

Tasman District Council

Regulatory Services Activity Management Plan

2009-2019

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1. INTRODUCTION

1.1 The Regulatory Services Activity Management Plan: What is it and why is it produced?

The Regulatory Services Activity Management Plan (AMP) covers one of 26 activities addressed in the Tasman District Council Long Term Council Community Plan (LTCCP). This plan is, therefore, strongly linked to the overall strategic direction for the district. The LTCCP is the document and process that alerts the community to the key issues and strategies contained in this document.

The purpose of this plan is to outline and to summarise in one place, the Council's strategic approach for the delivery of regulatory services under a number of statutes which require local government to implement various administrative responsibilities.

The AMP demonstrates responsible management of the function on behalf of ratepayers and stakeholders and assists with the achievement of community outcomes and statutory compliance. The AMP combines management, financial, and technical practices to ensure that the level of service required by the law and expected by the community is provided in the most operationally effective and sustainable manner.

This AMP is based on existing levels of service, currently available information, and the existing knowledge/judgement of the Council staff.

This plan has been prepared in line with the requirements of the Local Government Act 2002 and in accordance with the general principles of Basic Asset Management recommended in the International Infrastructure Management Manual.

1.2 Rationale For The Council's Involvement in Regulatory Services

Regulatory Services is a term that encompasses a large number of Council activities – from liquor licensing to parking control. It involves Council's role in overseeing the implementation of various local regulations (bylaws) and central government legislation.

Regulatory Services comprises the following activities:

- Building Control
- Liquor Licensing
- Public Health (includes food and other registered premises)
- Bylaw Administration
- Maritime Administration
- Hazardous Substances Management
- Parking Control
- Animal Control
- Rural Fire

A purpose of local government, under the Local Government Act 2002 (section 10(b)) is “to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.” The Regulatory Services activity contributes to this well-being of the community, and the sustainable development of the district, by:

- promoting community confidence and trust in the regulatory procedures and decisions
- providing expertise to ensure that all tasks are effectively implemented, and
- applying fairness and sound judgement to all decisions.

As such, the activity contributes to the sustainable development of the district and the wellbeing of the community by ensuring that actions, or non-actions, taken by people in the Tasman district are lawful, sustainable, and safe.

Much of the work done within the activity is in response to central government legislation. The Council carries out those responsibilities largely in-house where the skills needed to do the job are available in the local community. Where the skills are not available, the Council subcontracts out the work, while maintaining legal responsibility and a project management role.

While Council does not have a choice about providing the regulatory services, there is some discretion over the manner and degree to which the functions are delivered. In the past, the rationale for Council’s involvement has been influenced by whether:

1. The community has confidence in the service provided historically by the Council (and so the Council continues to provide the service).
2. The Council already provides the service and to change the mode of delivery would be more costly and less effective.
3. The community expects the Council to play a role in the provision of the service

1.3 Council’s Principal Objectives

The Council’s stated vision statement is for “***An interactive community living safely in the garden that is Tasman District***”.

This is supported by the Council’s Mission statement to “***Enhance community wellbeing and quality of life***”.

A number of corporate objectives directly relate to the Activity Management process:

- (a) *To implement policies and financial management strategies that advance the Tasman District.*
- (b) *To ensure sustainable management of natural and physical resources, and security of environmental standards.*

- (c) *To sustainably manage infrastructural assets relating to Tasman District.*
- (d) *To enhance community development and the social, natural, cultural and recreational assets relating to Tasman District.*
- (e) *To promote sustainable economic development in the Tasman District.*

1.4 Community Outcomes

Through consultation, eight Community Outcomes have been identified. These community outcomes are linked to the four well beings and Council's objectives as shown in Table 1.

Table 1: The Four Wellbeings, Community Outcomes, Council Objectives, Group and Activities

Community Wellbeing	Community Outcomes	Council Objectives	Council Groups and Activities	Council Activities
Environmental wellbeing	<ol style="list-style-type: none"> 1. Our unique and special natural environment is bountiful, healthy, clean and protected. 2. Our built urban and rural environments are functional, pleasant, safe and sustainably managed. 3. Our transport and essential services are sufficient, efficient and sustainably managed. 	<p>To ensure sustainable management of natural and physical resources and security of environmental standards.</p> <p>To sustainably manage infrastructural assets relating to Tasman District.</p>	<p>Environment & Planning</p> <p>Transportation Sanitation, drainage and water supply</p>	<p>Regulatory Services Resource Information Resource Consents and Compliance Environmental Education, Advocacy and Operations Regulatory services Mapua Rehabilitation Regional Cycling and Walking Strategy.</p> <p>Land Transportation Coastal Structures, Aerodromes Refuse Wastewater Stormwater management Rivers Water Supply</p>
Social and Cultural Wellbeing	<ol style="list-style-type: none"> 4. Our vibrant community is safe, well, enjoys an excellent quality of life and supports those with special needs. 5. Our community understands regional history, heritage and culture. 6. Our diverse community enjoys access to a range of spiritual, cultural, social, educational and recreational services. 7. Our participatory community contributes to district-decision making and development. 	<p>To enhance community development and the social, natural, cultural and recreational assets relating to Tasman District.</p>	<p>Cultural services and grants.</p> <p>Recreation and leisure.</p> <p>Community support services.</p>	<p>Libraries Cultural services and community grants</p> <p>Community recreation Camping grounds Parks and Reserves Development impact levies</p> <p>Community facilities Emergency management Community housing Governance</p>
Economic Wellbeing	<ol style="list-style-type: none"> 8. Our growing and sustainable economy provides opportunities for us all. 	<p>To implement policies and financial management strategies that advance. To promote sustainable development in the Tasman District.</p>	<p>Council Enterprises.</p>	<p>Forestry Property Council controlled organisations.</p>

The way in which the Regulatory Services activity contributes to community outcomes is shown in Table 2.

