Notice is given of a Planning and Regulations Committee Meeting to be held on:

Date: **Tuesday, 9 April 2019**
Time: **Following Asset and Services**
Location: **Council Chambers**
Fairlie

AGENDA

Planning and Regulations Committee Meeting

9 April 2019

Suzette van Aswegen
Chief Executive Officer

Planning and Regulations Committee Membership:

Anne Munro (Chair)
Russell Armstrong
Stuart Barwood
Chris Clarke
Paul Hannagan
James Leslie
Mayor Graham Smith

****

The purpose of local government:

(1) The purpose of local government is—

(a) to enable democratic local decision-making and action by, and on behalf of, communities; and

(b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

(2) In this Act, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—

(a) efficient; and

(b) effective; and

(c) appropriate to present and anticipated future circumstances.

(Local Government Act 2002)

Order Of Business

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1 OPENING

2 APOLOGIES

3 DECLARATIONS OF INTEREST

4 VISITORS

5 REPORTS

5.1 MINUTES OF PLANNING AND REGULATIONS COMMITTEE MEETING - 28 FEBRUARY 2019

File Reference: **PAD**

Author: **Charlotte Borrell, Committee Administrator**

Authoriser: **Suzette van Aswegen, Chief Executive Officer**

Attachments: **1. Minutes of Planning and Regulations Committee Meeting - 28 February 2019**

RECOMMENDATION

1. That the Minutes of the Planning and Regulations Committee Meeting held on Thursday 28 February 2019 be received and adopted as a true and accurate record of the meeting.

MINUTES

Planning and Regulations Committee Meeting

28 February 2019

MINUTES OF MACKENZIE DISTRICT COUNCIL
PLANNING AND REGULATIONS COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON THURSDAY, 28 FEBRUARY 2019 AT 11.45AM FOLLOWING ASSET AND SERVICES

PRESENT: Cr Anne Munro (Councillor), Cr Russell Armstrong (Councillor), Cr Stuart Barwood (Councillor), Cr Chris Clarke (Councillor), Cr Paul Hannagan (Councillor), Cr James Leslie (Deputy Mayor), Mayor Graham Smith (Mayor)

IN ATTENDANCE: Toni Morrison (Group Manager Projects and Administration), Phill Mackay (Emergency Management Officer), Charlotte Borrell (Committee Administrator)

1 OPENING

Cr Munro opened the meeting at 11.45am

2 APOLOGIES

Suzette van Aswegen (Chief Executive), Karina Morrow (Group Manager Regulations)

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

There were no visitors.

5 REPORTS

5.1 MINUTES OF PLANNING AND REGULATIONS COMMITTEE MEETING - 20 NOVEMBER 2018

COMMITTEE RESOLUTION PRC/2019/71

Moved: Cr Stuart Barwood
Seconded: Cr Chris Clarke

1. That the Minutes of the Planning and Regulations Committee Meeting held on Tuesday 20 November 2018 be received and adopted as a true and accurate record of the meeting.

CARRIED

5.2 CIVIL DEFENCE AND EMERGENCY MANAGEMENT OFFICERS REPORT

STAFF RECOMMENDATIONS

That the information be noted.

5.3 MAYORAL EMERGENCY RELIEF FUND POLICY AND PROCEDURES

PURPOSE OF REPORT

For Council to endorse the Mayoral Emergency Relief Fund Policy.

Cr Clarke complimented the report and the work Katherine Hill has done.

This is a policy to handle donated funds. There is a definite need to have a policy to handle these funds. A council donation would be an unfunded expenditure item. The committee discussed the definition of "business". Phill Mackay confirmed that it can be amended, and it is flexible when we open the fund to specify what people are donating to.

COMMITTEE RESOLUTION PRC/2019/72

Moved: Cr Paul Hannagan
Seconded: Cr Russell Armstrong

1. That the report be received.

CARRIED

COMMITTEE RESOLUTION PRC/2019/73

Moved: Cr Stuart Barwood
Seconded: Cr Paul Hannagan

2. That the Committee endorse the Mayoral Emergency Relief Fund Policy.

CARRIED

5.4 TWIZEL COMMUNITY RESILIENCE PLAN

The committee complimented Phill Mackay and Katherine Hill on their work.

Mr Mackay requested that the Mayor or Chair could make a statement to the media after this meeting. There will be a roadshow in the district that this plan will be publicised at.

Mr Mackay left the meeting to attend a fire alarm at 11.58am

The risk of inundation at the Pukaki Airport was discussed. Should there be a warning system for residents? Toni Morrison recommended a solution would be something set up for civil defence warning purpose. The investment required for risk of inundation is very high. The best option would be to educate and prepare the community. Pukaki Airport have employed a supervisor and a trailer is being set up with emergency equipment for first response.

STAFF RECOMMENDATIONS

That the information be noted.

5.5 MACKENZIE ALIGNMENT UPDATE

The Mayor has received feedback that the alignment group is operating as it should be.

COMMITTEE RESOLUTION PRC/2019/74

Moved: Cr Chris Clarke
Seconded: Cr Russell Armstrong

That the report be received.

CARRIED

The Meeting closed at 12.07pm.

The minutes of this meeting were confirmed at the Planning and Regulations Committee Meeting held on 9 April 2019.

.....

CHAIRPERSON

5.2 CIVIL DEFENCE AND EMERGENCY MANAGEMENT OFFICERS REPORT

File Reference: **CIV 1/1**

Author: **Phill Mackay, Emergency Management Officer**

Authoriser: **Suzette van Aswegen, Chief Executive Officer**

Attachments:
1. **Information page English**
2. **Information page Chinese**
3. **Information page Japanese**

STAFF RECOMMENDATIONS

That the information be noted.

BACKGROUND

The CDEM Act requires our Council to co-ordinate planning, programmes and activities related to civil defence emergency management across the ''four R's'':

Reduction: Identifying and analysing long-term risks to human life and property from hazards; taking steps to eliminate these risks if practicable, and, if not, reducing the magnitude of their impact and the likelihood of their occurring.

