





# Matamata-Piako District Council

# Long Term Plan 2021-31

# Consents and Licensing Activity Management Plan

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## Quality

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## Revision History

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| Revision | Revision Date | Details | Authorised | |
| Name/Position | Signature |
| 1 | 12 November 2020 | Revision 1 | Sandra Harris |  |
| 2 | 30 November  2020 | Animal and Building Control | Dennis Bellamy |  |
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| Final |  |  |  |  |

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| Consents and Licensing |

## Introduction

This section provides an overview of the rationale behind developing this plan, what the plan covers, key stakeholders and what the Consents and Licensing activity is.

Background

The purpose of this Consents and Licensing Activity Management Plan is to provide supporting documentation behind this non-asset activity to ensure a useful planning and risk management tool is in place for all of the Council’s operations.

This plan intends to:

* demonstrate responsible management of the Consents and Licensing activity,
* communicate and justify funding requirements,
* comply with statutory requirements,
* ensure a sound business plan is in place,
* define realistic work programmes and demonstrate practical work flows.

**Financial Statements and Projections**

Budgeting is done separately through our budgeting tools.

Identified Risks and assumptions

Risks are managed at a corporate level, managers have identified any activity specific assumptions within the activity plans.

Growth and Demand

Population growth has been forecast for Matamata-Piako by Rationale Limited. High, medium and low projections have been produced based on different fertility, mortality and migration assumptions. The medium projection has been used by the Council to prepare these activity plans. Refer to Part 1 of the Long-Term Plan for a commentary on the demographic projections.

In addition to population, there are other demand drivers such as local economic conditions and changes in legislation. The key drivers and responses to these are set out in these Activity Management Plans.

Plan Review and Monitoring

This activity plan will be used as a working document to assist Council in undertaking the activity group for the next three years. The improvement plan under each activity will be utilised over the next three years as well as the levels of service and performance measures that have been proposed for this activity.

Council Vision

Council confirmed its strategic goals and direction at an early stage of the LTP process. Council’s vision is to make Matamata-Piako ‘the place of choice’. This vision provides guidance and inspiration as to what we are focused on achieving in the next ten years, and beyond. In making this vision a reality Council sees itself as enabling the community in five key areas, and has confirmed specific outcomes under each of these themes that it wants to achieve. Details of the vision, community outcomes and strategic priorities are detailed in Part 1 of the LTP. This Activity Management Plan focuses upon how Council is giving expression to the vision and community outcome.

**Community well-being**

The *Local Government (Community Well-being) Amendment Act 2019* amended the purpose of local government (see *section 10*) to, among other things, promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Central government has advised us that it considers there is one well-being with four aspects – the social, economic, environmental, and cultural.

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| Matamata-Piako – The Place of Choice  Lifestyle. Opportunities. Home. | | | | |
| Enabling… | | | | |
| Connected Infrastructure | Economic Opportunities | Healthy Communities | Environmental Sustainability | Vibrant Cultural Values |
| Infrastructure and services are fit for purpose and affordable, now and in the future. | We are a business friendly Council. | Our community is safe, healthy and connected. | We support environmentally friendly practices and technologies. | We promote and protect our arts, culture, historic, and natural resources. |
| Quality infrastructure is provided to support community wellbeing. | Our future planning enables sustainable growth in our district | We encourage the use and development of our facilities. | Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs. | We value and encourage strong relationships with iwi and other cultures, recognising waahi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage. |
| We have positive partnerships with external providers of infrastructure to our communities. | We provide leadership and advocacy to enable our communities to grow. | We encourage community engagement and provide sound and visionary decision making. | We engage with our regional and national partners to ensure positive environmental outcomes for our community. | Tangata Whenua with Manawhenua status (those with authority over the land under Maaori lore) have meaningful involvement in decision making. |

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| **Consents and Licensing Group**  **What we do**  Consents and Licensing is about carrying out our regulatory functions that we have an obligation to perform under legislation. The activities responsible for this are Animal Control, Building Consents and Monitoring, Licensing and Enforcement and Resource Consents and Monitoring.  **Why we do these activities**  The Consents and Licensing activity group ensures we are protecting the natural resources of the district, keeping our communities safe and healthy, and balancing the different needs and interests of people and businesses in our community. Legislation also has a significant impact on these activities, as it sets a number of legislative requirements that we must meet.  **Our vision, community outcomes and wellbeing**  Council’s vision is to make Matamata-Piako ‘*The Place of Choice; Lifestyle – Opportunities – Home’.* More information on this strategic visionis in Part 1 of this plan. Consents and Licensing contribute to this overall vision by providing regulatory services that contribute to making Matamata-Piako a desirable place to live.  Consents and Licensing contributes to the following community outcomes and wellbeing:   | **Community outcomes (Wellbeing)** | **Consents and Licensing Group:** | | | | | --- | --- | --- | --- | --- | | **Animal control** | **Building Control** | **Licensing and enforcement** | **Resource consents and monitoring** | | **Economic Opportunities (Economic)** | | | | | | We are a business friendly Council. |  | ✓ | ✓ | ✓ | | Our future planning enables sustainable growth in our district. |  | ✓ |  | ✓ | | **Healthy Communities (Social)** | | | | | | Our community is safe, healthy and connected. | ✓ | ✓ | ✓ | ✓ | | **Environmental Sustainability (Environmental)** | | | | | | We support environmentally friendly practices and technologies. |  |  |  | ✓ | | Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs. |  |  |  | ✓ | | **Vibrant Cultural Values (Cultural)** | | | | | | We promote and protect our arts, culture, historic and natural resources. |  |  |  | ✓ |     Key drivers – our response  For Consents and Licensing our key drivers are compliance, growth and demand. These are explained further below:   |  | | --- | | **Key drivers/ challenges**  Growth  Demand  Compliance |  |  | | --- | | **Our responses**  Compliance with national standards/legislation – this means we will keep up to date with legislative changes and respond accordingly  Planning for sustainable growth – we are planning for population growth and demand by making sure we have sufficient staff and resources in places  Maintaining levels of service – by maintaining our levels of services to the community we can ensure we comply with relevant legislation and standards |   Growth and Demand  Our population and number of dwellings is predicted to increase at a steady pace, this will have an impact on these activities. This may increase the number of health and alcohol licences, and resource and building consents we process. It may also result in the continued increase in the number of dogs in our district. The increasing trend of an ageing population, decreasing number of people in each household, and general increase and diversity of the population also needs to be provided for in our approach to regulation to ensure we meets the needs of our community.  National and local economic conditions can also have a more significant impact on demand for our regulatory services than the growth of our population, with consent activity rising and falling based on the strength of the economy. The influence of the economy on demand can be seen in the number and value of building consents processed over time.  The need for regulatory services is also linked to community expectations and the behaviour of individuals in our community – for example, in Animal Control, owner behaviour (the number of complaints we receive and offences we need to respond to) rather than the number of registered dogs will influence the amount of resources we need to meet our levels of service for this activity.  Compliance  The main drivers for these activities is our legislative framework, including – but not limited to the:   * Local Government Act 2002, * Resource Management Act 1991, * Building Act 2004, * Dog Control Act 1996, * Impounding Act 1955, * Health Act 1956, * Sale and Supply of Alcohol Act 2012 and * Food Act 2014.   We face ongoing pressure to comply with increasing environmental, health and other standards. How we meet those standards and the cost of doing so is a challenge that we have to manage.  Significant effects  Our activities have the potential to have both positive and negative effects on the community. The significant negative effects of the Consents and Licensing activities are identified below, along with how we respond to them.   |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | **Wellbeing** | **Potential negative effects** | **Animal control** | **Building Control** | **Licensing and enforcement** | **Resource consents and monitoring** | **Positive responses** | | Social | Poor quality of and untimely response to investigations of complaints could result in safety threats to our community and a rise in antisocial behaviour. | ✓ | ✓ | ✓ | ✓ | Good regulatory frameworks improve, promote and protect public health, the environment, community wellbeing and reduce antisocial behaviour within the district. We provide a 24/7 service for our most time-sensitive issues (animal and noise complaints).  We undertake patrols of the district for animal control. We undertake staff training to ensure legislative requirements are understood.  We work with stakeholders, such as the police to ensure licence holders comply with their obligations. | | Environmental  Economic | Poor consenting decisions and inspection procedures can delay and add costs to development, put users at risk and harm the environment. |  | ✓ | ✓ | ✓ | Effective monitoring of the district and timely responses to complaints keep our community safe and help to protect the environment. We work with other councils to collaborate on best practice and consistency in our processes.  Accreditation as a ‘Building Control Authority’ and agency recognised under the Food Act ensures our processes are robust, leading to improved services.  Auditing and peer review of our processes and decisions ensure we are making good decisions. | | Cultural | Failure to involve Iwi and the community in the decision making process. |  |  |  | ✓ | Consulting with Iwi and our community through agreed processes increases the opportunities for them to be involved in decision making. |   How we will fund it  Our approach to funding consents and licensing activities is set out in the Revenue and Financing Policy. |