Table 2: Community Outcomes to which the Activity primarily contributes

Community Outcomes	How the Activity Contributes
1. Our unique and special natural environment is bountiful, healthy, clean and protected.	Managing risk from use of hazardous substances in public areas, rural fire, and ensuring recreational boating is safe keeps Tasman special
2. Our built urban and rural environments are functional, pleasant, safe and sustainably managed.	The activity ensures that living environments are safe, and that the activities of others do not negatively impact on citizen's lives. Through ensuring buildings are well constructed, safe and weather tight, the activity contributes to the development of the district, and also ensures that the resale value of the community's assets are protected.
3. Our transport and essential services are sufficient, efficient and sustainably managed.	Parking control ensures parking facilities are available to ensure public access to urban retailers and services.
4. Our vibrant community is safe, well, enjoys an excellent quality of life and supports those with special needs.	This activity safeguards the community's health and wellbeing by ensuring standards of construction, food safety, and registered premises operation are met and that liquor consumption and nuisances from dogs and stock, and risk from fire do not adversely affect quality of life.
5. Our community understands regional history, heritage and culture.	NA
6. Our diverse community enjoys access to a range of spiritual, cultural, social, educational and recreational services.	Safe boating and providing such things as ski lanes ensures community access to the coastal waters of Tasman.
7. Our participatory community contributes to district-decision making and development.	NA
8. Our growing and sustainable economy provides opportunities for us all.	NA

2. LEVELS OF SERVICE AND PERFORMANCE MEASURES

2.1 Introduction

A key objective of this AMP is to match what we do in providing the service as required by law and in accordance with expectations of the community and their

willingness to pay for the service. Activity management planning requires a clear understanding of why we do what we do. The Levels of Service are intended:

- to inform people of the proposed type and level of service to be offered (now and in the future),
- as a focus for the work required to deliver the agreed level of service,

There are many factors that need to be considered when deciding what level of service the Council will aim to provide. These factors include:

1. Council needs to aim to understand and meet the needs and expectations of the community.
2. Council must meet its statutory obligations as outlined in Section 1.2
3. The service must be operated within Council policy and objectives, as outlined in Section 1.
4. The community must be able to fund the level of service provided.

2.2 Customer Research and Expectations

The Council's knowledge of customer expectations and preferences is based on a variety of consultation activities. These are summarised in Appendix 2 and include:

- Customer surveys
- Public meetings
- Feedback from elected members, advisory groups and working parties
- Analysis of customer service requests and complaints
- Consultation via the LTCCP, Annual Plan, and other statutory processes.

2.3 The Activity Goal and Principal Objectives

The strategic direction is to provide Council's regulatory services in a professional, competent and timely fashion. With respect to each regulatory services activity, our operating intentions with respect to level of service are:

1. For Building Control, to ensure buildings are constructed in a safe manner and that building control activities are delivered in a timely and proficient manner
2. For Liquor Control, to ensure the responsible sale of liquor in the district by managing all applications in a timely and proficient manner.
3. For Public Health, to ensure that food provided for sale is safe, free from contamination and prepared in suitable premises, that other public health risks are managed through the appropriate licensing of premises and operations, and to reduce and where possible prevent the occurrence and spread of communicable diseases.

4. For Bylaw Administration, to ensure that bylaws regulating activities are administered in a timely and proficient manner with the aim of safeguarding public health and safety.
5. For Maritime Administration, to ensure Tasman's harbour waters are safe and accessible and that all known commercial operators are registered
6. For Hazardous Substances Management, to ensure to extent possible given Council's responsibilities that risks from hazardous substances are properly minimised and managed
7. For Parking Management, to facilitate the public's access to urban retailers and services, respond to any misuse of disabled parking, and remove reported abandoned vehicles
8. For Animal Control, to minimize the danger, distress, and nuisance caused by dogs and wandering stock and ensure all known dogs are recorded and registered.
9. For Rural Fire, to safeguard life and property by the prevention, detection, restriction and control of fire in forest and rural areas.

2.3.1 Activity Goal

The regulatory services activity goal is to:

1. See that development of the District achieves high standards of safety, design, and operation with minimum impact and public nuisance:
2. Offer excellent customer service in providing information on development and other opportunities, and
3. Ensure permit and licensing systems are administered fairly and efficiently and in a way that will protect and enhance our unique environment and promote healthy and safe communities

2.3.2 Principal Objectives

The principle objectives of the Regulatory Services activity are to:

- Process consent applications and undertake associated inspections in accordance with, and to ensure compliance with, the various statutory requirements
- Prepare and administer any policies required under the various statutory requirements
- Undertake enforcement where necessary to ensure compliance with statutory obligations
- Provide accurate information and maintain appropriate records arising from the regulatory service activity

2.4 Future Planned Levels of Service and Performance Measures

The Council will monitor and report its actual performance against the following measures described in Table 3:

