

STAFF REPORT

TO: Environment & Planning Committee

FROM: Jean Hodson - Regulatory Manager

REFERENCE: C651

SUBJECT: **REGULATORY MANAGERS REPORT EP09/08/06** - Report prepared for meeting of 27 August 2009

1. INTRODUCTION

The purpose of this quarterly report is to provide a summary of the key issues / items of interest in relation to the Regulatory section of the Environment & Planning Department. A statistical summary report on workload and timeframes over the past months is attached.

2. KEY ISSUES / ITEMS OF INTEREST

2.1 Building Control

2.1.1 Staff Re-location

Due to the need to move Compliance and Biosecurity staff back from the Library to allow the work on the Library upgrade to start, the whole Building Control Team has been relocated to their temporary office accommodation across Queen Street in what was previously the Sky TV office. No public access to that building is provided.

I thank the staff involved for their co-operation to achieve this and we look forward to progress on the alterations to this building to facilitate their return in the not too distant future.

Specialist building counter enquiries continue to be dealt with by a "duty Building Consent Officer" so no change in the level of service to customers will occur.

2.1.2 Building Trends

A review of the statistics for the April to June period (compared to the same period last year) shows that the total number of building consents received is only 6% down, whereas the number of new dwellings is down by 35%, this is balanced by an increase in residential alterations (23 % up).

2.1.2 Inspection Workload

The inspection workload has remained steady, with around 160 inspections per week. It is noted that inspection staff are devoting more time to the “older” Code Compliance Certificate (CCC) work, which tends to take longer than otherwise would be expected, sometimes due to changes in standards etc. Follow up on swimming pool fencing compliance is also being undertaken.

2.1.3 Accreditation Update

We are working towards the November 2009 date for our re-assessment for Accreditation and also our first assessment under Regulation 17, which is the “quality assurance” phase of accreditation.

2.1.4 Development Contributions

Prior to the new DC charges becoming operative on 1 July 2009, Council received many requests to pay outstanding (and sometimes early!) DCs at the 2008 rate.

The recent changes made to the DC policy and infrastructure charges have been implemented

2.1.5 Changes to the Building Act 2004

Parliament recently passed the “Building Amendment Bill (No 2) 2009” which contains three specific items:

- National multiple-use approvals whereby the consent process will be streamlined for house designs replicated throughout the country once they have been approved nationally.
- Simpler means of dealing with minor variations to building plans
- Voluntary PIMs (Project Information Memorandum)

It has been signalled that this is the first step towards reform of the Building Act 2004. Below is a quote from a press release from Building and Construction Minister Maurice Williamson:

“The review’s terms of reference is currently being finalised but it is expected to cover:

- *What needs to be consented based on actual levels of risk and complexity, with the aim of reducing the amount of building work requiring a building consent.*
- *Taking a good hard look at the underlying risk and liability framework in the sector.*
- *Assessing how the role of Building Consent Authorities might change if more responsibility is transferred to builders, designers, and consumers.*
- *Exploring the extent to which licensed building practitioners could self-certify their work.*

- *Examining the role that home warranty insurance might play in such an environment.*
- *Removing unnecessary building control regulation*

In addition to the areas highlighted above, the Government will be looking at a number of non-regulatory ways to improve performance, such as:

- *Supporting councils to work smarter using technology and leveraging the same technology to reduce design and building costs.*
- *Putting greater focus on information and education, so people make informed choices rather than having them made for them.*
- *Facilitating and incentivising Building Consent Authorities to consolidate and rationalise their functions.*
- *Getting better outcomes from the increased investment in trade training.*

Work on implementing the national multiple-use consents is being progressed with urgency and is expected to be operational early next year.”

Comment: Although the content of the on-going review is unknown, the changes made to date have not reduced the workload on Councils. For example the increase in the list of “Exempt Work” recently may reduce work at the “processing” end, but it has lead to some difficult and time consuming situations over interpretation (trying to define what is exempt and what isn’t) and also at the time of property sales, the pressure comes on when people want unconsented work to be legitimised/accepted by Council; thus the pressure has been “moved rather than reduced”. The desire of home owners to lodge “exempt work” plans with us onto their property record is a challenge to manage and carries liability issues and can sometimes lead to time consuming enforcement work. In an environment of unlicensed practitioners we are not certain this move has even been within the spirit of the original Building Act 2004, which was mainly to give home owners greater certainty about the quality of the work done on the housing stock in NZ. We have no expectations that future law changes will simplify our workload.

