

**Extraordinary Council Meeting**  
**Tuesday 7 May 2019 at 10am**

# **AGENDA**

## **SUPPLEMENTARY**

**Northland**  
REGIONAL COUNCIL   
Te Kaunihera ā rohe o Te Taitokerau

## Northland Regional Extraordinary Council Meeting Supplementary Agenda

Meeting to be held in the NRC Council Chamber  
36 Water Street, Whangārei  
on Tuesday 7 May 2019, commencing at 10am

**Recommendations contained in the council agenda are NOT council decisions. Please refer to council minutes for resolutions.**

<b>Item</b>	<b>Page</b>
<b>2.0A</b> Receipt of Supplementary Item	
<b>3.0</b> <b>DECISION MAKING MATTERS</b>	
<b>3.3</b> Supplementary Information Pertaining to Council Deliberations on User Fees and Charges 2019/20	4

**TITLE:**           **Receipt of Supplementary Report**

**From:**           Kyla Carlier, Corporate Planning Manager

### **Executive summary**

Subsequent to the collation of the council agenda, legal advice was received from Simpson Grierson on the Policy on Remission of Charges, as contained in the proposed User Fees and Charges 2019/20.

### **Recommendation**

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987 the following supplementary report be received:

- Supplementary Information Pertaining to Council Deliberations on User Fees and Charges 2019/20
- 

### **Authorised by Group Manager**

**Name:**           Jonathan Gibbard

**Title:**           GM Strategy, Governance and Engagement

**Date:**           6 May 2019

**TITLE: Supplementary Information Pertaining to Council Deliberations  
on User Fees and Charges 2019/20**

**ID:** A1189789

**From:** Kyla Carlier, Corporate Planning Manager

---

**Executive summary/Whakarāpopototanga**

Subsequent to the collation of the council agenda, legal advice was received from Simpson Grierson on the Policy on Remission of Charges, as contained in the proposed User Fees and Charges 2019/20.

No submissions were received on this section of the User Fees and Charges 2019/20. The suggested changes resulting from the legal review serve to simplify the section, providing greater clarity and certainty to the community by removing unnecessary text, and referring directly to the Resource Management Act 1991 where appropriate.

Staff recommend that this item be considered in conjunction with item 3.2 of the meeting agenda, and that council support the Policy on Remission of Charges contained within the User Fees and Charges 2019/20, with the revised Policy wording as set out in **Attachment 1** to this report.

---

**Recommendations**

1. That the report 'Supplementary Information Pertaining to Council Deliberations on User Fees and Charges 2019/20' by Kyla Carlier, Corporate Planning Manager and dated 6 May 2019, be received.
2. That council supports the Draft User Fees and Charges 2019/20 as notified, with subsequent amendments to the Policy on remission of charges, included as **attachment 1** to this report.

---

**Background/Tuhinga**

All other background information, including significance and engagement, and legislative compliance, and other relevant detail pertaining to this report is included in item 3.2 of the meeting agenda.

---

**Attachments/Ngā tapirihanga**

Attachment 1: Policy on remission of charges 2019/20  

---

**Authorised by Group Manager**

**Name:** Jonathan Gibbard

**Title:** Group Manager - Strategy, Governance and Engagement

**Date:** 6 May 2019

## **Policy on Remission of Charges 2019/20**

### **1.3.1**

In general, all fees and charges set out in this document are to be met by the person who has invoked the service or activity that the fee or charge relates to (for example, the consent applicant in the case of consent processing services or the consent holder in the case of consent administration, monitoring and supervision services).

### **1.3.2**

Where a person seeks to have any fee or charge set out in this document remitted that person may make an application in writing to the relevant group manager for the remission of the charge setting out in detail the applicant's case which may include financial hardship, community benefit or environmental benefit.

### **1.3.3**

Where the application/consent relates to a structure, the remission of any charge will only be considered if that structure is available at no charge for public use.

### **1.3.4**

Existing waivers or remissions issued for charges may be subject to review, as this policy may be reviewed.

### **1.3.5**

Decisions on applications for waivers or remissions shall be made by the relevant group manager, who may remit a charge in part or full, or decline the application. No further consideration of the application will be undertaken following issue of the final decision, except in relation to an objection against additional charges under section 357B of the Act (see section 1.3.6 below).

### **1.3.6**

The council can fix charges for recovering costs for consent processing, administration, monitoring and supervision services under section 36 of the Resource Management Act 1991. The council can also require the person liable for such a charge to pay an additional charge, where the fixed charge is inadequate to recover its reasonable costs in respect to the service concerned (s36(5) RMA). The person receiving the additional charge has the right to object to the charge under section 357B of the Act and subsequently appeal to the Environment Court against the decision on the objection. Decisions on objections not resolved at staff level will be made by independent commissioners. The council also has the absolute discretion to remit the whole or any part of a charge made under section 36 (s36AAB(1) RMA).