Table 3: Performance Measures

Community Outcomes	What we will provide	We will know we are meeting the Level of Service when ...	Current Performance	Future Performance Target
<p>Our unique and special natural environment is bountiful, healthy, clean and protected.</p> <p>Our built urban and rural environments are functional, pleasant, safe and sustainably managed.</p> <p>Our transport and essential services are sufficient, efficient and sustainably managed.</p> <p>Our vibrant community is safe, well, enjoys an excellent quality of life and supports those with special needs.</p>	<p>We will provide building control services in a professional and timely manner to ensure building work is safe and in accordance with the New Zealand Building Code</p> <p>We will provide a sale of liquor regulatory service in association with other agencies to foster the responsible sale and consumption of liquor</p>	<p>Applications for building consent and code compliance certificates (CCC) are processed within statutory timeframes</p> <p>We maintain Building Consent Authority Accreditation</p> <p>All applications are processed in accordance with the Sale of Liquor Act</p> <p>In conjunction with New Zealand Police, we detect no sale of liquor to minors through random controlled purchase operations run annually</p>	<p>81% building consents 100% CCCs</p> <p>Accreditation achieved 1 July 2008</p> <p>100%</p> <p>Three operations run; 3, 4, and 0 offences</p>	<p>100%</p> <p>Accreditation maintained</p> <p>100%</p> <p>At least two annual operations with no offences detected</p>
<p>Our diverse community enjoys access to a range of spiritual, cultural, social,</p>	<p>We will provide public health services to ensure that food provided for sale is safe, free from contamination and</p>	<p>All food premises are inspected at least once annually for compliance and appropriately licensed</p>	<p>90%</p>	<p>100%</p>

Community Outcomes	What we will provide	We will know we are meeting the Level of Service when ...	Current Performance	Future Performance Target
educational and recreational services.	prepared in suitable premises; that other public health risks are managed through the appropriate licensing of premises and operations; and to reduce and where possible prevent the occurrence and spread of communicable diseases.	All other registered premises are inspected at least once annually for compliance and appropriately licensed	90%	100%
	We will develop and administer appropriate Bylaws designed to ensure that certain activities are administered in a timely and proficient manner with the aim of safeguarding public health and safety.	All known operators are appropriately licensed	100%	100%
	We will provide Maritime administration services to ensure Tasman's harbour waters are safe and accessible and that all known commercial operators are registered	All known commercial operators are appropriately registered Residents rate their satisfaction with this activity as "fairly satisfied" or better in annual surveys	100% New Measure	100% 80%
	We will manage the storage and use of Hazardous Substances to	We respond to any reported incidents within 2 hours	100%	100%

Community Outcomes	What we will provide	We will know we are meeting the Level of Service when ...	Current Performance	Future Performance Target
	<p>ensure, to extent possible given Council's responsibilities, that risks from hazardous substances are properly minimized and managed</p> <p>We will parking control services to facilitate the public's access to urban retailers and services, respond to any misuse of disabled parking, and remove reported abandoned vehicles</p> <p>We will provide Animal Control services to minimize the danger, distress, and nuisance caused by dogs and wandering stock and ensure all known dogs are recorded and registered</p> <p>For Rural Fire, to safeguard life and property by the prevention, detection, restriction and control of fire in forest and rural areas.</p>	<p>Compliance by not less than 80 out of every 100 vehicles parking in time controlled areas within the Traffic Bylaw, based on an annual snap survey</p> <p>All known dogs are registered annually by 30 September</p> <p>We respond to high priority dog complaints within 60 minutes, 24 hours a day, seven days a week</p> <p>The area of forest lost through fire annually does not exceed 20 hectares</p>	<p>New measure</p> <p>97%</p> <p>100%</p> <p>New measure</p>	<p>80%</p> <p>97%</p> <p>100%</p> <p>No more than 20 hectares lost through fire annually</p>

Quarterly monitoring reports detailing activity levels within the regulatory services activity, including compliance with the performance targets, will be provided to the Environment & Planning Committee. An annual summary will be provided as part of the Annual Report and trends monitored when reviewing this activity management plan.

3. EXISTING SITUATION DESCRIBED

3.1 Building Control

The Building Act, with its associated New Zealand Building Code, set the statutory framework for controlling building development, including plumbing and drainage. Every person who intends to construct a building requires a building consent from the Council. The Council is a Building Consent Authority under the Building Act 2004 and is responsible for processing applications for building consents, certificates of acceptance, and code compliance certificates, and associated inspections. Further information is included in the Council's Building Control Procedures Manual and the Building Control Quality Manual.

As a territorial authorial authority it is responsible for enforcing compliance with the Building Act and imposes obligations on the Council to administer annual warrants of fitness for buildings having particular attributes (e.g. emergency warning systems for fire, riser mains, lifts, mechanical ventilation and air conditioning, etc). The Council is also obligated to ensure that prospective builders are aware of the location of services and that areas of natural hazard are identified. As a regional council it processes consents in respect of dams.

These responsibilities are delegated to Council's Building Control staff. Council issues around 1800-2000 consents a year.

The Fencing of Swimming Pools Act obliges Council to ensure that all swimming pool owners adequately fence swimming pools unless an exemption is granted by Council. This function is principally exercised in relation to processing general building consent applications. Inspection of amusement devices is an additional responsibility.

This sub-activity also covers the administration of Council's Development Contribution Policy which has been prepared in accordance with the Local Government Act 2002. Also covered is the processing of applications for Land Information Memoranda provided for under the Local Government Official Information and Meetings Act 1989.

The Council is exposed to considerable liability in the exercise of its building control functions. The Building Act however, provides that civil proceedings may not be brought against the Council 10 years or more after the date on which any proceedings would be based. We currently have seven cases before the Weathertight Homes Resolution Service. We also have around 2,500 historic building consents that do not have a Code Compliance Certificate. As resources permit we will seek to reduce this backlog. The provisions of the Building Act 2004 and new internal systems mean that current applications will not suffer in the same

way as the historic consents. Workload to date has precluded an audit of the Building Warrant of Fitness requirements but systems will be put in place to address this.