2.2 Animal Control

2.2.1 Annual Dog Registration

The annual dog registration time has been a very busy time for staff, but the process ran smoothly and efficiently. Council allows “late payments” to be made up until the end of July before the late penalty fee is applied on 1 August. As of 3 August 2009, there are approximately 774 outstanding dog registrations (541 individual owners) which will incur the “late fee” (50% extra cost). This amounts to only 7.6% of the total number of dogs in the District which is a good registration rate.

2.2.2 Dog Control Bylaw and Policy Review

The closing date for submissions on the review of the Policy and Bylaw was 30 June 2009, whereby we received 134, of which only 33 wished to be heard. The hearing took place on 4 August and the Council met again on 5 August to make decisions on a number of recommendations. The amended draft Policy and Bylaw was presented to Council for final adoption on 20 August.

I would like to thank staff and Councillors for their time and effort that has contributed to the completion of this review task. The new Policy and Bylaw will become operative from September 2009. The review resulted in a change in relation to the Dog Prohibited Areas, ie that being the status maintained for Commercial Street Takaka, and an additional area over the southern portion of the Motueka Sandspit.

The review process provided a good forum for specific feedback to Council about many sensitive areas and issues which was very valuable.

2.2.3 New Dog Pound

Construction work on the new pound is well underway and proceeding according to schedule. It is anticipated that work will be finished around about the time of this meeting. An opening ceremony will be held in due course.

2.3 Environmental Health / Maritime/ By-Laws

2.3.1 Maritime

A positive response has been received from Maritime NZ regarding their requirements for temporary in-shore aids to navigation; now the only requirement is for Councils to place a cautionary notice on the relevant charts and ensure the standard type of aids are used.

A set of booms will be installed at Kaiteriteri as a safety measure for swimmers, this is a joint TDC/ Kaiteriteri Domain Board project and the booms will be in place before Christmas.

The inner lead lights at Mapua are being replaced as they have reached the end of their life, Engineering budget funds this work and also the negotiations for easements onto private land is being sorted.

Two staff will be participating in the on-going Regional Council Oil Spill training; this is funded 100% by the Oil Pollution Fund collected via maritime fuel levies.

2.3.2 Liquor Licensing

We are preparing for a defended hearing regarding the issuing of an Infringement fine for excessive noise for the Wakefield Hotel.

There is an increasing amount of concern about the Sprig and Fern, Queen Street regarding both parking issues and the conduct of patrons impacting on commercial and residential neighbours.

Possible changes to legislation is still being discussed nationally, with staff having good input through the LGNZ reference group. We expressed the view firmly that the statutory fixing of fees for licenses represented a disadvantage to a large geographic area such as ours where large distances had to be travelled for inspections. This has gone into the mix.

2.3.3 Illegal Camping

At the July E&P Committee meeting the decision was made to not proceed with any review of the current Council policy or to further investigate the creation of a bylaw to manage illegal freedom camping in the District. I was asked to attend the Motueka Community Board meeting on 11 August to hear their further concerns. It is clear that the number of non-self contained vehicles being used by travellers will cause further issues next summer, possibly at a higher level of concern if numbers increase markedly. This situation will be monitored closely.

2.3.4 Parking

A change has been made to the contract arrangements for parking enforcement including an increase from 20 hours to 35 hours per week, with at least three days a week in Richmond compared to one day previously. This change was seen as appropriate to ensure enforcement/monitoring was able to be focused on the areas of greatest demand.

2.4. Biosecurity- Staff Structure Change

In July the Biosecurity function was transferred from the Regulatory Section to the Environmental Information Section within E&P. The main reason for the change was to recognise the stronger functional relationships of Biosecurity with the other functions within the Environmental Information Section compared to those within Regulatory. This structural change corresponded to the physical relocation from the Library back to the main office.

