; and - associated testing/external consultants 	Actual cost (including travel, inspection time and sampling costs)	Actual cost (including travel, inspection time and sampling costs)
Other Inspections	Inspections under S332 of RMA	Actual cost (including travel, inspection time and sampling costs)	Actual cost (including travel, inspection time and sampling costs)
Groundwater Monitoring	Groundwater sampling with sample taken (per sampling)	\$600 plus lab fees	\$278 plus lab fees
	Groundwater sampling where no sample is able to be taken (per sampling)	\$313	\$225
	Consents requiring Alarmist (river level) information	\$358 establishment cost + \$261 annually	\$342 establishment cost + \$128 annually
Reports, Data, Notifications	Compliance monitoring reports required as part of consent conditions (per report)	\$101	\$96
	Non-provision or inadequate provision of resource consent condition data/information	\$1,469	\$1,402

Table 9 – Gravel

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Gravel	Gravel consents - a fee will be charged on a per m ³ rate of excavated gravel, for the supervision, monitoring and administration of all activities associated with gravel extraction in beds of rivers	\$0.73 per m3	\$0.70 per m3

Wherever gravel extraction is undertaken with a resource consent, the monitoring charge set out in Table 9 above will apply. All resource consent holders extracting gravel are required to pay the monitoring and administration charges based on the volume of gravel extracted.

Environment Southland is required to monitor rivers to determine gravel availability and the effects of gravel extractions on flood carrying capacity, on the environment and on the community and to ensure that parties taking gravel are compliant with the conditions of the resource consents. This monitoring charge is set under Section 36(1)(c) of the RMA.

Table 10 – Discharge to Air

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Discharge to Air	Minor	Minor discharges to air	\$134	\$107	Actual cost	\$241 + actual monitoring costs*	\$230 + actual monitoring costs*
	Medium	Other discharges to air, including odour	\$246	\$107	Actual cost	\$353 + actual monitoring costs*	\$337 + actual monitoring costs*
	Significant	Discharges of NES contaminants to the air	\$757	\$107	Actual cost	\$863 + actual monitoring costs*	\$824 + actual monitoring costs*
	Major	Mining & dairy industries	\$1,524	\$107	Actual cost	\$1,631 + actual monitoring costs*	\$1,557 + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 11 – Discharge to Land

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Discharge to Land	Agricultural discharges	Dairy, piggery, wintering barn / pad effluent	\$246	\$408	\$605 per inspection	\$654 + \$605 per inspection	\$529 + \$578 per inspection
	Minor	Sewerage <2,000 l/day, cleanfill, gravel wash water	\$134	\$408	\$450 per inspection	\$542 + \$450 per inspection	\$422 + actual monitoring costs*
	Medium	Solid waste contaminant, sewerage > 2,000 l/day	\$246	\$408	Actual cost	\$654 + actual monitoring costs*	\$529 + actual monitoring costs*
	Significant	Reticulated stormwater	\$757	\$408	Actual cost	\$1,164 + actual monitoring costs*	\$1,016 + actual monitoring costs*
	Major	Solid Waste, hazardous or industrial discharges	\$1,524	\$408	Actual cost	\$1,932 + actual monitoring costs*	\$1,749 + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 12 – Discharge to Water

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Discharge to Water	Medium	Discharge of contaminants	\$246	\$2,233	Actual cost	\$2,479 + actual monitoring costs*	\$1,412 + actual monitoring costs*
	Significant	Reticulated storm water discharges	\$757	\$2,233	Actual cost	\$2,990 + actual monitoring costs*	\$1,899 + actual monitoring costs*
	Major	Industrial	\$1,524	\$2,233	Actual cost	\$3,757 + actual monitoring costs*	\$2,632 + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 13 – Land use

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge GST (exclusive)	Science Research and Management charges GST (exclusive)	Compliance Monitoring Charges GST (exclusive)	Total Annual Charges for 2024/25 GST (exclusive)	Total Annual Charges for 2023/24 GST (exclusive)
Land use	Minor	Burning, storage ponds, culverts, bed disturbance	\$134	-	Actual cost	\$134 + actual monitoring costs*	\$128 + actual monitoring costs*
	Medium	Dredging, alter, protection works	\$246	-	Actual cost	\$246 + actual monitoring costs*	\$235 + actual monitoring costs*
	Large	Dairy farm - new, expanded, establish	\$375	-	Actual cost	\$375 + actual monitoring costs*	\$358 + actual monitoring costs*
	Other - dependent on activity	Land use river control	\$134 - \$1,524	-	Actual cost	\$134 - \$1,524 + actual monitoring costs*	\$128 - \$1,455 actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 14 – Surface water take