The operation of this activity is relatively large in terms of staff numbers and budgetary considerations, and is crucial in terms of the contribution it makes to the sustainable development of the District. In addition to the number of building consent applications processed, this activity is also governed by legislation as to the length of time it may take to process applications. A building consent authority has 20 working days from the date of when the application for a building consent was received to decide whether to refuse or grant the application (sections 40-52 of the Building Act).

3.2 Liquor Licensing

In New Zealand the sale of alcohol is controlled by the Sale of Liquor Act 1989, plus amendments to the Act in 1997 and 1999. The aim of the Sale of Liquor Act 1989 is "to establish a reasonable system of control over the sale and supply of liquor to the public with the aim of contributing to the reduction in liquor abuse, so far as that can be achieved by legislative means".

Council oversees the district administration of the Sale of Liquor Act, acting as the District Licensing Agency (DLA) on behalf of the Liquor Licensing Authority, which encourages the responsible sale and use of alcohol through licensing, monitoring of premises and enforcement of the Act. Council staff processes license applications and renewals (against which there are no objections) and applications and renewals for Manager Certificates. The annual inspections are carried out by a DLA inspector.

The Council has an approved Sale of Liquor Policy used by staff in administering Council responsibilities and in 2006 decided jointly with NCC to prepare an across-the-region Alcohol Strategy.

This activity has no assets. There are links between this activity and the planning and building activities that require co-operation. This co-operation factor makes it unlikely that contracting out of this activity would be cost-effective. Also, the fact that the activity is conducted in-house ensures a quick response for applicants. The activity currently discharges its function quickly and efficiently.

3.3 Public Health

Council is obliged to ensure that premises that prepare and sell food meet hygiene regulations and are inspected. Council therefore ensures that food outlets, camping grounds, mortuaries, hairdressers, clubs and other premises are monitored to ensure they meet health standards. The activity is also charged with investigating notifiable infectious diseases, unsanitary housing and other health related matters.

Council has a Gambling Venue Policy as required under the Gambling Act 2003 but has chosen not to pass a bylaw controlling prostitution. In relation to the latter and to the extent that we can, Council relies on general powers under the RMA

The activity uses both internal staff and external contract assistance. Annually up to 400 licenses are issued following compliant inspections.

The Health Act is currently under review by Government and a reform of the food safety regulatory framework has been announced.

3.4 Bylaw Administration

The Local Government Act 2002 required that all Council's bylaws be reviewed by 30 July 2008 or otherwise they expire. Currently the Council is preparing a consolidated bylaw and the Chapters which the Regulatory Services section is responsible for administering and which have been reviewed are:

Chapter 2 – Dog Control Bylaw

Chapter 3 - Control of Liquor in Public Places Bylaw

Chapter 5 - Navigation and Safety Bylaw

Chapter 6 - Trading in Streets and Public Places Bylaw

Chapter 7 - Traffic Control Bylaw

This activity has no assets. This service is currently provided in-house. This is considered the best option given the small scale nature of it and the need for co-operation and communication with relevant Council staff.

3.5 Maritime Administration

Under the LGA 1974 the Tasman District Council has responsibility for navigation and safety within harbour limits. This involves the control and monitoring of such things as ski-lanes, moorings, launching ramps and channels throughout the District. The Council is also legally responsible for the control of activities within harbour limits as defined under our Navigation and Safety Bylaw. The Council has a number of launch wardens to promote safe boating behaviour. We are obliged by Maritime New Zealand (MNZ) to undertake a Port and Harbour Risk Assessment – this job remains incomplete. We license commercial operations within harbour limits and currently issue 44 certificates annually.

Under the Maritime Transport Act, the Council must plan for, and have in place, contingency measures to deal with oil spills in the coastal areas of Tasman, within the territorial sea. The Council has an Oil Spill Contingency Plan that has been prepared as a joint plan with Nelson City and we have a number of staff with current training certificates. This work is largely cost-recovered from MNZ.

3.6 Hazardous Substances Management

While Council is not longer a consent agency it has a default enforcement responsibility under the Hazardous Substances and New Organisms Act. Because of rules in the Tasman Resource Management Plan dealing with both existing and new hazardous facilities, Council is involved in general compliance monitoring.

3.7 Animal Control

Council administers the Dog Control Act 1996 and relevant bylaws, which require that dogs are registered, cared for, and kept under proper control. Dog Control responsibilities mostly entail investigation of complaints about unregistered dogs, nuisances caused by dogs e.g. barking and aggressive behaviour by dogs towards persons, stock, and other animals, and resolving those complaints through education and where necessary enforcement. Council is also responsible for the administration of the Impounding Act laws to ensure that wandering stock is controlled.

Registration records are now included on a National Dog database to which the Council is required to subscribe. There are also provisions governing the classification and the microchipping of dogs and management of dog behaviour.

Council has in place a Dog Control Bylaw and Policy. The Council operates a Dog Pound in Richmond which is in need of refurbishment/replacement.

The animal control service, except for the administration support, has been contracted out to Control Services (Nelson) Ltd.

3.8 Parking Control

Council provides services for Parking Warden duties in the control of parking restrictions throughout the district, to ensure compliance with parking bylaw. This activity has been contracted out to Control Services (Nelson) Ltd. except that all administration work in processing infringement notices, reminder notices, lodgement of unpaid notices with the court, is carried out by internal staff. The activity has no assets. Current resourcing effort is limited to 35 hours per week.

