

Department of Conservation cost recovery policy under the Fast Track Approvals Act 2024

About this document

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1. Background

1.1 Purpose

This policy sets out the Department of Conservation's (DOC's) policy for recovering costs from applicants (and prospective applicants) under the Fast-track Approvals Act 2024 (the FTAA).

1.2 Scope

This policy covers:

- DOC's cost recovery rate under the FTAA
- How DOC will recover costs
- What costs DOC will recover
- DOC's dispute resolution process.

1.3 Objectives

To fully cost-recover the actual and reasonable costs incurred by DOC in exercising its powers, duties, and functions under the FTAA.

1.4 Guiding principles

The following principles have guided DOC's approach to cost recovery under the FTAA:

- Where costs are attributable to a specific applicant and provide that applicant with a direct benefit, the applicant bears costs of the service.
- Costs to applicants should be reasonable, and functions carried out efficiently.
- The approach to charging applicants is simple, easy to understand, and fair.

These principles are consistent with the Treasury's *Guidelines for Setting Charges in the Public Sector*¹ and the Controller and Auditor-General's good practice guide *Setting and administering fees and levies for cost recovery*.²

1.5 Authority to cost recover

Section 104 of the FTAA gives DOC the legal authority and section 106 outlines the mechanisms for agencies (including DOC) to recover actual and reasonable costs incurred in relation to their functions, duties and powers under the FTAA.

The fast-track approvals regime is intended to be a user-pays system. The actual and reasonable costs incurred by DOC in exercising powers, functions, and duties in relation to applications (and prospective applications) are recovered from applicants and/or prospective applicants.

¹ [Guidelines for Setting Charges in the Public Sector | The Treasury New Zealand](#) accessed 27 Jan 2025

² [Setting and administering fees and levies for cost recovery: Good practice guide — Office of the Auditor-General New Zealand](#) accessed 27 Jan 2025.

2. Roles and responsibilities

All staff members

Must be familiar with this policy and apply it to their role in fast-track approvals processes.

Managers and team leaders

In addition to their responsibilities as staff members:

- Are responsible for assuring DOC charges are actual and reasonable
- Must ensure their staff are following this policy
- Provide support and guidance to assist staff to follow the policy.

Deputy Director-General Biodiversity Heritage and Visitors

- Accountable for the coordination and strategy of cost recovery under the fast-track approvals regime within the Department
- Promotes compliance with fast-track approvals regime cost recovery policies, SOPs and guidelines
- Final approval and policy signoff.

Business owner – Director Regulatory Systems Performance

- Responsible for the implementation of cost recovery practices under the FTAA including the oversight of appropriate documentation, training, testing, monitoring and review.

3. DOC's charge out rate

DOC will charge an agency rate of \$204.00 plus GST per hour.

This rate is an aggregate of different staff tier charge out rates. DOC's rate is weighted towards Advisors, and accounts for input from Tier 4, Tier 3, and legal staff, as well as a share of overheads. It is based on an external review of DOC cost recovery rates completed in October 2024.

3.1 Contractors and consultants

Where DOC employs contractors and/or consultants for this work the staff charge out rates are not applicable. DOC will pass the cost of contractors and/or consultants onto applicants in full.

3.2 Time Recording

DOC will record time electronically for each application. Time will be recorded and charged in 15-minute intervals for every DOC employee contributing to the application process.

4. Cost recoverable activities

4.1 Pre-lodgement costs

DOC will recover the costs it incurs from a prospective applicant (even if an application is not subsequently lodged) for consulting or providing assistance to the person before the application is lodged. Costs include but are not limited to:

- assisting applicants to understand application requirements for conservation approvals, land exchanges, and processes under the FTAA
- reviewing and assessing information provided
- attending meetings
- administration costs
- responding to communications
- responding to any other query a potential applicant may have.

4.2 Referral application costs

DOC will recover the costs that it incurs at the referral stage as part of exercising its functions, powers and duties under the FTAA. Costs include, but are not limited to:

- Commenting on applications
- Consulting with MFE on the Treaty Settlement Report
- Preparing a report in relation to the use of public conservation land
- Undertaking consultation
- Providing further information
- Providing advice to Ministers
- Administration costs.

4.3 Land exchange application costs

DOC will recover the costs that it incurs associated with a land exchange application as part of exercising its functions, powers and duties under the FTAA. Costs include, but are not limited to:

- Notifying the panel convenor of the land exchange application
- Determining whether a land exchange application is complete and in scope
- Returning incomplete applications
- Running the comments process on the land exchange application
- Assessing the proposed land exchange
- Drafting a report on the proposed exchange
- Inviting comments on the draft report
- Providing the finalised report to the applicant
- Administration costs.