3. STAFF

No resignations or new staff have been employed since the last report.

4. RECOMMENDATION

That this report be received.



Jean Hodson
Regulatory Manager

Building Consent Applications Received Yearly Comparisons April-June 08-09

All Building Consents	Apr	May	Jun	Total	Var
Previous year	152	153	133	438	
Current Year	132	161	120	413	94%
New Dwellings					
Previous year	23	26	26	75	
Current Year	14	19	16	49	65%
Alterations					
Previous year	25	31	25	81	
Current Year	31	43	26	100	123%
Garages and Sheds					
Previous year	47	36	41	124	
Current Year	25	24	13	62	50%
Heating					
Previous year	54	58	38	150	
Current Year	47	58	43	148	99%
Commercial					
Previous year	3	2	3	8	
Current Year	6	7	17	30	375%
Certificate of Acceptance					
Previous year	4	3	7	14	
Current Year	4	2	3	9	64%

Building Consent Applications Received April-June 08-09

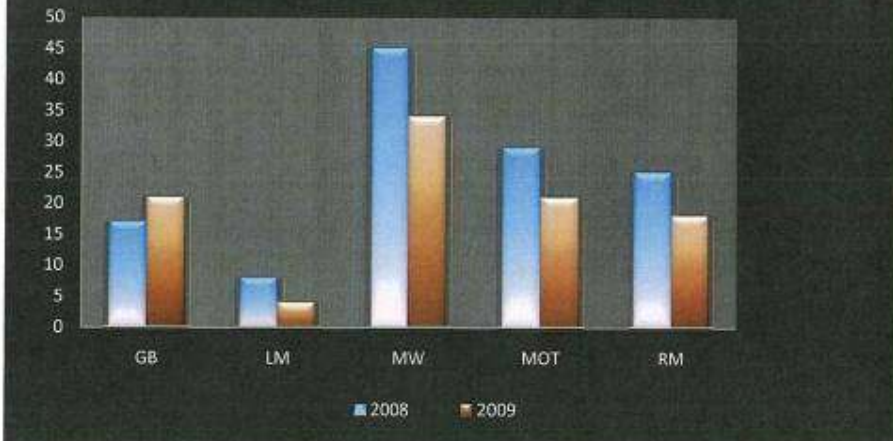


New Dwellings by Ward Yearly Comparison Jan - Jun 2008 - 2009

New Dwellings	GB	LM	MW	MOT	RM	Total	Var
2008	17	8	45	29	25	124	
2009	21	4	34	21	18	98	79%
Var	124%	50%	76%	72%	72%		