The Council is also responsible under the Local Government Act 1974 for the removal of abandoned vehicles.

3.9 Rural Fire

Council is a Rural Fire Authority under the Forest and Rural Fires Act 1977. In 2004 all rural fire authorities operating in Tasman District and Nelson City combined to form the Waimea Rural Authority (WRFA) and has awarded a management contract to Rural Fire Network. As a stakeholder in the combined operation Council appoints a representative to the WRFA and also contributes operational funding for the management and delivery of rural fire services. The Council is also responsible under the operating agreement to provide fire appliances, fire equipment and supplies. It also owns and is responsible for the fire stations at Ngatimoti, Brightwater and St Arnaud and leases buildings in Wainui, Appleby, Marahau, and Upper Takaka. The WRFA has in place a Fire Plan which sets out the framework for reducing fire risk, being ready for an event, responding to and recovering from a fire event. It covers the period October 2005 to September 2010.

3.10 Maintenance and Operating

The operation and maintenance expenditure over the next 10 years is summarised in Figure 1 below and detailed in Appendix 4. Costs are principally labour and contract costs associated with what is essentially an administrative function. The annual direct cost over the 10 years is predicted to remain relatively consistent as is the level of service with the exception of providing a new/upgraded pound facility in Richmond.

Figure 1: Estimated Expenditure 2009-2019

3.11 Operating and Resource Issues

The most important issues include:

1. Managing workload efficiently to provide quality customer service
2. Recruiting and retaining competent staff
3. Enforcing fairly and appropriately existing regulations as non-compliance can cause future problems and inconsistent administration can be unfair to those who do comply.
4. Having in place monitoring systems to track performance and that the activity contributes to achieving community outcomes.
5. Managing on-going exposure to litigation risk
6. Maintaining capability including when having to respond to new government regulatory initiatives.
7. Responding to increasing occupational safety and health requirements.

8. Rising public expectations about improved service and coverage.

3.12 Business Continuity / Emergency Management

The activity has no formal Business Continuity Plan. Staff are located at Richmond, Motueka and Takaka service centres. The Council has identified a key area of risk as being the threat of disruption to services resulting from loss of significant numbers of staff over a prolonged period. Council's Business Interruption insurance covers "loss consequent upon interruption to the business as a result of damage to property insured by the Material Damage policy, resulting in losses or increased costs..."

Council has a daily backup-to-tape schedule in place for all information stored on the computer system and a mirror system which is updated at 10 minute intervals is located off-site at the Richmond Library. These arrangements appropriately backup all critical data which can be retrieved if required. Hard copies of all applications and reports are kept within the Records System which is fire-proofed. Some files are electronically scanned but this is an on-going project.

In the event of a natural disaster most of the business would cease in it's current mode of operation as staff would be involved in responding to the event eg building inspectors and health inspectors out ensuring public health and safety. The Council has in place Dangerous Buildings and Dangerous Dams Policies to address earthquake risk as required under the Building Act 2004.

4. FUTURE ISSUES

4.1 Factors Affecting Delivery and Demand for Activity

Council recognises that future demands for regulatory services will be influenced by:

- Population growth and demographics
- Changes in community expectations
- Technological change
- Changes in legislation

The impact of these influencing factors on the demand for regulatory services and the effect on the current mode of delivery is discussed below.

4.1.1 Population Growth

The scale of population growth anticipated in the District is likely to be reflected in a proportionate increase in activity levels within this function. Council has used a growth model which projects forward expected growth in population and dwellings. The effect of this growth is likely to require additional resources to cope with additional activity levels and demand for services:

4.1.2 Trends in Community Expectations

In the 2008 Community surveys there has been no indication by the community for a change in the Council's role in the Regulatory Services Activity except that more

timely processing of consents would require better process or more resources. Feedback on some regulatory services is mixed. At one extreme asking for more an better regulation and enforcement and at the other end for less intervention and 'red tape'. Changes in community expectations over time may lead to an increase or decrease in levels of service. In relation to parking control, a move away from "free", time controlled parking which may be required for equity and efficiency reasons will no doubt be met with resistance and may delay or defer any such change..

4.1.3 Technological Change and Industry Practice

Technology change has the ability to impact on the scope of service and the manner of delivery but there is no predicted technological changes that will have a significant effect on the activity in the medium term. New building methods or products may impact on how the service is managed.

4.1.4 Changes in Legislation and Policies

Changes to Regulatory Services Activity policies may be driven from a number of directions. They could be internally driven through greater emphasis on better and more efficient service or externally by other organisations such as the Government.

Council will continue to monitor these factors when reviewing and developing forecasts and strategies. By 2010 Council has to introduce a quality assurance programme into its building control systems which will be subject to accreditation. This is likely to result in an additional staff member in 2009.

5. RENEWALS CAPITAL EXPENDITURE AND DEPRECIATION

The only assets owned by this activity is a building (used as a dog pound) which is programmed for an upgrade in 2009 and managed through Council's Property portfolio, the harbour masters vessel, and equipment and appliances and depots associated with rural fire management. Appendix 3 includes more detail on the rural fire assets. Other vehicles used in the activity are managed as part of the business overheads.

6. FUTURE PROGRAMME

Unless the Government or Council introduce new rules and regulations, no significant new business costs are expected.