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Surface water take	Minor	< 87 m ³ per day	\$134	\$2.46 per m3, minimum \$190.645	\$225	\$359 + science research charges*	\$305 + science research charges*
	Large	< 50,000 m ³ per day	\$375	\$2.46 per m3, maximum \$9,784.70	\$600	\$975 + science research charges*	\$615 + science research charges*
	Major	> 50,000 m ³ per day	\$1,524	\$9,785 plus \$0.0036 per m3	Actual cost	\$1,524 + science research charges* + actual monitoring costs*	\$1,455 + science research charges + actual monitoring costs*
	Other - dependent on activity	Dam / divert	\$246 - \$1,524	\$1,283 - \$9,785	Actual cost	\$246 - \$1,524 + science research charges* + actual monitoring costs*	\$235 - \$1,455 + science research charges + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 15 – Groundwater take

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Groundwater take	Minor	< 87 m ³ per day	\$134	\$1.12 per m3, minimum \$190	\$225	\$359 + science research charges*	\$305 + science research charges*
	Large	< 500 m ³ per day	\$375	\$1.12 per m3, minimum \$190	\$450	\$825 + science research charges*	\$615 + science research charges*
	Significant	> 500 m ³ per day	\$757	\$1.12 per m3, maximum \$3,830	\$600	\$1,357 + science research charges*	\$979 + science research charges*

*Additional monitoring costs may apply dependent on consent conditions.

Table 16 – Whitebait & Coastal

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Whitebait & Coastal	Whitebait stands	Other than Hollyford & Awarua Rivers	\$39	-	\$225	\$264 *	\$160 *
	Whitebait stands	Hollyford & Awarua Rivers	\$39	-	\$375	\$414 *	\$288 *

*Additional monitoring costs may apply dependent on consent conditions.

Table 17 – Coastal Occupy Structure

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Coastal Occupy Structure	Coastal occupy / structure - including all areas outside of Fiordland	Includes but not limited to boatsheds, slipways, wharves, jetties, boat ramps, moorings, barges	\$134 - \$375	-	\$225	\$359 - \$600 + coastal occupation charges*	\$251 - \$481 + coastal occupation charges*
	Coastal occupy / structure - Fiordland	Includes but not limited to boatsheds, slipways, wharves, jetties, boat ramps, moorings, barges	\$134 - \$375	-	\$375	\$509 - \$750 + coastal occupation charges*	\$379 - \$609 + coastal occupation charges*

*Additional monitoring costs may apply dependent on consent conditions.

Table 18 – Coastal Other

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges (Fixed and variable costs)	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Coastal Other	Coastal - Other	Including but not limited to aircraft landing / take off, erosion control reclaim, disturb / remove	\$134	-	\$225	\$359 + coastal occupation charges*	\$251 + coastal occupation charges*
	Coastal - Surface water activities all areas	To carry out the operation of commercial surface water activities	\$375	\$415	\$600	\$1,390	\$1,054
	Coastal - Marine farms all areas	To occupy part of the seabed with a marine farm	\$375	\$415	\$360	\$1,150 + coastal occupation charges*	\$1,005 + coastal occupation charges*
	Coastal - Discharge to water in coastal marine all areas	Discharge to water	\$375	\$415	\$360	\$1,150 + coastal occupation charges*	\$1,005 + coastal occupation charges*
	Coastal - Discharge to water in coastal marine - significant or major type all areas	Discharge to water - treated wastewater contaminants, treated sewage	\$757 - \$1,524	\$415	Actual cost	\$1,171 - \$1,939 + coastal occupation charges + actual monitoring costs	\$1,118 - \$1,851 + coastal occupation charges + actual monitoring costs

*Additional monitoring costs may apply dependent on consent conditions.

Annual consent administration fees are classified and determined according to Tables 10-18.

The examples given in the Description column of Tables 10-18 are used to illustrate the type of consented activities that *may* fall into each consent type by class or scale, and are in no way an exhaustive list. Each consent will be assessed based on its particular conditions and classified accordingly. If the resource consent does not clearly fall into a class based on scale and complexity, then the 'medium' class should be assumed. For completeness, the Council maintains the ability to charge for monitoring any permits for discharges to air, land and water, land use consents, surface water and groundwater take and use consents, and whitebait and coastal consents not specifically classified in the tables based on the actual and reasonable monitoring costs.