Readiness: Developing operational systems and capabilities before a civil defence emergency happens; including self-help and response programmes for the general public, and specific programmes for emergency services, lifeline utilities and other agencies.

Response: Actions taken immediately before, during or directly after a civil defence emergency to save lives and protect property, and to help communities recover.

Recovery: Recovery means *the co-ordinated efforts and processes used to bring about the immediate, medium-term, and long-term holistic regeneration and enhancement of a community following an emergency*. (CDEM Act). It includes actions taken immediately before, during or directly after a civil defence emergency to save lives and protect property, and to help communities recover.

Reporting on our CDEM work area is now structured in accordance with this overall format.

Four 'R's	Achievements for this reporting period
Reduction: The Interpretation of risk against hazards must be scientifically based and then communicated to the affected parties. This can be messaged by having up to date information on hazards available to the public and ensuring that our communities understand their risks. The District Plan has a role in risk reduction: it manages the impacts of natural hazards through land use and sub division controls.	• Work has progressed on the programme of installing tsunami risk public advice signage adjacent to some of our lakes. The final wording for the tsunami signs are now at the graphic designers to create a mock up for the final approval. • The one page *Emergency Information for Visitors* has been translated into Chinese and Japanese and loaded on to our webpage for accommodation providers to download and utilise.
Readiness: There are two distinct but related aspects of readiness: 1. Community readiness relates to individuals, families, businesses and communities to be prepared during and after an emergency – this can be achieved by public education, warning systems and community level response planning. 2. Organisational readiness is the ability for council to have trained staff and systems in place to have a functioning EOC during the response phase. Also to have well established relationships with partner agencies with all parties having clear understanding of their roles in an emergency and having plans for it. Both community and organisational readiness are highly interdependent. Readiness activities are the foundation to having the capability and capacity for the successful response and recovery phases of the 4 R's.	• Tekapo Resilience plan has been delivered to the Tekapo community. • Council continues to publish CDEM articles in local publications. During this period these consisted of the release of the Tekapo Resilience Plan, Types of communication systems utilised across the Mackenzie District during an emergency, and supporting the concept of Neighbours Day Aotearoa to build resilience in the community. • Working with Fairlie and Albury Primary schools to review emergency management plans. • Attend the Otago lifelines workshop relating to an AF8 event. • Twizel Resilience Plan printed and planned to be delivered to the Twizel community by the 10th April

Response: These are the actions taken immediately prior to, during or immediately after an emergency to save lives and property and to help communities recover. The key role of the EOC is to coordinate the response by partner agencies by utilising the principles and processes of the CIMS structure. There is also the key deliverables by CDEM of the welfare function, and the public information management, including the management of community volunteers both CDEM trained and spontaneous.	• Staff attended an exercise writing course delivered by the Ministry of Civil Defence and Emergency Management. • Viv Blair (welfare manager) and myself attended the South Canterbury welfare committee meeting to work on a terms of reference. • Additional communication equipment purchased for positioning within the district. • Start the recruitment of volunteers for civil defence teams.
Recovery: The role of the recovery function runs across all four R's of emergency management as it relates to the minimisation of the escalation of the emergency and then post event, manage the recovery across all four environments - social, built, economic and natural to allow the community to adjust to the "new normal". Reducing the future exposure to hazards or their associated risk should always be an element of recovery, which will then feed back into reduction.	• No activity taken in this field

Other Upcoming Work

1. Continue to recruit CDEM volunteers from Twizel, Tekapo and Fairlie to assist with key roles during a response.
2. Attend Canterbury Group CDEM meetings with key stakeholders

Key Milestones

The finalised concept paper for the recruitment of volunteers to assist during a response across the Mackenzie District. These volunteers will assist in community information hubs, civil defence centres, and practically assist out in the community in a safe and coordinated manner.

Recent Events

There were no CDEM activations from either Mackenzie District Council or the Canterbury Group for this period.

Westland District Council declared due to the rain event on the 26 March which damaged roads and bridges across the region. From the same weather system Aoraki/ Mt Cook received 578 mm of rain over a 48 hour period which is a considerable amount but the rivers were contained in their banks.

Canterbury Group were preparing to send assistance including staff from Mackenzie to assist on the West Coast however the situation was managed internally by the West Coast CDEM Group.

The entire Mackenzie District is currently in a restricted fire season as is the rest of the Canterbury east coast which means a permit is required prior to lighting a fire.

CONCLUSION

In the period since the last report, work has continued on the review of our civil defence arrangements and preparedness, as well as ongoing monitoring of potential events and active liaison with partner agencies. Within the programme we continue to strengthen the EOC and communications networks. Further work on our local welfare obligations and building on processes and systems to deliver these to our communities and visitors was also undertaken. Staff will continue to provide reports to the Planning and Regulations Committee on progress in each of the four areas identified above.

SUZETTE VAN ASWEGEN
CHIEF EXECUTIVE OFFICER

mergency Information For Visitor

N AN EMERGENCY

DIAL

111

EARTHQUAKE

SIRENS

A siren is located at the Fire Station which is used to alert the fire crew.

This siren does not signal the need to evacuate the area or any other public messaging of emergency events.

DRIVING

If unsure of road conditions please stay off the roads and seek advice.

For highway info see **www.journeys.nzta.govt.n**

CELL PHONES

During an emergency, texting is a better way to communicate with family & friends.

NEED TO KNOW MORE

If you are unsure what to do, ask someone or go to the shops

Check **Mackenzie District Council** for up to date information.

MACKENZIE

游客安全须知

如遇紧急情况 请拨

#111

地震

WHAKARATONGA IWI

FIRE EMERGENCY

NEW ZEALAND

如遇火灾: 迅速逃生勿折返

做饭留意用火用电

警报器

警报器位于消防局，用于警告消防人员。

警报器被拉响不代表该区域需要被疏散也不是在向公众传递突发事件的信息。

驾驶

如果不确定路况, 请将车停在路边寻求建议。

有关高速公路信息，请访问
www.journeys.nzta.govt.nz

手机

紧急情况下，发短信是与家人和朋友取得联系的更有效方式。

需要了解更多?