7. FUNDING THE ANNUAL NET COST

The current funding sources available for regulatory services include:

- general rate
- fees and charges recovery
- fines
- sundry income

7.1 Funding Issues

The Revenue and Financing Policy in the LTCCP holds the planned funding approach to these activities. Generally, the following applies:

7.1.1 Building Control

Council considers that the administration of the Building Act solely benefits the individual consent holder. This activity is therefore to be funded by way of fees and

charges payable by the applicants for building approvals. Currently the ratio is a Public 0%, Private 100% split. There are however costs which can not always be attributable to a consent holder, eg enforcement and insurance claims and these costs are absorbed as best they can as costs of doing business. Any shortfall in recoveries means the difference will have to be from rates.

7.1.2 Liquor Licensing

Council considers that the administration of the Sale of Liquor Act solely benefits the individual and user groups. This activity is therefore to be funded by way of fees and charges payable by the applicants for liquor licences. Currently the ratio is a Public 0%, Private 100% split. This will need revision because while application numbers are expected to rise, the application fee does not cover the cost of processing. The fee is set by regulation and has recently been increased but Council has no discretion to amend it, so the difference will have to be from rates.

7.1.3 Public Health

Council considers that while the prime beneficiaries from the provision of public health services are the individual or user groups, this activity does provide protection for the community as a whole. It has therefore determined that the funding of the activity of Public Health will be by way of fees and charges to those applying for health licences for food and other premises, together with a contribution from the rates to fund those activities that cannot be recovered from an individual. Currently the ratio is a Public 40%, Private 60% split from permits & licences.

7.1.4 Bylaw Administration

Council considers the prime beneficiaries from the administration of the Trading in Public Places Bylaw are the individuals who obtain a license but this activity does provide protection for the community as a whole and other commercial operators are an indirect beneficiary. There are also other general monitoring costs which are not attributable to any one person. It has therefore determined that the funding of the activity of Bylaw Administration will be by way of fees and charges to those applying for licences for mobile shops and hawkers' licences. Other costs will be met from a contribution from the rates. Currently the ratio is a Public 60%, Private 40% split from permits & licences.

7.1.5 Maritime Administration

Council considers that the harbourmaster function is of benefit to the community as a whole through promoting safe navigation and boating activity. It receives a small contribution from commercial operators through license fees and some recovery from Maritime New Zealand for oil-spill training and administration. The balance of funding comes from rates. Currently the ratio is a Public 88%, Private 12% split.

Because the Able Tasman National Park is the destination of much of the boating activity attempts to recover more cost from people traveling into the Park through the Abel Tasman Forsehore Reserves Committee will be investigated

7.1.6 Hazardous Substances Management

Council considers that the community as a whole benefits through minimizing risk from the use of hazardous substances in public places which is the main focus of Council efforts. As much as it would like to receive income from uses the law does not allow for that. Some recovery could be achieved through contracting to Department of Labour if Council was of a mind to pick up monitoring workplaces but no decision has been made on this. Currently the ratio is a Public 100%, Private 0% split.

7.1.7 Animal Control

The main beneficiary of the provision of animal control is the individual, however, it is also acknowledged that the community as a whole is also a significant beneficiary. The Council has determined that the funding of dog control should be by way of fees to those registering dogs and recoveries from offending owners. Stock control will be funded by recoveries where possible but unrecovered costs will be funded from General Rates. Currently the ratio is a 4%:96% (Public: Private) funding split.

7.1.8 Parking Management

Council considers that this activity is undertaken to ensure that individuals adhere to parking regulations; therefore it should be funded by those individuals who are in breach of regulations and bylaws through the use of fines and penalties. Where appropriate, users of parking facilities should be charged directly. However currently the ratio is a Public 40%, Private 60% split.

The removal of abandoned vehicles is funded from general rate – while recoveries from owners are desirable it is mostly not possible or practicable to find those responsible.

7.1.9 Rural Fire

Council considers that this activity is undertaken to benefit the wider public generally in avoiding the consequences of uncontrolled fires. Therefore it is a public cost although some subsidy assistance is available from the national Rural Fire Authority and recoveries can be achieved in certain circumstances from those who cause fires. Currently the ratio is a Public 95%, Private 5% split.

7.2 Schedule of Fees and Charges

The fees and charges are reviewed annually and increased at least by the CPI.

8. SIGNIFICANT NEGATIVE EFFECTS

There are no significant effects from the activities. The only activity that has any negative effects on the district or the community is the dog pound where on occasion stressed dogs may be noisy. Council intends to deal with this potential through the planned upgrade of the pound.

9. SIGNIFICANT FORECASTING ASSUMPTIONS, UNCERTAINTIES, AND RISK MANAGEMENT

9.1 Assumptions and Uncertainties

The most significant assumptions and uncertainties that underlie the approach that has been outlined herein are:-

- a) A reasonable degree of reliability can be placed on the population and other growth projections that have been used in this plan. However, these remain projections, and need to be carefully tracked to ensure that they remain true to what is actually happening.
- b) It is possible that the income from fees and charges may not be as great (or may be greater) than what has been projected. Any variation from the forecast in that area may indicate that development is occurring faster (or slower) than what was expected, and this may force a re-think of the timing of any changes in the delivery of the service.
- c) Regulatory activities, because of the associated compliance costs are always likely to be a target for Government review. Except for changes in food safety regulation, no allowance has been made for changes in legislation.

9.2 Risk Management

An Integrated Risk Management Assessment of Regulatory Services is to be carried out in accordance with AS/NZS 4360:1999 Risk Management and will continue to be developed and improved.