# Animal Control

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| Many people enjoy the company of their pets and as a rural district, livestock are essential to our economy. Most owners look after their animals responsibly, however this is not always the case and dogs and livestock can sometimes become a nuisance in the community. Animal Control is there to help responsible dog owners and to ensure that uncontrolled animals don’t cause a problem for others through nuisance or injury to any person or other animal.  We have two Animal Control Officers and a part-time administration support, whose job is to make sure people control their animals, are meeting laws and regulations, and don’t create problems for others. We have contracted out our after-hours service, ensuring 24 hour, 7 day a week service. We also have one dog pound and stockyard that services the whole district.  Most of the work undertaken by the Animal Control Officers centres on the administration of the Dog Control Act 1996 – ensuring that dogs are registered, catching wandering dogs, providing owners with information on pet care and following up on complaints about dogs ranging from barking to aggressive behaviour. The Animal Control Officers do not respond to complaints about animal welfare and neglect, these are referred to the SPCA for investigation.  Did you know?  At 31 May 2020 we had 5,389\* dogs registered in our district (5,465 at 31 May 2019). In 2019/20 we responded to 622 complaints (727 in 2018/19).  (\*National Dog Database)  Key legislation, strategies, policies and plans  Our planning and operating environments are shaped by a wider context of national, regional and district wide priorities and objectives. This diagram identifies the key legislation, strategies, policies and plans that link to and provides direction for the Animal Control activity.   |  | | --- | | **National**  Dog Control Act 1996  Impounding Act 1955  Local Government Act 2002 | | **Council strategies, policies and plans**  Dog Control Policy  Dog Control Bylaw  Public Safety Bylaw |   Animal Control is a regulatory function driven by legislation; policy direction from central government has meant a focus on councils providing a good quality service for businesses and households, which we are achieving. We also aim to improve the range of services available online for dog owners in the coming years.  Our projects for the next 10 years  There are no major projects forecast for the next 10 years for Animal Control primarily because we provide a service to the community. The core function of this department is to administer, implement and enforce the Dog Control Act 1996 and Impounding Act 1955.  **Levels of service**  What you can expect and how you will know we are meeting your expectation   |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Level of service** | **How we measure performance** | **Previous years** | | | | **Target** | | | **Additional information** | | **2017/18**  **Actual** | **2018/19**  **Actual** | **2019/20**  **Actual** | **2020/21 Target** | **2021/22** | **2022/23** | **2021-31** | | Any disturbances caused by animals will be investigated quickly and efficiently. | Complaints will be investigated within set timeframes. | 87.0% | 93.25% | 96.6% | 95% within adopted timeframes\* (see table below) | | | | One of our main responsibilities is following up on complaints made about animals, from wandering stock to barking or attacking dogs. We aim to investigate the complaint and let the complainant know what action (if any) we have taken or intend to take within adopted timeframes. Some complaints can be resolved quickly, others can take time to work through with animal owners and may involve court action. This is measured by our customer request management system. | | We will carry out regular property visits to ensure dog owners are responsible. | Number of property visits per year. | 706 | 621 | 471\* | 600 property visits per year | | | | Property visits let us check that dogs are appropriately housed and secured on their property. Both of these help to reduce the number of problems caused by animals in our community. This is measured by our customer request management system. | | We will carry out regular street patrols to keep the streets free from stray animals. | Number of street patrols undertaken in each of the three main towns. | 29.3 | 34.4 | 31.9 | Average of 10 per month per town | | | | Street patrols allow our staff to check if there are wandering animals that could pose a risk to our community. |   \* Impacted by COVID-19   |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Animal Control response time** | | | | | | **Complaint type** | | **Notification type** | **0800-1700 hours** | **1700-0800 hours weekend/holiday** | | Dog bite person | Current incident  Reported incident | Phone  CRM | 1 hour  4 hours | 1 hour  Next working day | | Aggressive dog | Current incident  Reported incident | Phone  CRM | 1 hour  4 hours | 1 hour  Next working day | | Attacked stock | Current incident  Reported incident | Phone  CRM | 1 hour  4 hours | 1 hour  Next working day | | Attacked other animal/bird | Current incident  Reported incident | Phone  CRM | 1 hour  4 hours | 1 hour  Next working day | | Barking dog | Current incident  Reported incident | Phone  CRM | 1 hour  4 hours | 1 hour  Next working day | | Wandering dog | Current incident  Caught in trap  Reported incident | Phone  CRM  CRM | 1 hour  1 hour  Next working day | 1 hour  1 hour  Next working day | | Wandering stock | Current incident (on road)  Reported incident | Phone  CRM | 1 hour  Next working day | 1 hour  Next working day | | Unregistered | | CRM | 24 hours | Next working day | | Animal welfare | | CRM | 4 hours | Next working day |   CRM means our Customer Request Management system.  Aggressive means rushed person/vehicle or displaying threatening behaviour. Current incident means the incident is happening now and the dog is an immediate danger to the public.  A reported incident is an incident that has happened sometime in the past, but is not a current threat to the public.  Number of Registered Dogs at 31 May  \*National Dog Database |

Key Stakeholders and Partnerships

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| **External Stakeholder/Partner** | **Relationship** |
| Registered dog owners | Registered dog owners pay for the majority of the animal control service through dog registration fees. Understanding their needs and concerns – such as the need for dog exercise areas, helps to shape this activity. |
| Unregistered dog owners | Unregistered dogs owners are a group of people that our animal control officers need to work closely with to encourage them to comply with legislation. |
| The community | The community expects Animal Control to help responsible dog owners and to ensure that uncontrolled animals don’t cause a problem for others. |
| Federated Farmers | Working dogs are a valuable tool for farmers. Uncontrolled dogs however can present a hazard to stock on farms. Advocacy groups such as Federated Farmers can help us understand the needs and concerns of our farming community. |
| Disability sector groups. | In some instances disability assistance dogs are necessary to help with daily activities, and provide a pathway to independence for those in our community who live with disabilities. Advocacy groups can help us understand the needs and concerns of our disabled community members. |
| After hours animal control contractor | It is important a good relationship is maintained with contractors, so we can ensure any problematic owners can be followed up by our staff, and any feedback about the service they are providing can be given to them. |
| SPCA | Council does not deal with animal welfare cases, where these types of complaints are made to us we refer them to the SPCA for investigation. |
| Independent Animal Rescue organisations | These organisations provide a valuable service rehoming animals that are not wanted or can no longer be cared for by their owners. Some dogs that come in to Council’s care are referred on to animal rescue organisations – as long as they are suitable for rehoming. |
| Neighbouring councils | Working with our neighbouring councils means that we can share learnings and best practice across this area of our business. |
| Dogs New Zealand and breeding clubs | They provide a service looking after dogs and animals. They have an interest in breeding dogs for competition and sale. |
| Agility Clubs | They are interested in dog control, they have expectations that animal control will deal with the owners of dogs that are uncontrolled as it will help with their own dog’s safety. |
| Veterinary services | They will be the ones dealing with any harm done to an animal by an uncontrolled animal. |
| Hunting and sporting clubs | Dog ownership is a necessary part of their members sport |

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| **Internal Stakeholder / Partner** | **Relationship** |
| Customer Services | This team provides the administration support for Animal Control |
| IT | IT provides software and hardware to record registrations, complaints and impounding of animals. |
| Kaimai Valley Services | This team provides vehicles for operation of the Animal Control Service. |
| Communications | This team provides communication services to the community for dog registration information. They are also responsible for website functionality for dog registration. |
| Legal services | This team provides advice on the administration of the Dog Control Act 1996, specifically penalties available in dog attack cases and prosecutions of dog owners. |

**Growth and Demand**

Over time registered dog numbers overall have increased in the district, the general trend is increasing but small decreases are seen some years as well. There could be various reasons for this not necessarily linked directly to population growth but a reason could be the economic climate, for example the ‘global financial crisis’ where the cost of owning a dog may have become unaffordable for some people in the community.

The number of infringements and complaints notices issued has fluctuated over the years, not necessarily rising with registered dog numbers.