如果您不确定如处理, 请咨询他或店员.

海啸隐患:

地震时, 去高处或内陆躲避

最新咨讯, 请联系麦肯齐区政府.

Mackenzie District Council

MACKENZIE

お客様各位　緊急時のご案内

緊急時
DIAL
111

地震発生時

サイレン

消防士を呼ぶ為に消防署より発せられます

決して緊急時のご案内や
避難を促すものではございません。

道路状況

道路状況がご心配な場合、なるべく運転を避
まずは情報の確認をお勧めいたします。

道路情報はこちら www.journeys.nzta.govt.nz

携帯電話

ご家族、ご友人へ
緊急時のご連絡は
SNSがお勧めです。

その他の情報

もしお困りの際
お近くのスタッ
に
お尋ねください

最新情報はこちらから
Mackenzie District Council

MACKENZIE

5.3 WILDING CONIFER CONTROL PROGRAMME

File Reference: **NA**

Author: **Suzette van Aswegen, Chief Executive Officer**

Authoriser: **Suzette van Aswegen, Chief Executive Officer**

Attachments: **1. Wilding Conifer Control Programme - 14 March 2019**

STAFF RECOMMENDATIONS

That the information be noted.

BACKGROUND

Type here

SUZETTE VAN ASWEGEN
CHIEF EXECUTIVE OFFICER

From the Office of the Chairperson

Otago Regional Council

Our Ref: A1219331

29 March 2019

Letter to:
Federated Farmers Otago; Federated Farmers High Country Industry Group; Wakatipu Wilding Control Group; Central Otago Wilding Conifer Group Inc.; Mayors of Queenstown Lakes District Council, Central Otago District Council, Waitaki District Council, Dunedin City Council, Clutha District Council and Mackenzie District Council

Dear Sir/Madam

Wilding Conifer Control Programme

You will be aware the Wilding Conifer Control Programme has been in operation for 4 years as the first stage of implementing the National Strategy.

The $16M Crown funding allocated in 2016 along with the local government, land-owner and community funding, allowed control of scattered wildings to be undertaken to prevent further spread. The programme has been successful, and planning is underway for phase two which aims to contain or eradicate all wildings by 2030.

To achieve this, a large bid has been developed as part of the Government budget process and we are seeking your support to encourage the Crown to lift the resourcing required to achieve the aims of the National Strategy.

I ask for you or your organisation to take any opportunity to advocate to any Minister and Members of Parliament for their support for the programme.

The Wilding Conifer Control Programme is a unique example of collaboration between Government, local government, community and land-owners. The last four years have proven the model is successful and the aims of the strategy can be achieved.

We welcome your support to encourage the Crown to continue to fund this programme.

Please find an article from the recent LGNZ magazine which will assist to give some context.

Yours sincerely

Cr Stephen Woodhead
Chairperson

Copied to:
Chief Executives of Queenstown Lakes District Council, Central Otago District Council, Waitaki District Council, Dunedin City Council, Clutha District Council, Mackenzie District Council

Encl: Article from LGNZ magazine

For our future

We are.
LGNZ.

The Final Word

Push needed to knock over our biggest plant pest

The campaign to save our native birds and wildlife has dominated headlines, with protests outside parliament, heated online discussion and innumerable column inches debating the various tactics we have at our disposal.

Meanwhile, the campaign to eradicate our number one plant pest has gone largely unnoticed. Hiding in plain sight, many people would struggle to identify this pest, but wilding conifers, or pines, are a huge threat to some of our most precious landscapes, native wildlife, iconic tourist destinations, and the economy.

And now, after a significant effort to rein them in, a tipping point has been reached. We have the opportunity to contain or eradicate wildling pines by 2030, however ongoing support for the National Wilding Conifer Control Programme is needed in the upcoming government budget.

Wilding conifers threaten our biodiversity and blight our most iconic tourism destinations by killing native plants, ruining habitats and eliminating other forms of life under and around them. Affecting six per cent of New Zealand, they are our number one weed and their spread has resulted in billions of dollars in damage.

If we do nothing, then wilding pines will spread to 7.5 million hectares of vulnerable land over the next 15-30 years – well over a quarter of New Zealand's land area. This includes three quarters of our 70 natural habitats, including alpine herb fields, tussock lands, geothermal areas, mineral belts, dunes and seasonal wetlands.

Since its formation in 2015, the National Wilding Conifer Control Programme has been successful in preventing this spread, alongside well established community groups who are dedicated to protecting iconic areas of New Zealand such as the Tongariro National Park and the Remarkables. Phase one of the programme has now treated half a million hectares of land, with 40,000 hectares of dense and moderate infestation removed, and control work has been completed on approximately a quarter of affected land.

Planning is now underway for phase two, which will involve removing seedlings that have germinated as well as removing denser infestations. By 2030 the programme aims to have contained or eradicated all wilding conifers, if funding can be secured in government budgets in the subsequent years.

Over $22 million in total has been spent on the first phase, a significant amount of money that will go to waste if wilding pines aren't contained or eradicated in the second and third phases of the programme.

And there is no shortage of areas that desperately need intervention, including 150,000 hectares of land in Canterbury, Otago, Southland, Marlborough and the Central North Island.

Much of the spread stems from old government plantings of the 1930s, 40s and 50s, as from shelterbelts around farms and residential properties.

Without the efforts of conservationists so far, the Desert Road and its surrounds would be covered in a suffocating wilding pine forest, as well as many areas of the Wakatipu Basin in Otago, as well as the river catchments of the upper Rangitikei, Ngaruroro and Tutaekuri from Manawatu to Hawke's Bay. Wilding pines are close to being eliminated in these areas, but further work is needed.