Council is conscious of the need, and has the following in place, to mitigate business risk:

- YK2000 report. This is a comprehensive document that identified potential failure mechanisms – the majority of which did not eventuate – but was nevertheless a worthwhile exercise.
- Council's main professional services consultant operates under a Quality Assurance Manual and has ISO 9001 and ISO 14001 certification.
- Council and its agents have Health and Safety Plans in place.
- There are a number of Emergency Procedures response manuals in place including Council's Flood Response Plan

Through CallCare, Council's after-hours phone contractor, there is continuous 24-hour coverage to react to emergency situations. Council operates a Customer Services Request system where requests or complaints are logged and investigated and as necessary actioned and closed out. Rural Fire calls are directed to rural Fire Network.

10. PLAN REVIEW

This AMP is a living document that is relevant and integral to daily management of the activity. To ensure the plan remains useful and relevant an on-going process of AMP monitoring and review activity will be undertaken including a comprehensive review at intervals of not less than three years and each review will be completed to coincide with the next review of the LTCCP.

11. CONCLUSION

The Council will undertake its regulatory activities in accordance with its legal obligations. It will endeavour to improve processes to ensure public health and safety are safeguarded and that compliance costs are kept to a reasonable minimum.

APPENDIX 1: AN OVERVIEW OF THE COUNCIL'S ORGANISATIONAL STRUCTURE AND DECISION-MAKING PROCESSES

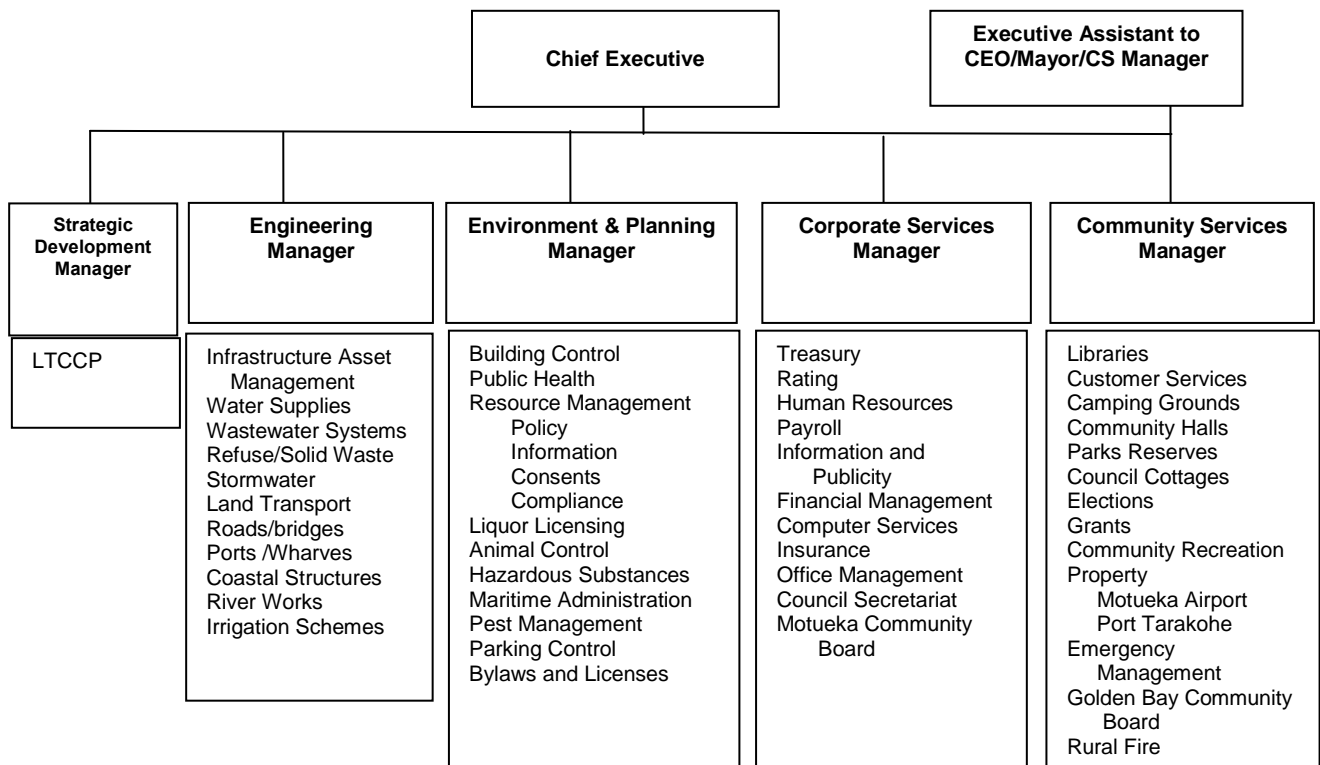
For the purpose of completeness, this Appendix gives a broad overview of the Council's organisational structure and the systems and processes that it uses to manage the whole Regulatory Services activity.

1. Organisational Structure

The Environment & Planning Manager reports to the Environment & Planning Committee which has delegated powers from the Council. The Environment & Planning Committee has overall responsibility for all regulatory services except Rural Fire which is managed by the Community Services manager and reports to the Community Services Committee.

The Tasman District Council organisational structure is shown in Figure 2. As the chart shows, the Regulatory Services falls under the Environment & Planning Manager.

Figure 2: Tasman District Council Organisation Structure



2. Management Practices, Data Systems and Decision-Making Processes

2.1 Accounting / Financial Systems

Council Accounting and Financial systems are based on Napier Computer Systems (NCS) software and GAAP Guidelines. Long term financial decisions are based on the development of 10-year financial plans. These 10-year plans are updated every three years on a cycle driven by the LTCCP.

The development of the AMP is therefore subject to the policies contained in the LTCCP which is available under separate cover.