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| **Financial year** | **Number of registered dogs at 30 June** | **Number of complaints notices issued** | **% of complaints notices to registered dogs** | **Number of infringements issued** | **% of infringements issued compared to registered dogs** |
| 19/20 | 5389 | 59 | 1.10% | 76 | 1.41% |
| 18/19 | 5465 | 135 | 2.47% | 85 | 1.55% |
| 17/18 | 5382 | 182 | 3.38% | 132 | 2.45% |
| 16/17 | 5212 | 93 | 1.78% | 67 | 1.29% |
| 15/16 | 5255 | 133 | 2.53% | 119 | 2.26% |
| 14/15 | 5261 | 199 | 3.78% | 173 | 3.29% |
| 13/14 | 5051 | 187 | 3.70% | 107 | 2.12% |
| 12/13 | 5007 | 143 | 2.86% | 90 | 1.80% |

**Demand**

The key drivers influencing the demand on Animal Control are:

* Legislation – The Dog Control Act 1996 and the Impounding Act 1955 set out our obligations for Animal Control. While the Impounding Act has been identified as a piece of legislation that needs to be reviewed, timing for a review has not been identified.
* Community expectations (levels of service) – we have assumed that our community’s expectations and our levels of service will remain the same. The need for more resources is driven largely by community expectations (e.g. tolerance for dog behaviour, and the behaviour of dog owners).
* Population and dwelling growth – we have predicted medium levels of growth for our community. Based on historical trends we expect the numbers of registered dogs to continue growing but do not expect complaints to change significantly as a result.
* Dog populations – we have seen a general upward trend in the number of registered dogs in the district, however, the need for resources is more closely linked to community expectations and owner behaviour (the number of complaints and offences) rather than the number of registered dogs. The number and percentage of complaints/infringements per dog has remained relatively low and steady.

**Our response**

The Animal Control activity focuses on the provision of a regulatory function under legislation, policy direction from central government have meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Regionally we are focussing on collaboration to improve services and we may look at collaboration on animal control services in the future.

The team works closely with the Customer Services and IT teams to make it easier for customers to do business with Council and ensure we are providing good quality service while meeting our legislative requirements. Currently dog owners can pay their annual registration online 24/7, there are future developments planned for better online functionality.

**Assumptions**

* dog population levels will continue to steadily increase
* legislation and the role of local government won’t change significantly
* public awareness and expectations of higher standards (which could increase pressure on staff and resources) will remain the same
* population growth forecasts are accurate

**Key challenges**

* encouraging responsible animal ownership, we rebate fees for good owners to encourage this and our fees are comparatively low

**Legislation**

The following enactments set out the legislative framework for the Animal Control function:

* The Dog Control Act 1996 – this sets out the requirements for dog registration, as well as all of the offences, which we are responsible for monitoring.
* The Impounding Act 1955 – this sets out our ability to impound stock, and the ability to charge stock owners for our costs.
* The Local Government Act 2002 – this sets out the purpose of local government, one of which is to carry out the regulatory functions as set out in other legislation, it also provides the power to appoint warranted officers to undertake enforcement work.

**What you can expect and how you will know we are meeting your expectations**

What are Levels of Service?

Levels of Service are written from a customer viewpoint to demonstrate outputs that the community expects from a Council activity and also cover legislative requirements. The performance of that service is monitored through performance measures. Council is dedicated to providing the levels of service that our current and future community want and are willing to pay for. Determining Levels of Service involves understanding what customers want and what outcomes they seek – in doing this Council considers whether we are delivering the right level of service at the right cost.

Our key levels of service for Animal Control are:

* Responsiveness – complaints about animal behaviour will be responded to within appropriate timeframes.
* Safety – staff will carry out patrols within the community and visit properties to ensure that stray animals do not become a problem.

How have these levels of service been developed?

Legislation has specific requirements for this activity, including the Dog Control Act 1996, the Impounding Act 1955 and the Local Government Act 2002. The levels of service for the Animal Control activity are driven by the need to meet legislative requirements.

What is the rationale for current and target LOS?

We do not propose to change the current level of service provided, timeframes for after hour responses remains the same with the contracting out of afterhours work. The improvement in response to incidents will be managed by improving recording of response times.

Response to complaints in 2019/20 was 96.6% which shows improvement over the previous few years.

The other levels of service for property visits and street patrols are generally well exceeded. In 2019/20 the number of property visits was on track before the COVID-19 pandemic lockdown however was not achieved due to the lockdown.

Community Consultation

We have not undertaken any consultation with the community in setting these levels of service.

Technical measures

Technical performance measures are focused more on technical criteria that demonstrate effective organisational performance (“what we do”). The performance measures selected all relate to measures of time and instances of patrols being undertaken – reflecting the levels of service which relate to responsiveness and timeliness.

Perception measures

Customer performance measures indicate how the customer receives the service (“what the customer perceives”). Council believes in the value of user and community feedback as performance measures. Council has found surveys to be a useful and effective way to collect feedback on a range of aspects, such as service quality, responsiveness, and value. They assist Council in understanding community expectation and enables improvements to be made, where appropriate. Council uses satisfaction surveys for measuring its performance..

## Our impact on the future

The LGA 2002 requires local authorities to take an approach with wellbeing of the community and sustainable development in mind while conducting its business. In doing this we are required to take into account –

* the social, economic, and cultural well-being of people and communities; and
* the need to maintain and enhance the quality of the environment; and

the reasonably foreseeable needs of future generations.

The Animal Control activity is sustainable as it relates to the social, economic and cultural well-being of people and communities in the present and for the future by:

* Social –
  + Ensuring the safety of everyone while allowing people to enjoy the companionship of their pet
  + Reducing the number of ‘nuisance’ animals in the community
  + Rewarding Dogs NZ, responsible dog and working dog owners through our registration fee structure.
* Economic –
  + Providing a responsive and helpful regulatory service to promote the district
* Cultural –
  + Reducing the number of stray dogs to protect natural and cultural resources.

**Gaps in information**

* Unknown unregistered dogs within the district – could take extra staff time following up.
* Change in legislation - funding requirements would depend on the nature of change.

**Risks identified**

Risks are managed at a corporate level, managers have identified any assumptions made as part of this activity plan under growth and demand. For Animal Control activity safety of staff (who mainly work alone) is the main risk.

Risk 00171 Officer Safety

Residual risk 3.6 Moderate

Inherent risk 9.0

Safety of the officers while carrying out their duties.

Likelihood: Possible

Consequence: Moderate

Effectiveness: Good

Treatment:

Instructed to back off when concerned for safety  
Conflict Training  
PPE including body worn cameras

Section 17 A Review

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| Conclusion of the service delivery review | |
| Recommendation from service delivery review / whether or not to review | A full Section 17a review was not undertaken for Animal Control as financial costs of the review outweighed perceived benefits.  S17A reviews were completed August 2017. A new project plan for the ongoing reviews will be implemented following the Long Term plan project. |
| Next steps | Continue to seek efficiencies within the activity and review the service as part of the afterhours contact expiry. |

## Improvement Plan

Throughout the next ten years the following improvements are programmed to happen to increase the efficiency and effectiveness of the Animal Control activity:

* Online services - With increased technology and demand for the use of computers as a way to gain access to information, Council needs to continue to improve online functionality.
* Moving towards a mobile office for the officers.
* Continual improvement on the way we record and report on information. This will allow us to maintain our level of service to our customers. In addition, the type and nature of the information that we are collecting may change and we will need to change with this on a continual basis.