Local Government New Zealand and councils across the country are heartened to see the progress made by attacking this threat in a coordinated way, but we need to keep our foot on the pedal, and that requires further central government support. Phase two of the programme will set out to prevent an estimated $5.3 billion in lost GDP over the next 50 years, due to lost primary industry production, reduced water for irrigation and loss of biodiversity.

Central government investment into halting the ruination of our most diverse areas has delivered great benefits so far, and we're hopeful our politicians can see the benefits of continuing the control programme. Tackling wilding conifers is a tough job, but it's one that needs to be done for the sake of our biodiversity and economy.

5.4 PROPOSED RESOURCE MANAGEMENT 2019/20 FEES AND CHARGES FOR CONSULTATION

File Reference: **FIN 4/11**

Author: **Katherine Hill, Senior Corporate Planner**

Authoriser: **Suzette van Aswegen, Chief Executive Officer**

Attachments: **1. Fees and Charges 2019-20 - Statement of Proposal**

Council Role:

☐ Advocacy	When Council or Committee advocates on its own behalf or on behalf of its community to another level of government/body/agency.
☐ Executive	The substantial direction setting and oversight role of the Council or Committee e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
☒ Legislative	Includes adopting District Plans and plan changes, bylaws and policies.
☐ Review	When Council or Committee reviews decisions made by officers.
☐ Quasi-judicial	When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice, e.g. resource consent or planning applications or objections, consents or other permits/licences (e.g. under Health Act, Dog Control Act) and other decisions that may be appealable to the Court including the Environment Court.
☐ Not applicable	(Not applicable to Community Boards).

PURPOSE OF REPORT

For the Planning & Regulations Committee to approve the proposed 2019/2020 Resource Management Fees and Charges, and the Statement of Proposal for public consultation.

STAFF RECOMMENDATIONS

1. That the report be received.
2. That the draft Statement of Proposal, including the proposed Resource Management, for the 2019/2020 financial year, be approved for public consultation through the Special Consultative Procedure, in accordance with section 83 of the Local Government Act 2002.

BACKGROUND

Each year, Council sets its fees and charges for the provision of services. In doing so, the Council sets fees for various activities, in accordance with relevant statutes and within the ranges set in Council's Revenue and Financing Policy.

Where changes are proposed to be made to Resource Management Act (RMA) or Food Act fees, Council must consult with the public using the Special Consultative Procedure (SCP) prior to adopting these fees.

Proposed Changes to Resource Management Act Fees and Charges

Changes are proposed to be made to the Resource Management Act and Sale of Alcohol Act for the 2019/20 financial year.

The following is proposed with regard to RMA fees:

- Increase deposit fees for the following applications:
  - Subdivision Consent (increase from $1,000 to $1,200);
  - Joint Section 223 and 224 (increase from $450 to $600);
  - Section 226 (increase from $400 to $500);
  - Discretionary Activity Resource Consents (increase from $500 to $750); and
  - Change or Cancellation of Conditions (increase from $450 to $500).
- Introduce travel time to be charged at $130/hr (equivalent of Planning Officer charge out rate) and travel costs at $0.76/km (national IRD rate) for site visits – charged from the nearest office (Twizel/Fairlie)
- Legal costs (where required) to be charged at cost;
- Commissioning a report (when required) to be charged at cost;
- Public Notice (where required) to be charged at cost;
- Remove Hearing fee deposit and introduce a deposit ($3,000) for Limited Notification;
- Increase the deposit for Plan Changes applications from $1,500 to $10,000;
- Clarify that Notice of Requirement includes applications for heritage orders and therefore attract a $10,000 deposit;
- Introduce an ‘at cost’ charge for Amendments to Designations;
- Increase the deposit fee for Outline Plan Approvals (increase from $400 to $500) and Outline Plan Waivers (from $450 to $500);
- Increase the deposit fees for:
  - Certificate of Compliance (from $450 to $500);
  - Certificate of Existing Use (from $450 to $500); and
  - Section 348 LGA 1974 – Right of Ways (from $450 to $500);
- Introduce a charge for Hazardous Activities and Industries List (HAIL) searches ($310);
- Specify a charge for Compliance Monitoring at $130/hr (equivalent of the ‘Planning Officer’ Charge Out Rate);
- Remove the Noise Monitoring & Noise Complaints call outs fee;

- Increase the charge out rate for Administrator time from $60/hr to $70hr;
- Introduce a charge for Hearing Panel Administration/Minute Secretary at $70/hr;
- Set the fees for Independent Commissioners, Planning Consultants, Engineering Consultants, Legal Advice and Other Specialist Consultants at cost.
- Adjustments to Financial Contributions as calculated in accordance with the District Plan as below:

Schedule of Financial Contributions	Fees 2018/19	Proposed 2019/20
Water	$6,801+GST	$7108.10+GST
Sewer	$4,103+GST	$3850.51+GST
Stormwater	$1550+GST	$1705.63+GST

Proposed Changes to Food Act Fees and Charges

It is not proposed that any changes be made to the Food Act Fees and Charges for the 2019/20 financial year.

Process to Date

Council staff workshopped the proposed RMA Fees and Charges at Council's workshop on 26 March 2019. Following the workshop, staff amended the proposed fees and charges in light of those discussions. This included removing reference defining how the travel costs will be determined, defining what a HAIL Search consists of and removing the fee for Noise Monitoring & Noise Complaints call outs.

Consultation and Adoption of Fees and Charges

These proposed changes to the RMA fees and charges require that a SCP be undertaken. A Statement of Proposal (as attached) has been developed for public consultation purposes.

Notification of consultation on the proposed RMA fees and charges will be placed in the Twizel Update and Fairlie Accessible, in addition to being made available on Council's website and facebook page. Staff propose that written submissions are invited. Submitters will have the opportunity to address the Committee directly at a hearing if they wish. While the hearing will be held in the Council Chambers in Fairlie, submitters will be invited to present to Councillors via Zoom from the Twizel Office.

Council will be inviting online submissions through a link available on Council's website. There will also be provision for the lodgement of written submissions using the submission form contained within the attached Statement of Proposal.