2.2 Information Management Systems

Council is one of a number of local authorities that uses the NCS computer system as a proprietary information management package that stores information concerning consents and licenses. Data held within the system also contributes to the National Dog Database housed in the Department of Internal Affairs.

Hard copy information is stored on file for each affected property or consent and held in the Council's Records Room.

2.3 Geographical Information System

The Council operates an integrated GIS system which can spatially display regulatory data and is used in carrying out the regulatory services activity.

2.4 Delegations and Appointment Register

Council has a Delegations Register which codifies delegations to Council committees, councillors and staff. Council also has in place an Appointment Register detailing the warrants of authority held by staff.

APPENDIX 2: STAKEHOLDERS AND CONSULTATION

1. Consultation

Purpose of Consultation and Types of Consultation

Council consults with the public to gain an understanding of customer expectations and preferences. This enables Council to provide a level of service that better meets the community's needs.

The Council's knowledge of customer expectations and preferences is based on:

- feedback from surveys
- public meetings
- feedback from elected members, advisory groups and working parties,
- analysis of customer service requests and complaints and
- consultation via the Annual Plan and LTCCP process.

Council commissions customer surveys on a regular basis from the National Research Bureau Ltd¹. These Communitrak™ surveys assess the levels of satisfaction with key services. Council at times will undertake focussed surveys to get information on specific subjects.

2. Stakeholders

Stakeholders are those individuals and organisations that have interest in the management and / or operation of the activities. Stakeholders include, but are not limited to:

- Consent Applicants
- Relevant Government Departments
- Adjoining local authorities
- iwi
- Industry groups
- Recreational and other community groups

¹ Communitrak™: Public Perceptions and Interpretations of Council Services / Facilities and Representation, NRB Ltd October 2005.

APPENDIX 3: RURAL FIRE ASSETS AND EQUIPMENT

Location	Type	Year	RFN Valuation \$ (Nov 2005)
Fire Appliances			
Motueka VRFF	Izuzu 4x4	1984	30,000
Appleby VRFF	Izuzu 4x4	1996	90,000
Ngatimoti VRFF	International ex CFA	1981	25,000
Ngatimoti VRFF	Mazda 4x4 smoke chaser	1998	1,000
Brightwater BRFF	Dennis Urban appliance	1994	50,000
Tapawera NZFS	Mitsi Ute (pumps)	1978	800
Rabbit Island	Equipment		500
Takaka NZFS	Water tanker		

Description	Quantity	Purchase Price \$	RFN Valuation \$	Asset value \$
Fire Equipment and Supplies				
Overalls	40	220	73	2920
Hand Held Radios	7	600	100	700
Wajax kitbags	2		100	200
Hydroblender Portable	3	680	200	600
Pumps				
Wajax	6	6000	2000	12000
Aqualite		5000	1650	0
Angus		15000	3000	0
Tahatsu		9000	2700	0
Waterous		9000	2700	0
Ejector		1300	390	0
Nozzles				
Plexone	16	30	15	240
Foam				
70mm	6	300	150	900
Foam Inductor	4	100	52	200
Foam (litres)	140	7	7	980
Fire Trol		3	3	0
Soap Capsules (units)	13	3	3	39
Breachings				
41 mm	15	450	225	3375
70-41mm	3	450	225	675
70mm	5	900	450	2520
Hose Packs				
41mm	20	1050	525	10500
25mm	7	1080	540	3780
Hose 70mm	20	440	220	4400
Portable dam liner	2	1500	450	900
Portable dam frames	1	1000	500	500
Hydrant Stand Pipe	2	900	450	900
Knapsacks	2	350	175	350
Slipson Units	1	100	50	50
Generator		3000	1500	0
Air bottles		200	200	0
Hand Tools	24	10	5	120

APPENDIX 4: 10 YEAR FINANCIAL SUMMARY

APPENDIX 5: GLOSSARY OF ACTIVITY MANAGEMENT TERMS

Activity	An activity means the good or service provided by Council to achieve a desired outcome. Cf Section 5, LGA
Activity Management Plan	Activity Management Plans are key strategic documents that describe all aspects of the management of an activity. The documents feed information directly in the Council's LTCCP, and place an emphasis on long term financial planning, community consultation, and a clear definition of service levels and performance standards.
AMP or AM Plan	See Activity Management Plan.
Annual Plan	The Annual Plan provides a statement of the direction of Council and ensures consistency and co-ordination in both making policies and decisions concerning the use of Council resources. It is a reference document for monitoring and measuring performance for the community as well as the Council itself.
Level of Service	The defined service quality for a particular activity (ie. water) or service area (ie. Water quality) against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost.
Long Term Council Community Plan	The Long Term Council Community Plan (LTCCP) is the primary strategic document through which Council communicates its intentions over the next 10 years for meeting community service expectations and how it intends to fund this work. The LTCCP is a key output required of Local Authorities under the Local Government Act 2002.
LTCCP	See Long Term Council Community Plan.
LGA	Local Government Act 2002
Objective	An objective is a general statement of intention relating to a specific output or activity. They are generally longer-term aims and are not necessarily outcomes that managers can control.
Performance Indicator (PI)	A qualitative or quantitative measure of a service or activity used to compare actual performance against a standard or other target. Performance indicators commonly relate to statutory limits, safety, responsiveness, cost, comfort, asset performance, reliability, efficiency, environmental protection and customer satisfaction.
Performance Monitoring	Continuous or periodic quantitative and qualitative assessments of the actual performance compared with specific objectives, targets or standards.

Risk Management The application of a formal process to the range of possible values relating to key factors associated with a risk in order to determine the resultant ranges of outcomes and their probability of occurrence.