Table 19 – Consent classifications

Minor	Granted for more than one year, require minimal administration and record-keeping.
Medium	Require regular record-keeping and maintenance of the consents database, possibly including the provision for the review of conditions. This category will include activities that are still minor, but require a higher level of administration.
Large	Require a higher level of administration and contact with the consent holder. These activities authorised may involve consents staff dealing with issues relating to that activity on a regional scale.
Significant	Require a high level of administration. They also involve consents staff in wider management issues associated with the activity either individually or as a group.
Major	Have a significant administrative requirement and necessitate a high level of contact with the consent holder. This category generally only applies to a large industry holding multiple consents.

6. Other Fees and Charges

6.1 Biosecurity Act 1993

The Council has various powers to enable it to recover the costs for investigations, enforcement, and administration under two of its biosecurity plans. Reference should be made directly to the relevant provisions of those plans, as follows:

- Southland Regional Pest Management Plan 2019-2029; and
- Fiordland Marine Regional Pathway Management Plan (2017 onwards).

Rather than fixing fees or charges for these matters under the Biosecurity Act 1993, this Schedule notes that costs can be recovered for actions taken under the Biosecurity Act 1993 and describes those charges in further detail.

In particular, Section 135 of the Biosecurity Act 1993 requires the Council to take all reasonable steps to ensure that it recovers its costs of administering the Biosecurity Act (beyond those costs that are provided for by money appropriated by Parliament for the purpose) in accordance with the principles of equity and efficiency. It provides the Council with discretion as to the methods it uses to recover its costs of administering the Biosecurity Act and performing the functions, powers and duties provided for in the Biosecurity Act (such as administering and implementing its pest management strategy or plan, or its

pathway management plan), provided it believes the methods it uses are the most suitable and equitable in the circumstances.

The methods can include fixed charges, charges fixed on an hourly or other unit basis, estimated charges followed by reconciliation, actual and reasonable charges, refundable or non-refundable deposits paid before the provision of the service and charges imposed on users of services or third parties

Section 128 of the Biosecurity Act enables the Council to recover the costs and expenses it reasonably incurs when implementing an enforcement document as a debt due **in the event of non-compliance with a legal direction.**

Section 129 provides that all costs recoverable under Section 128 shall be a charge (lien) against the land concerned. Costs incurred to apply and remove the lien will be added to the costs.

Council has an ongoing programme of biosecurity inspection, monitoring and response work that is undertaken for the purposes of implementing its pest management strategies and plans. (Some) cost recovery is sought for these biosecurity activities as provided for by Section 135 of the Biosecurity Act 1993.

Table 20 – Biosecurity

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Biosecurity Act	Cost recovery - Fiordland marine inspections, failure to produce a Clean Vessel Pass	2 hours minimum (refer Table 1 for rates)	2 hours minimum (refer Table 1 for rates)
	Cost recovery - Fiordland marine inspections, with a valid Clean Vessel Pass	Free	Free
	Cost recovery other - including RPMP marine inspection breaches	Actual cost (incl staff time)	Actual cost (incl staff time)
	Pest management traps, tools, herbicide, materials	Actual cost	Actual cost

6.2 Spatial Information Data (LGA Section 150)

Environment Southland, at its discretion, may charge for access to or extraction of spatial information data. The total staff time spent will be charged at the technical officer charge rate for compiling the information as per the schedule of fees and charges in Table 1. There is no charge for the data itself.

6.3 River and catchment service charges (LGA Section 150)

Environment Southland will charge for the provision of information and advice relating to the following:

- flood hazard assessments;
- hazard information and advice;
- technical information and advice;
- property information;
- provision of historic information and records.

Provision of other information or services where costs, including staff time, are incurred by Environment Southland. Actual and reasonable costs will be charged for the provision of information, documents and technical advice. The first half hour of staff time involved in providing the service will not be charged, after which the total staff time spent providing the service may be charged as well as mileage and disbursements.

6.4 Local Government Official Information and Meetings Act 1987 (Section 13(1A))

Environment Southland may seek to recover reasonable costs for the supply of information requested under the Local Government Official Information and Meetings Act 1987 (LGOIMA). Council reserves the right to charge for the provision of information for requests that take over an hour of time. This includes:

Photocopying in excess of 20 pages	\$0.20 per page
Other materials, e.g. information supplied on media	At cost
Standard staff time, in excess of one hour	\$38 per half hour
Specialist non-staff time	At cost
Other direct and actual costs	At cost

Fees for the creation of information, customised data requests and provision of commercially valuable information that fall outside of the scope of the LGOIMA may differ from the above. As this may vary depending on the specifics of the request, Council will advise of any charge on a case-by-case basis.