Next Steps

Council's remaining fees and charges (exclusive of RMA fees) which do not require public consultation will be reviewed and adopted prior to 1 July.

The following outlines the timeline for the SCP and the adoption of all fees and charges for the 2018/19 financial year.

Adopt proposed RMA Fees and Charges for SCP	9 April – Planning & Regulations Committee Meeting
Consultation	Monday 15 April – Thursday 16 May
Hearing (if required)	Tuesday 28 May (Fairlie)
Workshop remaining Fees and Charges	Thursday 23 June
Adopt all Fees and Charges	Tuesday 18 June – Council Meeting
Advertise Dog Fees	Saturday 22 June

POLICY STATUS

The proposed changes to the RMA fees and charges ensure that Council's Revenue and Financing Policy can be complied with, in regard to the cost recovery nature of RMA services such as resource consents, certificates of compliance and private plan change processes. The proposed changes to the RMA fees and charges will ensure that all fair and reasonable costs in relation to such applications are recovered.

SIGNIFICANCE OF DECISION

This decision is not considered significant under Council's Significance and Engagement Policy.

OPTIONS

The options available to the Committee are to either:

a) Approve the Proposed RMA Fees & Charges Statement of Proposal, including the proposed RMA fees for 2019/20, as attached to this report, for consultation; or

b) Instruct staff to make amendments to the Proposed RMA Fees & Charges Statement of Proposal, including the proposed RMA fees for 2019/20 and approve the amended Statement of Proposal, and the proposed RMA fees for 2019/20, for consultation.

CONSIDERATIONS

Legal

Section 36 of the RMA specifies that a SCP (as outlined under section 83 of the Local Government Act 2002) must be undertaken where any fees are proposed to be fixed under the RMA.

Financial

There is a minor cost to Council in running the Special Consultative Procedure.

Other

N/A

CONCLUSION

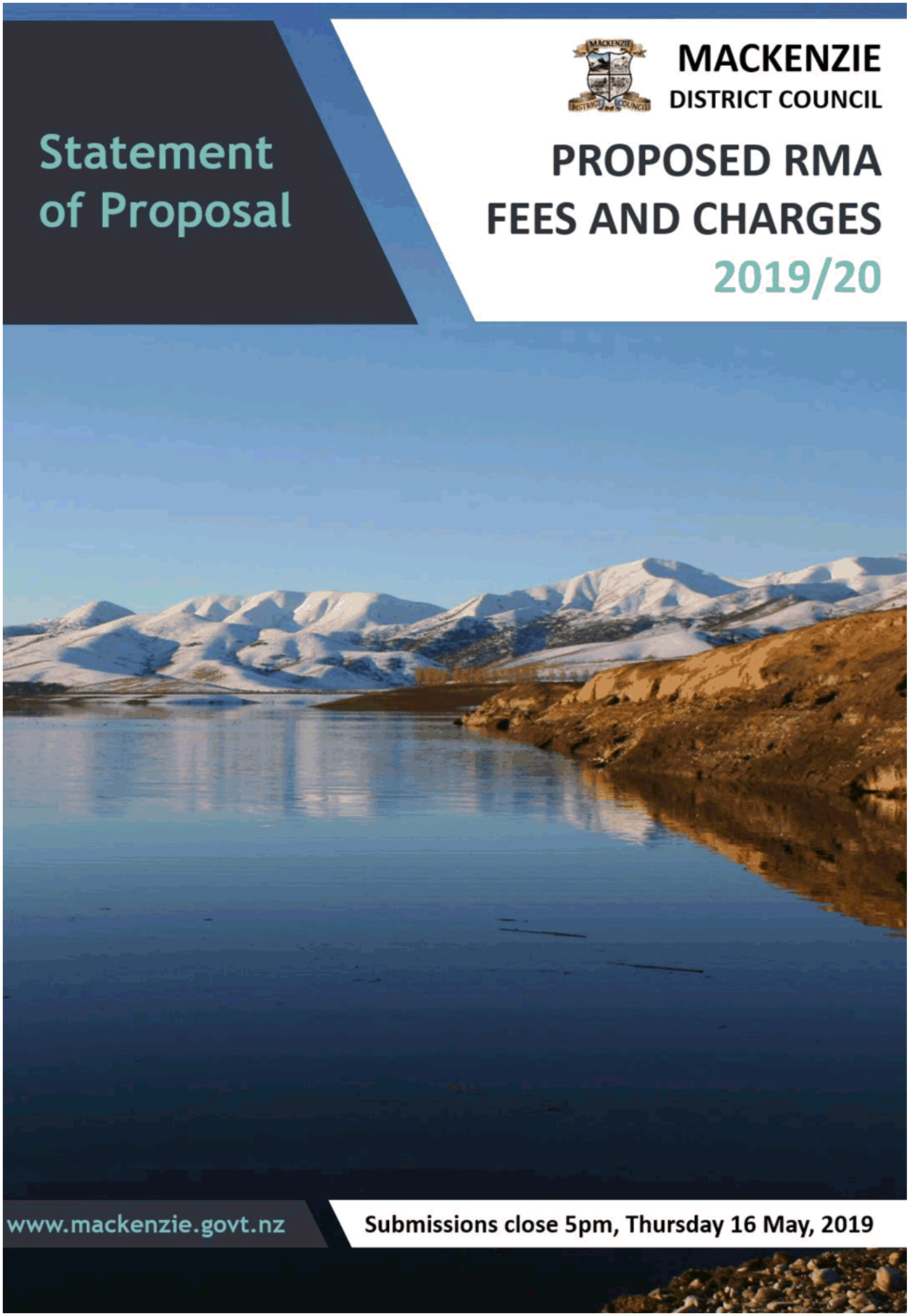
Council is required to set fees and charges prior to the beginning of the 2019/20 year. The Resource Management Act 1991 requires that, prior to setting fees for resource management activities, a Special Consultative Procedure must be undertaken in accordance with section 83 of the Local Government Act 2002. This paper seeks that the Planning & Regulations Committee approve the attached Statement of Proposal including the proposed RMA fees for public consultation to satisfy this requirement.