# Building Consents and Monitoring

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| A home is the single most expensive purchase that most New Zealanders are likely to make. Other buildings are an essential part of the occupation and use of land. Building Control ensures the buildings in our district meet the safety and quality standards set out under the Building Control Act 2004 and the Building Code. We work with the community and the building industry to ensure all buildings are safe, healthy and durable for their intended life.  We process building consents and inspect building work at critical phases of the project. We also carry out audits to make sure that commercial building owners comply with their Building Warrants of Fitness requirements, check swimming pool compliance and investigate complaints about illegal building work, taking enforcement action where necessary.  Did you know?   * Every two years International Accreditation New Zealand (IANZ) undertakes an independent audit of our processes as a Building Control Authority. These changes were established to help improve the control of, and encourage better practice and performance in, building design, regulatory building control and building construction. * In 2019/20 we processed a total of 801 building consents * In 2019/20 we processed building consents with total building work value at $193 million (2018/19 - $183.5 million).   Key legislation, strategies, policies and plans  Our planning and operating environments are shaped by a wider context of national, regional and district wide priorities and objectives. This diagram identifies the key legislation, strategies, policies and plans that link to and provide direction for the Building Consents and Monitoring activity.   |  | | --- | | **National**  Building Control Act 2004 and Building Code  Building (Earthquake-prone Buildings) Amendment Act 2016 | | **Regional**  Regional collaboration with Hauraki, Otorohanga, Thames-Coromandel, Waikato, Waipa and Waitomo District Councils and Hamilton City Council | | **Council strategies, policies and plans**  Dangerous, Affected and Insanitary Buildings Policy |   Building Consents and Monitoring is a regulatory function driven by legislation; policy direction from central government has meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Regionally we are focussing on collaboration with other councils.  Our projects for the next 10 years  There are no major projects forecast for the next 10 years for the Building Consents and Monitoring activity primarily because we provide a service to the community. The core function of this department is to administer, implement and enforce the Building Act 2004. As part of the improvement of the online services we offer, we plan to continue increasing information available online as part of the building consent process.  Levels of service  What you can expect and how you will know we are meeting your expectations.   |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Level of service** | **How we measure performance** | **Previous years** | | | | **Target** | | | **Additional information** | | **2017/18**  **Actual** | **2018/19**  **Actual** | **2019/20**  **Actual** | **2020/21 Target** | **2021/22** | **2022/23** | **2021-31** | | Building consents will be administered quickly and efficiently | Building consent processing timeframes | 99.9% | 99.9% | 99.5% | 100% of building consents will be processed within statutory timeframes | | | | By processing building consents on time we contribute to the timely completion of building projects. By ensuring buildings meet building code requirements we ensure that buildings are safe and more sustainable (for example they meet improved building insulation requirements) and contribute to the health and wellbeing of our community. Measured by a monthly statistical report.  Currently the statutory timeframes for processing building consents are:  • 10 working days for building consents with a national multiple use approval  • 20 working days for all other building | | We will respond to complaints of alleged illegal/ unauthorised activity. | Complaints to be responded to within 10 working days | 91.6% | 66% | 52% | 100% of complaints to be responded to within 10 working days | | | | In fulfilling our enforcement role under the Building Act 2004 in a timely manner we help to reduce the incidences of illegal and dangerous building work in the district. One of our main roles is to regulate compliance with building code standards. We sometimes get complaints from the community about illegal or dangerous building work or swimming pools. We will investigate the complaint to determine if building work is illegal or dangerous and let the complainant know what action we are taking. Issues regarding illegal building work can be complicated and it can take time to reach a resolution with the building owners. This is measured through our Customer Request Management system. | |

Why we do this activity

A home is the single most expensive purchase that most New Zealanders are likely to make. Other buildings are an essential part of the occupation and use of land. Building Control ensures the buildings in our district meet the safety and quality standards set out under the Building Control Act 2004 and the Building Code. We work with the community and the building industry to ensure all buildings are safe, healthy and durable for their intended life.

Key Stakeholders and Partnerships

There are a number of stakeholders that may be impacted by this activity.

External stakeholders

* Building and property owners - Consent applications, compliance schedules and other building requirements
* Architects - Design of building applications
* Builders and other sub-contractors - Consent applications and inspection of work

Partnerships

* Hamilton City and Hauraki, Otorohanga, Thames-Coromandel, Waikato, Waipa and Waitomo, District Councils - Cluster group to achieve building accreditation and improve building practice in the Waikato.

Internal Stakeholders

* Customer Services - Administration of Building Control function
* Regulatory Planning Unit – Planning and engineering input into consent applications
* Legal services - provide advice on the administration of the Building Control Act 2004, and support for documents that need to be drafted and registered on titles.

**Growth and demand**

Growth in building consents (by number and value) peaked in 2007/08 before declining sharply following the ‘global financial crisis’. Building consent numbers recovered in line with New Zealand’s economic performance and population growth, with building consents by value now increasing each year. With steady population and dwelling growth predicted for our district, we have assumed that building consent numbers will remain steady in the coming years. The long term impact of COVID-19 on the economy and building industry is however unknown.

**Building Consent numbers processed by year**

**New houses built by ward**

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Building values vs years ($million)

**Demand**

The key drivers influencing the demand on Building Consents and Monitoring are:

* Legislation – The Building Act 2004 sets out the obligations for building control.
* The economy – building activity tends to increase in a positive econimic climate, and we expect building conset numbers to remain consistant or steadily increase in the future. Historic trends show that the level of building activity in the district was heavily influenced by New Zealand’s economic climate.
* Community expectations (levels of service) – we have assumed that our community’s expectations and our levels of service will remain the same.
* Population and dwelling growth – we have predicted medium levels of growth for our community and would expect new dwelling numbers to be similar to those predictions.

Our response

The Building Consents and Monitoring activity focuses on the provision of a regulatory function under legislation, recent changes and policy direction from central government have meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Regionally we are focussing on collaboration.

Assumptions

* population growth forecasts are accurate

Key challenges

* meeting statutory timeframes
* adapting to legislative change

**Legislation**

The following enactments set out the legislative framework for the Building Consents and Monitoring function:

As a regulatory activity, all of the functions undertaken under the Building Consents and Monitoring Activity are specifically set out in legislation. The following enactments set the regulatory framework:

The Building Act 2004 – this sets out the requirements for building standards in New Zealand, as well as all of the offences, which we are responsible for monitoring as the building control authority.

The Local Government Act 2002 – this sets out the purpose of local government, one of which is to carry out the regulatory functions as set out in above legislation, it also provides the power to appoint warranted officers to undertake enforcement work.

**What you can expect and how you will know we are meeting your expectations**

What are Levels of Service?

Levels of Service are written from a customer viewpoint to demonstrate outputs that the community expects from a Council activity and also cover legislative requirements. The performance of that service is monitored through performance measures. Council is dedicated to providing the levels of service that our current and future community want and are willing to pay for. Determining Levels of Service involves understanding what customers want and what outcomes they seek – in doing this Council considers whether we are delivering the right level of service at the right cost.

How have these levels of service been developed?

The key statute which impacts on the Building Control Unit is the Building Act 2004.

The Building Act 2004 and its documents set out the requirements that buildings must achieve. It determines the procedure for applying, assessing, granting and inspecting consents.

Our key levels of service for Building Control are:

* Responsiveness – building consents will be processed in a timely manner.
* Responsiveness – complaints will be responded to within appropriate timeframes.

There are a number of other acts that may also affect the building function such as the Resource Management Act 1991, Local Government Act 2002, and the Sale and Supply of Alcohol Act 2012.

What is the rationale for current and targeted LOS?

We do not propose to change the current level of service provided. The measure for processing consents complies with the statutory requirement and will not change during the planning period unless the legal requirement changes. The unit will continue to review resources in relation to application numbers and workload to ensure these targets are met.

Complaints responded to within 10 working days is seen as a reasonable and achievable target which has been achieved in the past just not in recent years due to resourcing issues. Customers expect complaints of illegal work to be responded to in a timely manner, complaints regarding urgent/potential health and safety issues are investigated quickly, quicker than the 10 working day target.

Community Consultation

We have not carried out any consultation with the community other than regular meetings with the tradesmen on building matters and technical issues.

Technical measures

Technical performance measures are focused more on technical criteria that demonstrate effective organisational performance (“what we do”). The performance measures selected all relate to measures of time and quality – reflecting the levels of service which relate responsiveness.

Perception measures

Customer performance measures measure how the customer receives the service (“what the customer perceives”). Council believes in the value of user and community feedback as performance measures. Council has found surveys to be a useful and effective way to collect feedback on a range of aspects, such as service quality, responsiveness, and value. They assist Council in understanding community expectation and enables improvements to be made, where appropriate. Council uses satisfaction surveys for measuring its performance. We have not selected any perception based performance measure for this activity.

## Our Impact on the future

The LGA 2002 requires local authorities to take an approach with well-being of the community and sustainable development in mind while conducting its business. In doing this we are required to take into account –

* the social, economic, and cultural well-being of people and communities; and
* the need to maintain and enhance the quality of the environment; and
* the reasonably foreseeable needs of future generations.

The Building Control activity is sustainable as it relates to the social, economic and environmental well-being of people and communities by:

* Social –
  + Ensuring that buildings in our district are safe and healthy places to live, work and play.
* Economic –
  + Providing a responsive and helpful regulatory environment to promote development in the district.
* Environmental –
  + Ensuring buildings (particularly those with hazardous substances) are environmentally friendly.

**Gaps in information**

* Illegal building work – we investigate complaints about illegal building work but to investigate unreported potential illegal building work would take extra staff and resourcing
* Change in legislation - funding requirements would depend on the nature of change.

**Identified Risks and Assumptions**

Risks are managed at a corporate level, managers have identified any assumptions made as part of this activity plan under growth and demand. For Building Consents and Monitoring the highest identified risk is not meeting statutory timeframes.