In all cases, when communicating a decision that grants information release, Council will advise the requestor of any decision to charge, the estimated amount of the charge, how the charge has been calculated, any requirement to pay in advance and advise of the right to seek a review by an Ombudsman of the estimated charge. Where a charge is payable, no action in compiling the information will occur until such time as the requestor has agreed to cover the estimated costs.

The scale of charges set out above may apply for the recovery of staff time and reasonable costs incurred with the collection and supply of information under LGOIMA. The recovery regime is based upon the Ombudsman's guidance "The LGOIMA for local government agencies: A guide to processing requests and conducting meetings".

6.5 Building Act 2004 (Section 243)

The following charges will apply to the Dam Safety and Building Control activities.

Table 21 – Project Information Memorandum for a Dam

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Project Information Memo (PIM)	Preliminary fixed charge payable at the time of lodging an application for a Project information memo for a Dam (PIM) for a dam.	\$1,121	\$1,070
	Fixed charge for the issue of a Resource Management Certificate under section 37 of the Building Act 2004	\$134	\$128
Notice to Fix (NTF)	Issue of Notice to Fix (NTF)	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements
	Inspection(s) of building work under NTF	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements
	Offence proceedings for failure to comply with NTF	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements
Other	Any other activity under the Building Act	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements

6.6 Maritime Transport Act 1994

In accordance with Section 444 of the Maritime Transport Act (MTA) regional councils exercising a delegated function or power may charge a reasonable fee in relation to the exercise of that function or power. The total hours charged for cost recovery will be at the discretion of the Regional On-Scene Commander. Staff hourly rates will be at the appropriate rate as set out in Table 1.

6.7 Regional Harbourmaster's Office Services and Navigation Safety

Pursuant to Section 33M of the Maritime Transport Act 1994, Environment Southland has made a bylaw in respect of navigation safety within the Southland region. Section 33R of the MTA allows Environment Southland to set fees in respect of activities that it has to undertake to implement the bylaw. The role of the Harbourmaster's Office includes managing maritime-related activities, navigation safety on all waterways. There are also some fees and charges for recreational boating activities. The applicable charges can be found in the following table.

Any other costs incurred for particular services provided that relate to navigation safety by Environment Southland which are not outlined below are fully recoverable from the person or organisation causing this cost to be incurred. This includes the costs incurred by the Council as a result of staff responding to any incident that causes or may have the potential to cause effects on navigation and safety. The response action taken by Council staff may include, but will not be limited to, 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 set out in Table 1) as appropriate.

For incidents occurring outside normal business hours, a minimum call-out fee of three hours at staff charge rates shall apply (includes oil spill response and emergency response).

Table 22 – Regional Harbourmaster Office Services and Navigational Safety

Service	Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)	
Regional Harbourmaster office services and navigation safety	Permission and services of the Regional Harbourmaster's office	Specific approval from the regional harbourmaster required for hot work in certain circumstances as stated in the harbourmaster's direction on a vessel carrying liquid or gas hydrocarbons in bulk (ie a fuel, oil or gas tanker)	\$262	\$250	
		Any other exemption, permission or authorisation of the regional harbourmaster not otherwise specified; or for additional hours processing of applications for suspensions, exemptions, or reservations which take in excess of two hours (Staff time as per Table 1, per hour)	\$202	\$193	
		Charge for travel to or from any location to undertake a site visit, audit or examination	\$202	\$193	
		Charge for vessel running costs on water, per hour (excluding staff time)	\$288	\$275	
		Examination of a candidate for a Master's Pilotage Exemption Certificate, per examination	\$523	\$500	
	Suspensions, exemptions, reservations	Application to the regional harbourmaster for a suspension or exemption under Schedule 8 of the Southland Regional Council Navigation Safety Bylaw 2009 (revised 2015), per application	\$262	\$250	
		Application to the Regional harbourmaster for a reservation, regulation, prohibition, permission or authorisation under the Southland Regional Council Navigation Safety Bylaw 2009 (revised 2015), per application	\$262	\$250	
	Regional On-Scene Commander service charge	Review* or approval of an operator party to a Mobile Operators Joint Port Tier 1 Marine Oil Spill Response Plan, including initial audit	\$800	\$800	
		Review* or approval of a mobile operator's Tier 1 Marine Oil Spill Response Plan (for those in places where a joint plan is unavailable), including initial audit, per review	\$1,600	\$1,600	
		Review* or approval of an operator's small fixed site (eg jetty browser) Tier 1 Marine Oil Spill Response Plan, including initial audit, per review	\$1,600	\$1,600	
		Review* or approval of an operator to a large fixed site (eg terminal) Tier 1 Marine Oil Spill Response Plan, including initial audit, per review	\$3,200	\$3,200	
		Attendance at Tier 1 Plan site visit, exercise or audit (Staff time as per Table 1, per hour)	\$202	\$193	
		Application for an exemption, permission or authorisation of the regional on-scene commander not otherwise specified (Staff time as per Table 1, per hour)	\$202	\$193	
	* Reviews are normally conducted triennially				