SUZETTE VAN ASWEGEN
CHIEF EXECUTIVE OFFICER

Statement of Proposal

MACKENZIE DISTRICT COUNCIL

PROPOSED RMA FEES AND CHARGES 2019/20



www.mackenzie.govt.nz

Submissions close 5pm, Thursday 16 May, 2019

Contents

1. Introduction

2. Reasons for Proposed Fees & Charges

3. RMA Proposed Fees & Charges

4. Have Your Say

5. Submission Form

This Statement of Proposal has been prepared as part of consultation regarding proposed fees to be charged under the Resource Management Act 1991.

Section 36(2) of the Resource Management Act (RMA) requires Council to seek public feedback on its proposed fees and charges through the Special Consultative Procedure under Section 83 of the Local Government Act 2002 (LGA).

The Special Consultative Procedure gives the public an opportunity to make submissions and provide feedback on the proposed fees. Once the submission period closes, a hearing will be conducted if people indicate they wish to speak in support of their submission.

1. Introduction

Council's Planning and Regulatory Department has a variety of functions which have an element of cost recovery. While some charges are set by statute, other statutes give local authorities the power to set charges.

Each financial year, the Council reviews its resource management fees and charges to ensure that:

I. Those who benefit from the services of the resource management activity pay a fair and reasonable share of the costs of these services;

II. The fees and charges reflect any changes in the cost of providing these services; and

III. The fees and charges align with council's Revenue and Financing Policy.

Section 101(3) of the LGA and Section 36(4) of the RMA provide that charges can be set for regulatory functions.

Council's Revenue and Financing Policy provides information on funding sources which are available to Council and provides rationale for the use of each funding source. Fees and charges are a legitimate funding source.

2. Reasons for the Proposed Fees and Charges

It is Council policy to recover all fair and reasonable costs associated with processing of applications, administration, and monitoring of resource consents in accordance with Section 36 of the Resource Management Act 1991 (RMA).

In fixing fees under Section 36 of the RMA, Council is required to have regard to the following:

- That the sole purpose of the charge is to recover reasonable costs incurred by the local authority;
- A particular person or persons should only be required to pay a charge to the extent that;
  - the benefit of the local authorities actions to which the charge relates is obtained by those persons as distinct from the community or the local authority as a whole; or
  - where the need for the local authority's actions to which the charge relates is caused by the actions of those persons; or
  - 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), to the extent that the monitoring relates to the likely effects on the environment of those persons' activities, or 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.

In addition, Council must also have regard to its Revenue and Financing Policy which identifies user charges as the primary funding source for resource consent planning and regulatory activities of Council.

Changes to existing Resource Management Fees & Charges

The resource management charges proposed for 2019/20 have mostly remained unchanged from the charges for the 2018/19 financial year. However, where charges are proposed to be amended, this is to reflect the actual costs to Council in processing applications under the RMA.

Council proposes the following changes:

- **Subdivision Consent Processing:**
  Current deposits for subdivision consent and related applications do not cover actual costs. To ensure that fair and reasonable costs are recovered and to reflect the actual costs incurred, following deposit fees are proposed to be increased:
  - Subdivision Consent processing (from $1,000 to $1,200);
  - Joint Section 223 and 224 (from $450 to $600); and
  - Section 226 applications (from $400 to $500).

- **Land Use Consent Fees:**
  Similarly, the current deposits fee for Discretionary Land Use Consent application does not accurately reflect the average costs (based on the mean) to assess these applications. Deposit fees for the Discretionary Activity Land Use Consent applications are proposed to be increased from $500 to $750 to better reflect actual costs.
  - Changes/Cancellations of Consent Conditions (increase from $450 to $500).

- **Change/Cancellation of Conditions:**
  Deposits for applications to change or cancel conditions of a consent are proposed to be increased from $450 to $500 to reflect the actual costs of processing an application.

- **Notification of consent applications:**
  Council has previously used a standard 'hearing fee deposit' when hearings are required or either a limited notified or public notified consent. It is proposed that this generic hearing fee deposit be removed and a deposit fee for Limited Notification be introduced. Actual costs associated with Limited Notification are generally less than the costs of public notification. The proposed deposit fee will more accurately reflect this and provide greater transparency for applicants. Public notification deposit fees remain unchanged.

  It is also proposed that a public notice fee has been introduced to recover actual cost associated with placing a public notice. This will be charged at the cost incurred.

- **Plan Changes:**
  Council's current deposit of $1,500 for Plan Change applications does not give a realistic indication to applicants of the actual costs likely to be involved in processing an application for a Plan Change. Therefore the deposit is proposed to be increased to $10,000. This will also reduce Council's exposure to risk in the form of outstanding fees.

- **Resource Consent Compliance Monitoring:**
  It is proposed that the fee for Noise Monitoring and Noise Control Complain call outs be removed and that a general Compliance Monitoring charge out rate be imposed. This will be at the rate of $130/hour, to be consistent with the charge out rates of Planning Officers.

- **Notice of Requirement and Outline Plans:**
  Applications for Heritage Orders have been included under the deposit for Notice of Requirement, attracting a $10,000 deposit.

  To ensure that the deposit fees reflect indicative processing costs to improve transparency and reduce the need for additional billing over and above the deposit, the following changes are also proposed:
  - A new charge has been proposed for amendments to designations. To ensure costs recovery, this is proposed to be charged at cost;
  - The deposit fee for Outline Plan Approvals is proposed to be increased from $400 to $500;
  - Outline Plan Waivers application are proposed to have an increased deposit (from $250 to $500).

- **Other Applications: Certificate of Compliance, Certificate of existing use, and Section 348 LGA 1974 – ROW's**
  The deposit fees are proposed to be increased to ensure that the deposit fees reflect indicative actual costs. This will improve transparency and reduce the need for additional billing over and above the deposit.
  - Deposits for Certificate of Compliance applications to be increased from $450 to $500;
  - Deposits for Certificate of Existing Use to be increased from $450 to $500; and
  - Section 348 LGA 1974 – Right of Ways (ROW) deposits to be increased from $450 to $500.