R00164 Not meeting statutory timeframes

Likelihood: Possible

Consequence: Minor

Effectiveness: Good

Treatment MC00211

Training, quality systems, auditing, Cluster group meetings, independent audit by IANZ

**Section 17 A Review**

|  |  |
| --- | --- |
| Conclusion of the service delivery review | |
| Recommendation from service delivery review/ whether or not to review | A full Section 17a review was not undertaken for Building Control as financial costs of the review outweighed perceived benefits. S17A reviews were completed August 2017. A new project plan for the ongoing reviews will be implemented following the Long Term plan project. |
| Next steps | Council will monitor the progress of the initiatives proposed by the Waikato Building Consent Group (WBCG) and will participate in the initiatives proposed as required. |

Throughout the next ten years the following improvements are programmed to happen to increase the efficiency and effectiveness of the Building Control activity:

* Making greater use of online access , starting to use Alpha One online software from July 2020 has made great strides in this area but with growing expectations for online access there are always improvements to be made
* Property information online – Council currently has a 10 year project to scan all old and new property information, including building consents so that the information can be available to all council’s units regardless of location. The next step for this project will be to make the information available on the web so that people can access their information as they choose. Further work is required to ensure security issues and costs for information can be managed.
* Continual improvement on the way we record and report on information. This will allow us to maintain our level of service to our customers. In addition, the type and nature of the information that we are collecting may change and we will need to change with this on a continual basis.

# Licensing and Enforcement

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| The Licensing and Enforcement activity plan groups together a number of activities that contribute to the health and safety of our communities. We are responsible for inspecting business with alcohol licenses to ensure they meet the required standards and interviewing potential managers to make sure they are suitable, have the right qualifications and are aware of their responsibilities under the Sale and Supply of Alcohol Act 2012.  We are responsible for health licenses, including inspecting/auditing all food premises, hairdressers, camping grounds and funeral directors within the district.  This activity is also responsible for noise control in our community, which is a 24 hour, seven day a week service responding to excessive or unreasonable noise. After hours noise control complaints are handled by our security contractors.  Licensing and Enforcement also monitors and responds to complaint about breaches of our bylaws, and have responsibilities under several other Acts such as the Gambling Act 2003, Psychoactive Substances Act 2013, Prostitution Reform Act 2003 and Hazardous Substances and New Organisms Act 1996.  Did you know?   * In 2019/20, we responded to 314 afterhours noise incidents that required attendances to resolve. * We currently have 163 food premises, 42 hairdressers, 5 funeral directors and 2 camping grounds which are all required to hold the correct licence under the Health Act 1956 and Food Act 2014. * In 2019/20 we processed 256 alcohol licences and manager’s certificates.   Key legislation, strategies, policies and plans  Our planning and operating environments are shaped by a wider context of national, regional and district wide priorities and objectives. This diagram identifies the key legislation, strategies, policies and plans that link to and provide direction for the Licensing and Enforcement activity.   |  | | --- | | **National**  Resource Management Act 1991  Sale and Supply of Alcohol Act 2012  Health Act 1956  Food Act 2014  Local Government Act 2002  Gambling Act 2003  Psychoactive Substances Act 2013  Prostitution Reform Act 2003  Hazardous Substances and New Organisms Act 1996 | | **Regional**  Shared Service Agreement and Forums | | **Council strategies, policies and plans**  Local Alcohol Policy  Consolidated Bylaws  Gambling Policy  Psychoactive Substances Policy |   Licensing and Enforcement is a regulatory function driven by legislation; recent changes and policy direction from central government have meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Regionally we are focussing on collaboration with other councils to share resources when needed.  Our projects for the next 10 years  There are no major projects forecast for the next 10 years for the Licensing and Enforcement activity primarily because we provide a service to the community. The core function of this department is to administer, implement, educate and enforce various pieces of legislation and policies. As part of the improvement of the online services we offer, we plan to increase information, licence applications and payments online.  **Levels of service**  What you can expect and how you will know we are meeting your expectations   |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Level of service** | **How we measure performance** | **Previous years** | | | | **Target** | | | **Additional information** | | **2017/18**  **Actual** | **2018/19**  **Actual** | **2019/20**  **Actual** | **2020/21 Target** | **2021/22** | **2022/23** | **2021-31** | | We will inspect or audit all food premises, hairdresser, funeral directors and camping grounds in the district to ensure they are running in accordance with the Health Act and/ or health regulations. | Food premises, hairdressers, funeral directors and camping grounds will be inspected or audited in accordance with legislation. | 100% | 100% | 100% | 100% inspected or audited | | | | Inspecting/auditing food premises, hairdressers, funeral directors and camping grounds in the district gives residents confidence that they can safely use these facilities.  Measured by an internal monitoring system. If a premise doesn’t meet the required standards, it is given an opportunity to fix any problems and it is re-inspected/audited. Under the Food Act 2014, premises that are covered by national programmes can elect to be audited by independent auditors other than Council. | | We will act on all noise complaints we receive. | Percentage of afterhours (between 5pm and 8am, weekends and public holidays) noise complaints responded to within three hours. | 100% | 100% | 100% | 100% responded to within three hours | | | | By acting on noise complaints, we will be preventing antisocial behaviour which can negatively impact people’s health and wellbeing.  This information will be collected through an internal monitoring system. After hours responses to noise complaints are made by our security contractors, these are usually to loud stereos and parties. During working hours (8am-5pm) staff respond to complaints. Complaints during the day usually relate to general household noise or ongoing noise associated with business operations. Noise complaints are investigated and complainants are advised of the action we have taken. Some complaints are easy to resolve, such as stereos, others can take some time to resolve, such as ongoing business noise. | | We will ensure that all premises in the district with alcohol licences are operating responsibly. | On, Off and Club\* alcohol licenced premises will be inspected annually to ensure they comply with alcohol licensing standards. | 100% | 100% | 100% | 100% inspected annually | | | | Licensed premises that do not comply with alcohol licensing standards can contribute to illegal activities and antisocial behaviour.  This information will be collected through an internal monitoring system. If a premises does not comply with the conditions of its licence it will be given an opportunity to rectify any problems. Ongoing non-compliance may result in an inspector making an application to the Alcohol Regulatory and Licensing Authority for the suspension or cancellation of the premises’ alcohol licence. It is noted that for special licences the application is made to the District Licensing Committee. |   \*Club alcohol licenced premises excludes those Clubs which have been assessed as a ‘very low’ risk rating by Council. |

## Why we do this activity

The licensing and enforcement activity plan groups together a number of activities that contribute to the health and safety of our communities, including health licensing, alcohol licensing, noise control, and enforcement of the parts of the Public Safety and Land Transport Bylaws. We provide these functions to meet our obligations under various Acts such as the Sale and Supply of Alcohol Act 2012, Health Act 1956, Food Act 2014, Local Government Act, Gambling Act 2003, Psychoactive Substances Act 2013, Prostitution Reform Act 2003 and Hazardous Substances and New Organisms Act 1996.

Key Stakeholders and Partnerships

|  |  |
| --- | --- |
| **External Stakeholders** | |
| Waikato District Health Board | Health issues and WDHB are required to report on alcohol license applications. |
| Police (alcohol licensing) | Police are required to report on alcohol license applications and had involvement in the preparation of the Local Alcohol and Psychoactive Substances Policies. |
| National Organisations (Gambling, alcohol, etc.) | Representing various issues – i.e. problem gambling, alcohol abuse, family support - service clubs, Hospitality Assn. |
| **Internal Stakeholders** | |
| Customer Services | Administration and information providers. |
| Asset Team | Assist with enforcement of bylaws. |
| Corporate and Legal | Work together on the drafting and reviewing of bylaws and policies relevant to this activity and assist with any legal enforcement that this activity carries out. |
| IT | Provide systems and hardware to manage functions. |
| Planning | Provide planning guidance and certification in regards to alcohol premises. |
| Building | Provide building guidance and certification in regards to alcohol premises. |

Growth and Demand

Growth

The key drivers influencing the growth and the demand on licensing and enforcement are:

* Legislation
* Societal change
* Community expectations (levels of service)

These above influences may increase or decrease the number of health and alcohol licences and complaints depending on the impact of the change. Due to the minor population changes predicted over the next 10 years, the number of licensed premises, for both health and alcohol are not likely to change significantly through the planning period.

The economy can also have an impact on the number of venues as during a high economic period we are more likely to have more tourists visit the district and in turn attract more food venues to open.