6.8 Southland Flood Control & Drainage Management Bylaw 2020

Pursuant to Section 149 of the Local Government Act 2002, Environment Southland has made a bylaw in respect of flood protection and flood control works within the Southland region. Section 150 of the LGA allows Environment Southland to prescribe fees or charges payable for a certificate, authority, approval, permit, or consent from the Council, or an inspection by the Council in respect of a matter provided for in the Bylaw.

The applicable charges can be found in the following table.

Table 23 – Flood protection and control

Activity	Description	2024/25	2023/24
Flood protection and control	Inspections to check for compliance with the Bylaw	Actual and reasonable costs incurred by the Council	Actual and reasonable costs incurred by the Council
	Where a person fails to undertake the work specified in a notice issued under clause 7.5 of the Bylaw, the Council may enter upon the relevant land and carry out that work.	The costs associated with completing the work are recoverable by the Council as a debt due by the owner of the land to the Council	The costs associated with completing the work are recoverable by the Council as a debt due by the owner of the land to the Council
	Where the Council removes or alters any works, or anything constructed after the Bylaw became operative, that contravenes the Bylaw or any conditions of any authority.	Actual and reasonable costs incurred by the Council in connection with the removal or alteration	Actual and reasonable costs incurred by the Council in connection with the removal or alteration

The Council may, at its discretion, refund, remit, or waive the whole or any part of any fee payable under the Bylaw.

6.9 Annual Coastal Occupation Charges (Regional Coastal Plan p 9.1.9)

Policy 9.1.9 of the Regional Coastal Plan sets out the regime for establishing a coastal occupation charging regime to persons who occupy Crown land, to the full or partial exclusion of others, in the coastal marine area of Southland. The Council established these charges under Section 401(A)(3) of the RMA prior to 1 July 1999.

Rule 9.1.4 of the Regional Coastal Plan sets out:

- the circumstances when the coastal occupation charge will be imposed;
- any exemptions from a charge;
- circumstances when a charge may be waived;
- the level of charge; and
- an indication of how the money received will be used

The level of the charges, as at 30 September 1998, are specified in Rule 9.1.4, and these charging rates are linked to the Consumer Price Index (CPI) for inflation. The amount of the charge will be based on the specified charges as at 30 September 1998, with any increase or decrease calculated from the change in the CPI.

Table 24 – Annual Coastal Occupation - activity charges

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Commercial activities (excluding Riverton Harbour wharves)	Any structure, marine farm, boat building / repair structure, boatshed or other commercial activity	\$790	\$748
	Boat storage facility on water (for more than 10 boats), including marinas, moorings, boat parks or canal housing, plus:	\$790	\$748
	- additional sum for every berth or set of pile moorings (per metre of berth per annum)	\$23	\$21
	- additional sum for every swing mooring	\$157	\$148
Non-commercial activities, (excluding Riverton Harbour wharves)	- Structures up to and including 14m ²	\$113	\$107
	- Structures between 14m ² and 28m ²	\$215	\$203
	- Structures between 28m ² and 56m ²	\$428	\$405
	- Structures between 56m ² and 84m ²	\$538	\$510
	- Structures exceeding 84m ²	\$790	\$748
	- Any boatshed	\$215	\$203
Other Activities (commercial or non-commercial), including Riverton Harbour wharves	Any pipeline used solely for individual domestic purposes (including stormwater and water supply purposes)	\$113	\$107
	Any pipeline (other than above) or submarine or buried cable	\$161	\$152
	- plus additional sum if longer than 30m ³ (per 30m length per annum)	\$30	\$28
	- up to a maximum sum per annum	\$790	\$748
	Any pile moorings (other than pile moorings in a boat-storage facility)	\$113	\$107
	- or per metre per annum, whichever is the higher sum	\$23	\$21
	Any swing mooring for which preferential or exclusive use is required (i.e. moorings that require a coastal permit under Rule 13.2.8, Regional Coastal Plan)	\$157	\$148
	Any wharf in Riverton harbour - per metre length per annum	\$16	\$15

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Phone: 0800 76 88 45 | **Post:** Private Bag 90116, Invercargill, 9840

Delivery: Cnr North Rd & Price St, Invercargill | **Email:** service@es.govt.nz | **Online:** es.govt.nz