- **Hazardous Activities and Industries List (HAIL) searches**
  A charge is proposed to recover the costs of preparing a Hazardous Activities and Industries List (HAIL) search of properties. Under the "*National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health*" (the NES), applicants may request a search of Council records for Hazardous Activities and Industries (HAIL) in relation to any site or sites. When a request is received, staff search Council files for specific activities associated with the HAIL list. These requests are currently managed through Local Government Official Information and Meetings Act (LGOIMA).

  Because the process and the time spent by staff in a HAIL search is similar to an application for a Land Information Memorandum (LIM), and is directly related to the provisions of the Resource Management Act, Council proposed to introduce a specific HAIL search fee at $310, consistent with the fee for LIM applications.

- **Staff Charge-Out Rates:**
  To ensure appropriate cost recovery, the charge-out rate for an Administration Officer is proposed to be increased from $60/hour to $70/hour.

- **Hearing Panel Administration/Minute Secretary:**
  Hearings involve administration work and require accurate records to be kept. To ensure appropriate cost recovery of these expenses, it is proposed that a charge out rate for Hearing Panel Administration/Minute Secretary at $70/hour is introduced to reflect the charge rates of staff undertaking this work (Administrator).

- **Independent Commissioners, Planning Consultant, Engineering Consultant, Legal Advice and Other Specialist Consultants at 'actual cost':**
  To ensure that fair and reasonable costs are recovered, it is proposed to change the full charge out rate for Independent Commissioners and other experts so the full costs are passed on directly to the applicant.

New Resource Management Act Fees & Charges to be introduced

- **Travel Costs:**
  For greater transparency, it is proposed that travel cost charges be clearly identified. Time and mileage for site visits will be charged from the council office closest to the site of the site visit and reflect the true costs of undertaking a site visit. These are proposed at the following rates:
  - $0.67/km travel cost (comparable with IRD rate); and
  - $130/hr travel time (comparable with Planning Officer charge-out rate)

- **Commissioning Specialist reports:**
  A new fee is proposed to account for the actual costs associated with commissioning specialist reports.

3. Resource Management Act - Proposed Fees and Charges

The fees and charges for the 2019/20 year have been reviewed and Council considers that minor changes are appropriate.

Council is proposing amendments to the existing fees and charges as discussed in Section 2 of this Statement of Proposal.

The proposed fees are shown below with changes to the fees shown as underlined and deletions shown with ~~strikethrough~~.

Subdivision	Fees 2019/20	Proposed 2019/20
Subdivision Consent	~~$1,000.00 (deposit)~~	$1,200.00 (deposit)
Section 223 (individual application)	$300.00 (deposit)	$300.00 (deposit)
Section 223 & 224 (joint application)	~~$450.00 (deposit)~~	$600.00 (deposit)
Section 224 (individual application)	$450.00 (deposit)	$450.00(deposit)
Section 226	~~$400.00 (deposit)~~	$500.00 (deposit)
Lapsing Period Extension	$400.00 (deposit)	$400.00(deposit)

Land Use	Fees 2018/19	Proposed 2019/20
Enhancement / restoration to historic building	No charge	No Charge
Resource consent exemption for boundary activities	$250.00	$250.00
Resource consent exemption for marginal/temporary rule breach	$250.00	$250.00
Controlled activity	$500.00 (deposit)	$500.00 (deposit)
Restricted discretionary activity	$500.00 (deposit)	$500.00 (deposit)
Discretionary activity	~~$500.00 (deposit)~~	$750.00 (deposit)
Non-complying activity	$1,000.00 (deposit)	$1,000.00 (deposit)

All Planning Applications	Fees 2018/19	Proposed 2019/20
Administration (included in the deposit fee for each application)	As per scheduled staff time	As per scheduled staff time
Legal Advice	New charge	At Cost
Travel Time for site visits[1]	New charge	$130.00/hr
Travel costs for site visits[1]	New charge	$0.76/km
Change or Cancellation of Conditions – delegated authority	~~$450.00 (deposit)~~	$500.00 (deposit)
Commissioning a specialist report	New charge	At Cost
Public notification (where required)	$5,000.00 (deposit)	$5,000.00 (deposit)
~~Hearing fee (where required)~~	~~$3,000.00 (deposit)~~	No charge
Limited notification - Subdivision or Land Use Consent (where required)	New charge	$3,000.00 (deposit)
Public Notice	New charge	At Cost

Plan Change	Fees 2018/19	Proposed 2019/20
District Plan change	~~$1,500.00 (deposit)~~	$10,000.00 (deposit)

~~Other Applications~~ Designations	Fees 2018/19	Proposed 2019/20
Notice of Requirement (including applications for heritage orders)	$10,000.00 (deposit)	$10,000.00 (deposit)
Amendment to Designation	New charge	At Cost
Outline plan approval	~~$400.00 (deposit)~~	$500.00 (deposit)
Outline plan waiver	~~$250.00 (deposit)~~	$500.00 (deposit)
~~Certificate of compliance~~	~~$450.00 (deposit)~~	*Moved*
~~Certificate of existing use~~	~~$450.00 (deposit)~~	*Moved*
~~Change or cancellation of conditions~~	~~$450.00 (deposit)~~	*Moved*
~~Section 348 LGA 1974 – ROW's~~	~~$450.00 (deposit)~~	*Moved*

[1] The travel costs for a site visit will be measured from the closest Council Office to the site visit location.

Other	Fees 2018/19	Proposed 2019/20
Certificate of compliance	~~$450.00 (deposit)~~	$500 (deposit)
Certificate of existing use	~~$450.00 (deposit)~~	$500 (deposit)
~~Change or cancellation of conditions~~	~~$450.00 (deposit)~~	*Moved to 'Land Use'*
Section 348 LGA 1974 – ROW's	~~$450.00 (deposit)~~	$500 (deposit)
HAIL Search[3]	New charge	$310

[3] A HAIL search consists of a search of Council records for Hazardous Activities and Industries (HAIL) in relation to a site in accordance with the "*National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health",* and Natural and Geotechnical Hazards.