4.4 Substantive application costs

DOC will recover the actual and reasonable cost of staff time and all other recoverable costs associated during the substantive application stage as part of exercising its functions, powers and duties under the FTAA. Costs include, but are not limited to:

- Assessing completeness of applicable sections of the application
- Providing advice and report to the panel convener
- Providing comments on substantive application to the panel
- Contributing to a hearing (if required)
- Providing further information on a report to the panel
- Commenting on draft conditions
- Providing information on Treaty settlements and other obligations
- Providing Environmental Protection Authority (the EPA) with requested information
- Administration costs
- Implementing panel decision.

5. Cost Recovery if an application does not proceed

DOC will recover all costs associated with pre-lodgement, referrals, land exchanges or substantive applications where those costs are recoverable under the FTAA, even if the application does not proceed, is withdrawn or declined.

6. How DOC will recover costs

6.1 Pre-lodgement costs

DOC may recover the actual and reasonable costs it incurs from a prospective applicant in consulting and providing assistance to a person who intends to lodge an application (even if an application is not subsequently lodged).

When a prospective applicant engages with DOC, DOC will advise whether costs will be recovered.

DOC will provide up to 1 hour of free pre-lodgement advice.

When approached for pre-lodgement involvement in a fast-track application, DOC will provide an estimate of pre-lodgement costs.

If the actual costs of DOC's pre-lodgement work are higher than the estimate, the applicant will be required to make further payments. If the actual costs are lower, DOC will refund the excess to the applicant.

DOC will issue invoices for pre-lodgement costs incurred by applicants. Applicants must pay invoices in full by the due date on the invoice. Invoices may be issued periodically, at the discretion of DOC. Any costs not paid by the applicant become debts due and may be pursued through the appropriate court, by DOC (for pre-lodgement invoices) and by the EPA on behalf of the Crown (for post-lodgement invoices).

6.2 Post-lodgement costs (referral, land exchange, substantive and other costs)

DOC's cost recovery policy sits within a wider framework for recovering costs under the FTAA. Costs incurred by agencies and others after an application is lodged are recovered via the EPA's centralised invoicing system.

These costs will be met in the first instance by DOC invoicing the EPA. DOC will receive payments from the EPA's distribution of the upfront deposit paid when applications are lodged. Upfront deposits are set under the Fast-track Approvals (Cost Recovery) Regulations 2025 and are also used for application processing costs for other agencies, local government, and panel members.

If costs are greater than the upfront deposit, the EPA will charge the applicant with the additional actual and reasonable costs incurred and invoiced by DOC (and other agencies).

The applicant may receive a partial refund from the EPA if all referral, land exchange or substantive application costs do not reach the deposit amounts paid under the regulations. DOC's costs are only one part of the total costs; the EPA will include other costs when invoicing applicants and calculating any partial refunds.

7. Dispute Resolution

The Act does not provide a formal process for applicants to object to costs charged. Any applicants with concerns about an invoice relating to DOC charges can contact the agency who sent the invoice as soon as possible, and no later than 15 working days after the invoice is received.

This will either be DOC, if costs relate to pre-lodgement activity, or the EPA, if it is after lodgement and through the centralised invoicing system. If disputed costs relate to post-lodgement activity, the EPA's dispute-resolution policy will apply.

For disputes relating to DOC charges, DOC should be contacted by telephone or email as soon as possible, and desirably no later than 15 working days after receiving the relevant invoice. If the matter cannot be resolved through initial communication DOC will acknowledge and set out our understanding of the concern to the complainant. The opportunity will be given to correct any misunderstanding of the concern.

A Manager, in consultation with staff they consider relevant, will consider the concern, with the aim of finding a resolution as soon as reasonably practicable.

A response detailing the concern, the matters taken into consideration and the outcome will be provided to the complainant. Any costs not paid by the applicant at the end of the Dispute Resolution process may become debts due and DOC reserves the right to pursue these through the appropriate court.

8. Review

The overall cost recovery approach (including the deposit and levy amounts set in the Fast-track Approval Regulations 2025) will be reviewed in October 2026 to ensure full cost recovery is occurring. DOC may review its rates as part of this.

This policy will also be reviewed following the enactment of any regulations to set fees, charges or contributions under the FTAA.

9. Document history

Date	Details	Document ID and version	Amended by
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26/03/2026	Document updated due to Fast-track Approvals Amendment Act 2025	DOC-7870479	Jo Mason, Principal Advisor: Regulatory Operational Policy Team