

Cadastral Survey (Fees) Amendment Regulations 2004

Pursuant to section 48 of the Cadastral Survey Act 2002, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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1 Title

- (1) These regulations are the Cadastral Survey (Fees) Amendment Regulations 2004.
- (2) In these regulations, the Cadastral Survey (Fees) Regulations 2003¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on 5 July 2004.

3 Refund or waiver of fees

- (1) Regulation 5 of the principal regulations is amended by inserting, after the words “refund or waiver of a fee”, the words “, or part of a fee,”.

¹ SR 2003/123

- (2) Regulation 5 of the principal regulations is amended by adding the following paragraphs:
- “(c) to encourage the lodgement of digital cadastral survey datasets; or
- “(d) to recognise any over-recovery of fees in previous financial years.”

4 Schedule amended

The Schedule of the principal regulations is amended by revoking Part 1, and substituting the Part 1 set out in the Schedule.

Schedule Fees

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Determining compliance with standards

For determining compliance with standards set under section 49 of Act	If lodged as paper plan (\$)	If lodged as digital cadastral survey dataset (\$)
1 Cross-lease—		
(a) basic fee	89	68
(b) each building or part of a building separately labelled	19	19
2 Unit title—		
(a) basic fee	105	74

1—continued

For determining compliance with standards set under section 49 of Act	If lodged as paper plan (\$)	If lodged as digital cadastral survey dataset (\$)
(b) each principal unit or accessory unit (other than a unit for which a fee has been paid on a previous plan)	26	26
3 Survey plans (other than plans of survey data, for example, redefinition surveys for which no title plans are required)—		
(a) basic fee	304	178
(b) each additional sheet	54	n/a
(c) each parcel	116	59
(d) each area or location separately identified for a new easement or covenant	20	20
4 Compiled plans and computed plans	60% of fee in this column applicable under item 3	60% of fee in this column applicable under item 3
5 Plans of survey data, including redefinition surveys, for which no title plans are required	no fee	no fee

1—*continued*

For determining compliance with standards set under section 49 of Act	If lodged as paper plan (\$)	If lodged as digital cadastral survey dataset (\$)
6 Plans not specified in items 1 to 5 for which approval is required	50% of fee in this column applicable under item 3	50% of fee in this column applicable under item 3
7 Plans of parts of same survey lodged at different times	full fee in this column applicable under item 3	full fee in this column applicable under item 3
8 Requisitioned plans lodged with the department—		
(a) on the first item on which the plan is requisitioned	80	60
(b) for each additional item on which the plan is requisitioned	20	18
(c) for each parcel altered (except where directed by the department) or for each new parcel or sheet added	full fee in this column applicable under items 1 to 6	full fee in this column applicable under items 1 to 6

Diane Morcom,—
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 5 July 2004, prescribe the fees payable under the Cadastral Survey Act 2002 for determining, under section 9(a) of the Act, whether cadastral survey datasets and cadastral surveys comply with standards set under section 49 of the Act.

Regulation 4 reduces 4 of the fees payable for electronic document lodgement and 13 of the fees payable for manual document lodgement under the principal regulations. These changes reflect the marginal costs associated with the products and services of Land Information New Zealand (LINZ), as listed in the fee schedule, and the equitable share of the residual costs that are recovered from the users of the products and services.

An over-recovery of fees for LINZ's products and services has resulted in a surplus. Regulation 3(1) provides a means to return this surplus to the users of LINZ's products and services by adding 2 circumstances when the chief executive may authorise a refund or waiver of a fee. The 2 new circumstances provide for a refund or waiver of a fee if the refund or waiver is to

- encourage the lodgement of digital cadastral survey datasets;
or
- recognise any over-recovery of fees in previous financial years.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 3 June 2004.