Financial Contributions

Council, under its Revenue and Financing Policy, levies Financial Contributions. These contributions are levied for water, sewer and stormwater and are paid when new sections or multi-unit residential developments are created.

The formula used to calculate the contributions is:

$$\frac{V - L}{R}$$

Where:

- **V** = Latest independent valuation of the water supply/sewerage system/stormwater system plus the value of any capital additions made since that time and less the value of depreciation charged since the date of revaluation.
- **L** = Capital reserve balance with water supply/sewerage system/stormwater system as at 1 July each year. (The reserve may be in funds or overdrawn resulting in a positive or negative balance.)
- **R** = Number of connectable properties (or properties for stormwater) contributing to the assets as at 1 July each year.

Schedule of Financial Contributions	Fees 2018/19	Proposed 2019/20
Water	$6,801+GST	$7108.10+GST
Sewer	$4,103+GST	$3850.51+GST
Stormwater	$1550+GST	$1705.63+GST

Monitoring	Fees 2018/19	Proposed 2019/20
Compliance Monitoring	Not specified	$130.00/hr
Issuing an abatement notice	$310.00	$310.00
Noise monitoring & noise complaints	~~$130.00/call-out (based on one hour minimum)~~ ~~If response time exceeds one hour, added costs will be incurred~~.	No charge

Staff Charge-Out Rates[3]	Fees 2018/19	Proposed 2019/20
Administrator	~~$60.00/hr~~	$70/hr
Planning Officer	$130.00/hr	$130.00/hr
Senior Planning Officer	$150.00	$150.00/hr
Planning Manager / Planning & Regulations Manager	$180.00/hr	$180.00/hr
Engineering Officer	$130.00/hr	$130.00/hr
Engineering Manager	$180.00/hr	$180.00/hr

Council Hearings Panel	Fees 2018/19	Proposed 2019/20
Chair (Councillor)	$100.00 per hearing hour	$100.00 per hearing hour
Member (Councillor)	$80.00 per hearing hour (set by remuneration authority)	$80.00 per hearing hour (set by remuneration authority)
Hearing Panel Administration/Minute Secretary	New charge	$70.00/hr

Independent Commissioners	Fees 2018/19	Proposed 2019/20
Independent Commissioner	~~$1,800.00/day (not more than)~~	Actual Cost

Consultants	Fees 2018/19	Proposed 2019/20
Planning Consultant	~~$210.00/hr (not more than)~~	Actual Cost
Engineering Consultant	~~$230.00/hr (not more than)~~	Actual Cost
Legal advice	~~$520.00/hr (not more than)~~	Actual Cost
Other specialist consultants	~~$210.00/hr (not more than)~~	Actual Cost

Notes

- All charges are GST inclusive, unless otherwise stated
- [3] Staff charges: While charges are per hour, Council may charge on a pro-rata basis to the nearest 15 minutes.
- Where a deposit paid exceeds the full cost of processing a refund will be paid.

4. Have your say

Let us know what you think about our proposed RMA fees and charges.

Submissions should be received no later than 5pm, Thursday 16 May, 2019

You can do this by:

- Going to the Council website www.mackenzie.govt.nz and completing the online feedback form;
- Cutting out the following page, filing it out with your feedback and returning via one of the following:
  - Post: PO Box 52, Fairlie, 7949
  - Email: submissions@mackenzie.govt.nz
  - Drop in to the Council office, 53 Main Street, Fairlie or the Council Service Agency, Market Place, Twizel.

Want more information?

If you have any questions about the proposed fees or need further information you can contact Ann Rodgers, Planning Manager (Annr@mackenzie.govt.nz).

If you have any questions about the consultation process, please contact Suzanne Blyth (suzanne@mackenzie.govt.nz).

Telephone 03 685 9010.

Timeline

Timeline for considering the proposed RMA fees.

15 April 2019 – 16 May 2019	Consultation period
5pm, Friday 16 May 2019	Submissions close
21 May 2019	Hearing of submissions (if required)
18 June 2019	Council decision on fees to be charged
1 July 2019	New fees apply

Mackenzie District Council

Main Street, Fairlie
PO Box 52, Fairlie

Ph: 03 685 9010
Fax: 03 685 8533
info@mackenzie.govt.nz

5. Submission form

Submissions can be:

Delivered to:
Mackenzie District Council Offices:
Main Street, Fairlie or
Market Place Twizel

Posted to:
Mackenzie District Council
Po Box 52, Fairlie 7949

Completed online:
www.mackenzie.govt.nz

Emailed to:
Submissions@mackenzie.govt.nz

Submissions must be received no later than 5pm Thursday 16 May

Your Details

Full Name: _____

Organisation: _____

Telephone: _____ Mobile: _____

Email address: _____

Address: _____

_____ Post Code: _____

Hearing (Hearings of submissions will be held at the MDC Chambers, Fairlie on Tuesday 28th May 2019)

Do you wish to speak about your submission at a Council Hearing?

☐ Yes ☐ No

If yes, do you wish to present your submission in person (Fairlie) or by video conference (Twizel)?

☐ In person, at MDC Chambers, Fairlie, Tuesday 28th May 2019

☐ By video conference from MDC Office, Twizel, Tuesday 28th May 2019

You will be contacted after submissions close and allocated a hearing time. Please keep your presentation to 10 minutes maximum. The Councillor panel will have read your submission prior to the hearing.

Do you support or oppose the proposed changes to the resource management fees and charges for the 2019/2020 year?

☐ I support the proposed fees and charges.

☐ I oppose the proposed fees and charges.

Please outline which fees and charges you support or oppose and why.

(Attach a separate sheet if necessary)

Additional Comments

Please outline below any further comments you wish to make regarding the proposed fees and charges 2019/2020.

(Attach a separate sheet if necessary)