Demand

The key drivers influencing the demand on licensing and enforcement are:

* Legislation - A number of provisions in the Sale and Supply of Alcohol Act 2012 which came into force in December 2013 changed the way Council processed alcohol licences and managers certificates. This Act gave Council’s and the community the ability to prepare a Local Alchol Policy which must be considered when assessing all applications. The new Food Act 2014 has changed the way we process food premises application. The Act has tried to categories food preparation activities according to risk and has moved away from undertaking inspections to an audit regime.
* The Sale and Supply of Alcohol (Renewal of Licenses) Amendment (No 2) - The bill would require a licensing authority or committee, when considering whether to renew a licence, to consider any existing local alcohol policy in regard to the location, proximity, or density of the premises being considered. If the licensing authority or committee considers that renewing the licence would be inconsistent with the local alcohol policy, then the bill would give it the discretion to refuse renewal of the licence.
* Community expectations (levels of service) – we have assumed that our community’s expectations and our levels of service will remain the same.
* Societial change – societies change over time and one of the impacts this has had and is likely to continue to have on this activity is the reduced sense of community. There is an increasing number of people who do not know their neighbours and this results in an increased number of compliants as people are preferring to ring Council and complain / enquire rather than talk directly to their neighbour. People are also more transient which also effects to people’s sense of belonging.
* Population and dwelling growth – we have predicted modest levels of growth for our community, we do not expect the numbers of licenced premises to change significantly as a result.
* The economy – a positive economic climate may encourage new businesses to open, but we do not expect the numbers of licenced premises to change significantly.

These above influences may increase or decrease the number of health and alcohol licences depending on the impact of the change. Due to the minor population changes over the next 10 years, the number of licensed premises, for both health and alcohol are not likely to change significantly through the planning period. However, due to societial change it is likely that our enquiries / complaints will likely continue to increase.

Our response

Licensing and Enforcement is a regulatory function driven by legislation; recent changes and policy direction from central government have meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Over the last ten years there have been significant legislation changes with the introduction of the Sale and Supply of Alcohol 2012 and Food Act 2014 which has changed the way we licence alcohol and health licences. Regionally, we are focussing on collaboration with other councils to share resources when needed.

Assumptions

* Population growth forecasts are accurate

Key challenges

* Meeting statutory timeframes
* Adapting to legislative change
* Adapting to societal change

**Legislation**

The following enactments set out the legislative framework for the Licensing and Enforcement function:

* Health Act 1956, Camping Grounds Regulations 1985, Health Hairdresser Regulations 1980, Health (Burial) Regulations 1946, Food Hygiene Regulations 1974, Food Act 1981 & Regulations, Food Act 2014 & Regulations – These Acts and Regulations set out the requirements for health licences, as well as providing the framework for any non-compliance that may arise. The Health Act also covers various other things like infectious diseases, health nuisances and other health related issues.
* Sale and Supply of Alcohol 2012 – This Act set out the requirements for alcohol licences and managers certificates, as well as providing the framework for any non-compliance that may arise.
* Local Government Act 2002 – This sets out the purpose of local government, one of which is to carry out the regulatory functions as set out in above legislation including the ability to create bylaws. It also provides the power to appoint warranted officers to undertake enforcement work.
* Resource Management Act 1991 – The Resource Management Act sets out the provisions for excessive noise which is the framework for noise control.
* Gambling Act 2003 - The Gambling Act sets out the provisions for gambling related activity and in the Act that enables us to have a Gambling Policy which is enforced by this activity.
* Prostitution Reform Act 2003 - The Prostitution Reform Act allows Council to have a policy to manage the effect of this activity. However, Council has decided not to create a policy in relation to this Act.
* Hazardous Substances and New Organisms Act 1996 – This Act sets out Councils responsibility in regards to Hazardous Substances including Council responsibility when a hazardous event occurs.
* Psychoactive Substances Act 2013 – This Act controls the sale and supply of psychoactive substances including the ability for Council to have a policy on the location of outlets.

What you can expect and how you will know we are meeting your expectations

### What are Levels of Service?

Levels of Service are written from a customer viewpoint to demonstrate outputs that the community expects from a Council activity. The performance of that service is monitored through performance measures. Council is dedicated to providing the levels of service that our current and future community want and are willing to pay for. Determining Levels of Service involves understanding what customers want and what outcomes they seek – in doing this Council considers whether we are delivering the right level of service at the right cost.

### 

How have these Levels of Service been developed?

The key statutes which impacts on the Licensing and Enforcement activity are the following:

* Resource Management Act 1991
* Sale and Supply of Alcohol 2012
* Health Act 1956 / Food Act 2014
* Local Government Act 2002

The Sale and Supply of Alcohol and Health/Food Acts and their relevant regulations set out the requirements that Health Licences and Alcohol Licences must achieve. It determines the procedure for applying, assessing, granting and inspecting/auditing premises. The Local Government Act sets out the requirements for adopting and enforcing bylaws with the Resource Management Act setting out the requirements for noise control. Our key levels of service for Licensing and Enforcement are:

* Responsiveness – noise complaints will be responded to within appropriate timeframes
* Health and Safety - Council will inspect or audit all food premises, hairdressers, funeral directors and camping grounds in the district to monitor that they are operating in accordance with the Health Act and/or health regulations
* Health and Safety - Council will ensure that on, off and club licensed premises in the district are operating responsibly.

There are a number of other acts that may also affect the function of this activity such as the Gambling Act 2003, Prostitution Reform Act 2003, Hazardous Substances and New Organisms Act 1996, Psychoactive Substances Act 2013.

What is the rationale for current and target LOS?

We do not propose to change the current Level of Service provided. The measure for processing licenses and certificates complies with the statutory requirement and will not change during the planning period unless that requirement changes.

Community Consultation

No specific community consultation regarding this activity has been undertaken.

Performance measures

The Licensing and Enforcement performance measuresindicate how Council is performing in relation to the specified levels of service.

* Technical measures:

Technical performance measures are focused more on technical criteria that demonstrate effective organisational performance (“what we do”). The performance measures selected all relate to measures of time and inspections being undertaken – reflecting the levels of service which relate responsiveness and health and safety.

* Perception measures:

Customer performance measures, measure how the customer receives the service (“what the customer perceives”). Council believes in the value of user and community feedback as performance measures. Council has found surveys to be a useful and effective way to collect feedback on a range of aspects, such as service quality, responsiveness, and value. They assist Council in understanding community expectation and enables improvements to be made, where appropriate. Council uses satisfaction surveys for measuring its performance. We have not selected any perception based performance measure for this activity.

## Our Impact on the future

The LGA 2002 requires local authorities to take an approach with well-being of the community and sustainable development in mind while conducting its business. In doing this we are required to take into account –

* the social, economic, and cultural well-being of people and communities; and
* the need to maintain and enhance the quality of the environment; and
* the reasonably foreseeable needs of future generations.

The Licensing and Enforcement activity is sustainable as it relates to the social, economic, environmental and cultural well-being of people and communities by:

* Social –
  + offering the community peace of mind and contributing to health and wellbeing, by inspecting/auditing health premises and through alcohol licensing
  + by providing a 24 hour noise control service
  + ensuring that the Bylaws relevant to this activity are complied with
* Economic –
  + community groups receiving funding from a portion of gaming machine profits
  + supporting health premises by providing diners with the knowledge premises have been inspected/audited
  + by initiating partnerships with other district, regional and national agencies to work towards the same goals we are spending less to get results
* Cultural –
  + The local alcohol policy directs alcohol premises away from sensitive sites.
* Environmental –
  + By providing 24 hour noise control service.

**Gaps in information**

This activity is application and complaints driven so the biggest gap in the information is the number of applications / complaints we will receive.

**Identified Risks and Assumptions**

Risks are managed at a corporate level, manages have identified any assumptions made as part of this activity plan under growth and demand. For Licensing and Enforcement the highest identified risk is aggressive or confrontational behaviour.

R00154 Aggressive or confrontational behaviour

Objective Prevent harm and keep our people safe

Uncertainty Don’t know when or if it’s going to happen

Source People/customers either face to face, phone or written

Causes Issue with council eg resource consent, noise complaint or mental state (illness, alcohol or drugs)

Event Unexpected event or encounter with a person/customer

Consequence Major emotional stress, serious injury or fatality

Mitigating Factors

Employment practices (pre-employment checks), Training (including Stress and resilience, Conflict Management, etc, Security Systems including cameras and restricted access to area, Counselling service available.