GB Golden Bay
 LM Lakes Murchison
 MW Moutere Waimea
 MOT Motueka

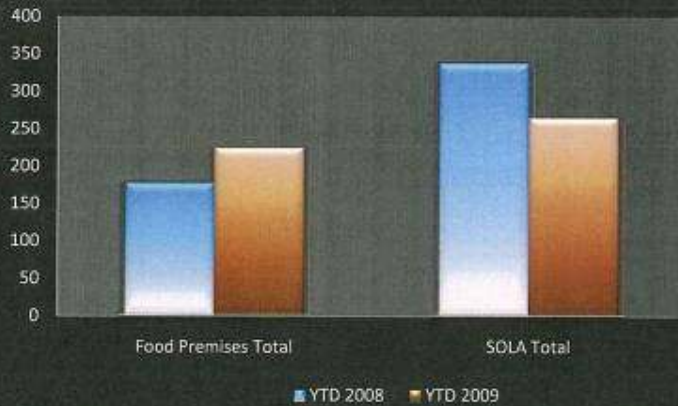
New Dwellings by Ward 2008 - 2009



Environmental Health Licences Issued Year to Date

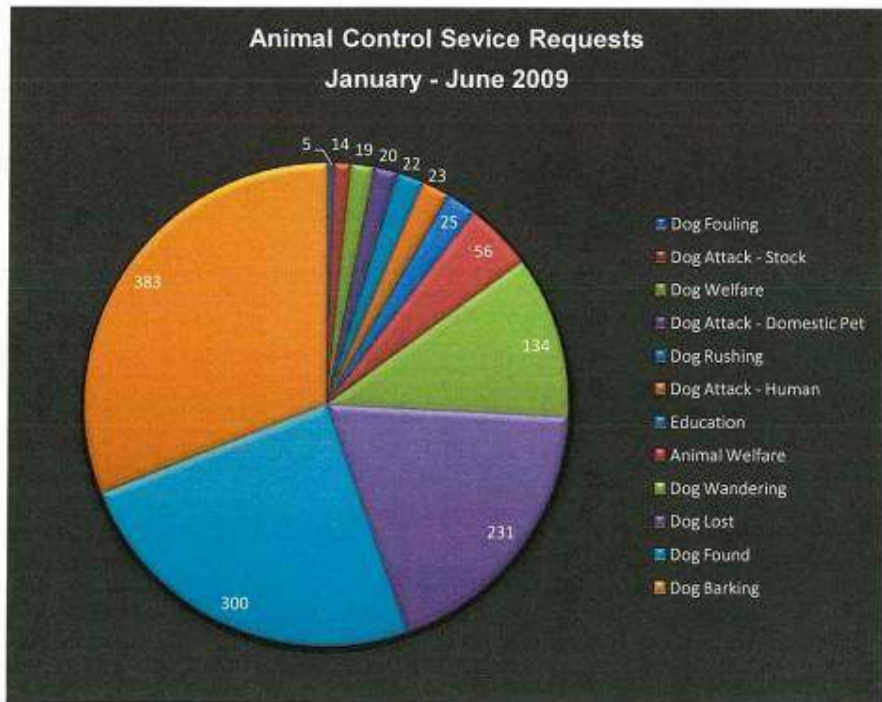
Health Licences	2008	2009	Var
Food Premises	116	145	125%
Other	61	79	130%
<i>Food Premises Total</i>	177	224	127%
Sale of Liquor (SOLA)			
Club Licence	5	2	40%
Manager's Licence	180	133	74%
Off Licence	48	24	50%
On Licence	18	27	150%
Special	42	35	83%
Temporary Authority	44	43	98%
<i>SOLA Total</i>	337	264	78%

Licences Issued YTD 2008 - 2009



Animal Control January - June 2009

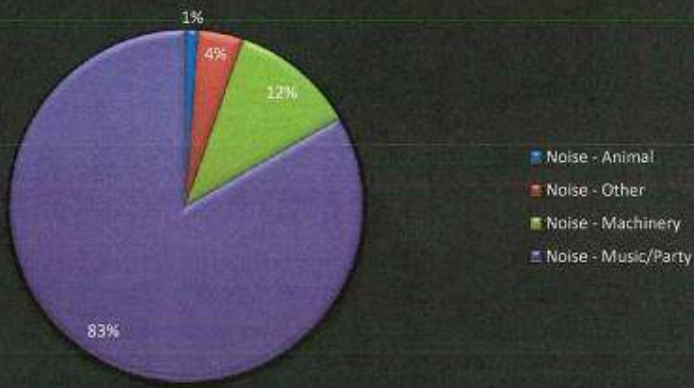
Infringements	Jan	Feb	Mar	Apr	May	Jun	Totals
Failure to Register			2			3	5
Failure to Control/Confine						2	2
Failure to Microchip						2	2
Dogs Impounded	6	10	16	13	10	4	59
Dogs Rehomed	1	1	2	1	2	0	7
Service Requests	Jan	Feb	Mar	Apr	May	Jun	Totals
Dog Complaints	272	190	241	201	190	178	1272
Stock Complaints	9	13	6	11	19	16	74
Totals							



**Service Request Noise Complaints
Yearly Comparison
Jan - Jun 2008 - 2009**

Service Requests	2008	2009
Noise - Animal	5	3
Noise - Other	20	12
Noise - Machinery	54	34
Noise - Music/Party	394	302

Jan - Jun 2008



Jan - Jun 2009