**Section 17 A Review**

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| --- | --- |
| Conclusion of the service delivery review | |
| Recommendation from service delivery review/whether or not to review | A full Section 17a review was not undertaken for Licensing and enforcement as financial costs of the review outweighed perceived benefits.  S17A reviews were completed August 2017. A new project plan for the ongoing reviews will be implemented following the Long Term plan project. |
| Next steps | Instead it is recommended that Licensing and Enforcement continue to review activities and collaborate with others on an on-going basis to ensure best value for money. |

## Improvement Plan

Our focus over the next ten years is primarily to stay up to date with legislation and ensure that we are giving the best service to our community. We will continue to look to improve the way we store and deliver information through utilising technology for example online capabilities.

# Resource Consents and Monitoring

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| Resource Consents and Monitoring helps look after our natural and physical resources for future generations. This activity is responsible for administering the District Plan, advising customers on District Plan and Resource Management Act 1991 requirements, processing applications for land use and subdivision consents, monitoring compliance with land use and subdivision consent conditions, investigating breaches of the District Plan, and taking enforcement action where necessary.  Did you know?   * 2017/18 206 consents, 0 outside timeframe, 100% monitored within 4 months * 2018/19 239 consents, 2 outside timeframe, 100% monitored within 4 months * 2019/20 216 consents, 1 outside timeframe, 100 % monitored within 4 months   Key legislation, strategies, policies and plans  Our planning and operating environments are shaped by a wider context of national, regional and district wide priorities and objectives. This diagram identifies the key legislation, strategies, policies and plans that link to and provide direction for the Resource Consents and Monitoring activity.   |  | | --- | | **National**  Resource Management Act 1991  Local Government Act 2002  National Policy Statements  National Environmental Standards  Hauraki Gulf Marine Park Act 2000 | | **Regional**  Waikato Regional Policy Statement  Waikato Regional Plan Regional collaboration | | **Council strategies, policies and plans**  District Plan  Development Manual |   Resource Consents and Monitoring is a regulatory function driven by legislation, recent changes and policy direction from central government have meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Regionally we are focussing on collaboration where this can be achieved.  Our projects for the next 10 years  There are no major projects forecast for the next 10 years for the Resource Consents and Monitoring activity primarily because we provide a service to the community. The core function of this department is to administer, implement, educate and enforce various pieces of legislation and policies. As part of the improvement of the online services we offer, we plan to increase information and resource consent applications and payments online.  **Levels of service**  What you can expect and how you will know we are meeting your expectations   |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **LOS** | **How we measure performance** | **Previous years** | | | | **Target** | | | **Additional information** | | **2017/18**  **Actual** | **2018/19**  **Actual** | **2019/20**  **Actual** | **2020/21 Target** | **2021/22** | **2022/23** | **2021-31** | | Resource consents will be administered quickly and efficiently. | Percentage of resource consents processed within statutory timelines. | 100% | 99% | 99.5% | 100% | | | | Resource consents need to be completed within statutory timeframes to ensure development projects are able to be completed seamlessly.  This is monitored through an internal management system. The 2009 amendment to the Resource Management Act 1991 requires us to refund a portion of the costs on any resource consents that are not processed within the statutory timeframe. | | We will monitor land use consent compliance. | Percentage of land use consents monitored within four months of being granted. | 100% | 100% | 100% | 100% | | | | The community can rely on us to monitor compliance of resource consents to ensure the development that is granted is achieved.  This is monitored through an internal management system. This is the initial assessment to see if or how works are progressing and to remind the applicant of all the conditions of consent and ensure they are complied with. Should non-compliance be identified at this time, then we will work with applicant to rectify the issues. If this cannot be achieved then we will take enforcement action under the Resource Management Act 1991 to ensure compliance. | |

## Why we do this activity

We provide resource consents and monitoring services to meet our obligations under the Resource Management Act 1991. This service aims to find a balance between the use, development and protection of land and other natural and physical resources in the district. It’s about managing our natural resources for future generations.

Key Stakeholders and Partnerships

The resource consents and monitoring activity has regular contact with government departments, non-governmental organisations, community advocacy groups and internal Council departments.

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| **External Stakeholder / Partner** | **Relationship** |
| Ministry for the Environment | Requires information to enable it to monitor the performance of the Regulatory Planning section in terms of meeting statutory timeframes and best practice guidelines, on an annual basis. |
| Community advocacy groups | Requires information on the RMA and  District Plan provisions, and resource consent applications being processed. |
| Waka Kotahi/NZTA | Require information on, and provides input to the processing of resource consent applications. |
| WRC | Require information on, and provides input to the processing of resource consent applications. |
| Surveyors/Developers | Applicants of resource consent applications |
| Iwi | Provides input to the processing of resource consent applications. |
| Heritage NZ | Require information on, and provides input to the processing of resource consent applications. |

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| **Internal Stakeholder / Partner** | **Relationship** |
| Planning and Monitoring Team | Assessing resource consents and monitor for compliance. |
| Corporate and Legal Services | This team compiles Council’s long term planning and undertakes Council’s in-house legal services. These functions assist Regulatory Planning by undertaking all legal matters and assisting with this departments long term planning. |
| Finance Department | Administer all the financial information including debtor and creditors of the department. |
| Customer Services | Provide the face of Council for all enquiries as well as assist with the administration of consents. |
| IT Department | Council’s IT team provides and maintains Council’s GIS system and electronic databases. |
| Land Administration and Records | Council’s Land Administration and Records team updates Council’s systems once a subdivision has been completed and a new certificate of title has been issued and undertakes all corporate administration duties such as mail, typing and keeping of files and systems. |
| Roading / Assets | Provide information on particular resource consent in relation to Council’s utilities, roads facilities and Development Contributions. |
| Building Department | Provide building advice and assessment on resource consents. |

Growth and demand

Growth

The key drivers influencing the growth and the demand on resource consent and monitoring are:

* Changes to the Resource Management Act 1991.
* District Plan Changes – Council must commence a review of every part of the District Plan every 10 years. This may increase or decrease the number of consents depending on the impact of the change.
* National Policy Statements (NPS) and National Environmental Standards (NES) – Council through its District Plan has to give effect to NPSs and NESs set their own Resource Consent requirements on a national level.
* Regional Policy Statement (RPS) – Like the NPS, Council’s District Plan must give effect to the Waikato RPS.
* Community expectation (Level of Service)

These above influences may increase or decrease the number of consent/enquiries depending on the impact of the change.

The graph below shows the number of consents processed each year since 2009. Given the relatively steady trends of resource consents received we anticipate that we will be able to meet demand in the short to medium term from existing resources. Unexpected increases in demand will be managed by employing external resource management consultants.

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| Year | Total | Within timeframes | Outside timeframes |
| 2009/10 | 216 | 191 | 25 |
| 2010/11 | 210 | 201 | 9 |
| 2011/12 | 212 | 209 | 3 |
| 2012/13 | 204 | 203 | 1 |
| 2013/14 | 136 | 135 | 1 |
| 2014/15 | 141 | 138 | 3 |
| 2015/16 | 206 | 205 | 1 |
| 2016/17 | 198 | 196 | 2 |
| 2017/18 | 206 | 206 | 0 |
| 2018/19 | 239 | 237 | 2 |
| 2019/20 | 216 | 215 | 1 |

Demand

The key drivers influencing the demand on resource consents and monitoring are:

* Legislative change – changes to the Resource Management Act 1991 have the potential to significantly impact the delivery of this service. The introduction of the National Planning standards in April 2019 will have a large impact on Council’s work programme and budget for the next 10 years. The standard requires every Council within five years to convert their district plan to align with the standard and achieve a web interactive portal within 10 years.

In addition to the above, a Resource Management Review Panel has been established to prepare and deliver comprehensive reform proposals on the resource management system. The outcomes of this at this stage are unknown but it has been signalled that this will be a significant change to legislation as we know it.

* Community expectations (levels of service) – we have assumed that our community’s expectations and our levels of service will remain the same. However over recent years the demand for the duty planner has increased and a new staff member was introduced in 2017 and a part-time emplyee in 2019.
* Population and dwelling growth – we have predicted modest levels of growth for our community, we do not expect the numbers of resource consent to change significantly as a result. The economy is a larger driver for demand in this activity.
* The economy – subdivision and land use activity tends to increase in a positive econimic climate. While resource consent numbers may not change as a result, the size and complexity of resource consents tend to increase in a positive economic climate (for example, larger subdivisions are more likely to occur).
* Societial change – societies change over time and one of the impacts this has had and is likely to continue to have on this activity is the reduced sense of community. There is an increasing number of people who do not know their neighbours and this results in an increased number of complaints as people are preferring to ring Council and complain / enquire rather than talk directly to their neighbour. People are also more transient which also effects people’s sense of belonging. Given this chage in demand a new monitoring/compliance officer is proposed

Our response

The Resource Consents and Monitoring activity focuses on the provision of a regulatory function under legislation, recent changes and policy direction from central government have meant a focus on councils providing a good quality service for businesses and households, which we are achieving. Regionally we are focussing on collaboration where this can be achieved. Examples of collaboration are working on forms and templates with other Councils through Aligned Planning.

Assumptions

* population growth forecasts are accurate

Key challenges

* meeting statutory timeframes
* adapting to legislative change

**Legislation**

The following enactments set out the legislative framework for the Resource Consent and Monitoring function:

* The Resource Management Act 1991 – this sets out the requirements for processing a resource consent, and also sets out the steps one must take when conditions are not met. As stated above there are some major changes to the RMA being undertaken by central government.
* The Local Government Act 2002 – this sets out the purpose of local government, one of which is to carry out the regulatory functions as set out in above legislation, it also provides the power to appoint warranted officers to undertake enforcement work.

**Levels of Service**

What you can expect and how you will know we are meeting your expectations

What are Levels of Service?

Levels of Service are written from a customer viewpoint to demonstrate outputs that the community expects from a Council activity. The performance of that service is monitored through performance measures. Council is dedicated to providing the levels of service that our current and future community want and are willing to pay for.

Determining Levels of Service involves understanding what customers want and what outcomes they seek – in doing this Council considers whether we are delivering the right level of service at the right cost.

How have these Levels of service been developed?

The key statute which impacts on the Resource Consents and Monitoring activity is the Resource Management Act 1991. The Act requires that any activity not permitted in the District Plan can only be carried out with resource consent and determines the procedure for applying, assessing, granting and monitoring resource consents.

Our key levels of service for Resource Consents and Monitoring activity are:

* Responsiveness – resource consents will be processed in a timely manner
* Responsiveness – resource consents will be monitored within appropriate timeframes

There are a number of other acts that may also affect the resource consent function such as the Local Government Act 2002, Building Act 2004, Land Transfer Act 1952 and Unit Titles Act 2010.

What is the rationale for current and targeted LOS?

The level of service for resource consent processing is currently to process 100% of applications within the statutory timeframe. Our current resources don’t provide for all consents to be processed in house but Council has consultants who process our overflow consents when consent numbers increase. No change in the current level of service is anticipated.

Council has the Duty Planner service available between 8 – 5pm Monday to Friday. The amount of queries has increased dramatically over the last 10 years as people become more interested in what they and their neighbours can or can’t do on sites within the district. An additional resource was granted in 2017 and another part-time resource in 2019 have been engaged to cater for the increase in demand. No change in the current level of service is anticipated.

Our current level of service for monitoring land use consents is that all new consents shall be monitored within 4 months of being granted. If any non-compliances are identified then these are followed up immediately until compliance is reached. Once fully compliant the consents are monitored at different timeframes depending on the type of consent. It is noted that some consents once compliant are never monitored again for example yard encroachments. No change in the current level of service is anticipated.

We currently respond to District Plan or RMA breaches once they are brought to Council’s attention. We do not have the resources to continually monitor the district looking for non-compliance. No change in the current level of service is anticipated

* Community Consultation

No specific community consultation regarding this activity has been undertaken.

* Performance measures

The Resource Consent and Monitoring performance measures indicate how Council is performing in relation to the specified levels of service.

* Technical measures

Technical performance measures are focused more on technical criteria that demonstrate effective organisational performance (“what we do”). The performance measures selected all relate to measures of time – reflecting the levels of service which relate to responsiveness.

* Perception measures

Customer performance measures measure how the customer receives the service (“what the customer perceives”). Council believes in the value of user and community feedback as performance measures. Council has found surveys to be a useful and effective way to collect feedback on a range of aspects, such as service quality, responsiveness, and value. They assist Council in understanding community expectation and enables improvements to be made, where appropriate. Council uses satisfaction surveys for measuring its performance. We have not selected any perception based performance measure for this activity.

**Our Impact on the future**

The LGA 2002 requires local authorities to take an approach with well-being of the community and sustainable development in mind while conducting its business. In doing this we are required to take into account –

* the social, economic, and cultural well-being of people and communities; and
* the need to maintain and enhance the quality of the environment; and
* the reasonably foreseeable needs of future generations.

The Resource Consent and Monitoring activity is sustainable as it relates to the social, economic, environmental and cultural well-being of people and communities by:

* Social –
* Collaboration with other local, regional and national organisations enhances the physical and mental wellbeing of the community for present and future generations.
* Ensuring that activities in our district are undertaken in appropriate locations so that they do not adversely affect the surrounding environment.
* Cultural Well-being–
  + Consulting with Maori and different ethnic groups in the community ensures that cultural practices are considered when processing consent thus preserving cultural identity for current and future generations.
* Economic –
* Providing a responsive and helpful regulatory environment to promote development in the district.
* By initiating partnerships with other district, regional and national agencies to work with and collaborate on joint projects to increase efficiency and effectiveness.
* Environmental –
* Enforcing District Plan rules to protect our environment for future generations
* Implementing urban design under the New Zealand Urban Design Protocol to protect the character of our towns for future generations.

**Gaps in information**

Central Government is signalling a review of the Resource Management Act 1991 which could change the way this activity (the District Plan) is delivered. While we have assumed as part of the planning for this activity that we will continue to operate as we largely do currently, this is likely to change.

A recent Central Government report (Randerson Report) recommends two major new pieces of interrelated legislation:

* the repeal of the Resource Management Act 1991 (RMA) and its replacement with new legislation we have suggested be named the Natural and Built Environments Act (NBEA). This would have a substantially different approach but would incorporate some of the key principles of the RMA that remain appropriate
* new legislation - a Strategic Planning Act.

The focus of the Natural and Built Environments Act would be on enhancing the quality of the environment and on achieving positive outcomes to support the wellbeing of present and future generations. This would include recognition of the concept of Te Mana o te Taiao which refers to the importance of maintaining the health of our natural resources, such as air, water and soil, and their capacity to sustain life. This new focus would be achieved through a system designed to deliver specified outcomes, targets and limits for both the natural and built environments. Significant changes to processes are recommended including stronger national direction and the introduction of combined plans for each region. It is expected that these changes will result in clearer direction, reduced complexity and opportunity for enhanced environmental quality.

The proposed Strategic Planning Act would set long-term strategic goals and facilitate the integration of legislative functions across the resource management system. These would include functions exercised under the new Natural and Built Environments Act, the Local Government Act, the Land Transport Management Act and the Climate Change Response Act. This legislation is also designed to integrate land use planning with the provision of infrastructure and associated funding and investment. Regional spatial planning will play a critical part in delivering the intended outcomes for the resource management system. The new legislation would include; strategic planning for urban growth and responding to change, measures to respond to the effects of climate change, and the identification of areas unsuitable for development due to their natural values or importance to Māori.

**Identified Risks and Assumptions**

Risks are managed at a corporate level, manages have identified any assumptions made as part of this activity plan under growth and demand. For Resource Consents and Monitoring the highest identified risk is incorrect decision making.

R00427 Incorrect decision making

Process and monitor Resource and Building Consents in accordance with the RMA 1991

Likelihood: Likely

Consequence: Moderate

Effectiveness: Good

MC00603

Promapp processes  
Delegations  
Future Considerations:  
Future training and review of processes

**Section 17 A Review**

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| Conclusion of the service delivery review | |
| Recommendation from service delivery review whether or not to review | The cost of undertaking the review does outweigh the benefits as the service relates to a statutory function that must be provided and is currently being undertaken mostly in-house.  S17A reviews were completed August 2017. A new project plan for the ongoing reviews will be implemented following the Long Term plan project. |
| Next steps | Instead it is recommended that Resource Consents and Monitoring activity continue to review activities and collaborate with others on an on-going basis to ensure best value for money. |

## Improvement Plan

Over the next ten years the following improvements are programmed to happen to increase the efficiency and effectiveness of the Resource Consent and Monitoring activity:

* Online Resource Consents – With increased technology and demand for the use of computers as a way to gain access to information, Council needs to continue to work towards resource consents online. This would enable customers to lodge consents online, find out who is processing their consent and where in the process the consent is. Additionally, customers would be able to view all resource consents applied for online.
* Monitoring upgrade – The company that implemented Council’s corporate system is developing a monitoring system specific for local government. The introduction of this software will allow consents to be monitored effectively and efficiently and to have detailed records.
* Continual improvement on the way we record and report on information. This will allow us to improve our level of service to our customers. In addition, the type and nature of the information that we are collecting may change and we will need to change with this on a continual basis.
* Additional monitoring resource