

STAFF REPORT

TO: Environment & Planning Committee

FROM: Jean Hodson - Regulatory Manager

REFERENCE: C651

SUBJECT: **REGULATORY MANAGER'S REPORT EP10-02-04** - Report prepared for meeting of 25 February 2010

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 and in some cases the whole of 2009 is attached.

2. KEY ISSUES / ITEMS OF INTEREST

2.1 Building Control

2.1.1 Building Trends

A review of the statistics for the October to December 2009 period shows that the total number of building consents received was 371 (compared to 338 in the same period in 2008).

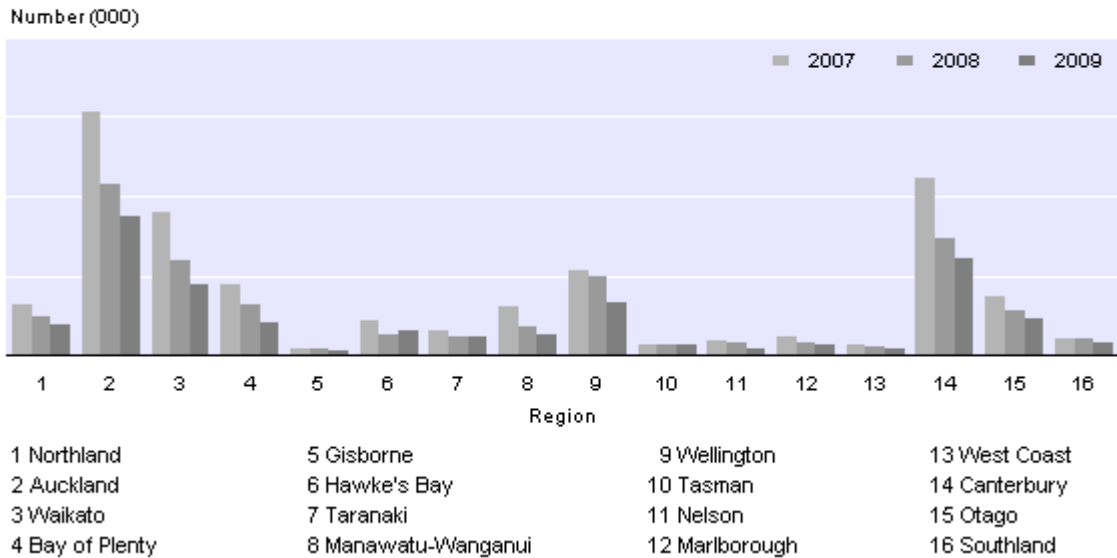
In 2009, the total number of new dwellings authorised in our district was 249 compared to 169 for the same period for Nelson. (source, Statistics New Zealand).

Nationally, for the year ending December 2009, 14 of the regions had fewer dwellings authorised compared to the previous year. The regions with the largest decreases were Auckland, Wellington and Waikato. The regions which had increases were Hawke's Bay and Taranaki. (Our figures were 289 new dwellings in 2008 and 291 in 2009.) Those figures are seen in the graph below.

New Dwellings Authorised

By region

Year ended December



2.1.2 Inspection Workload

The inspection workload is steady, with around 150 inspections per week on average for the three months from October to December (total 1800 inspections). This compares to 152 per week for the same period in 2008. This does not include inspections in relation to Code Compliance Certificates or unauthorised work.

2.1.3 Accreditation Update

We are continuing to work towards providing the necessary information to IANZ to complete the accreditation process within the time required. Improved consent processes continue to be developed to ensure our processes are as efficient as possible and in line with industry "best practice". One visible change that is being considered may be a return to a specialised resource person at the front counter to ensure applications are complete and meet a reasonable standard before they are accepted for lodgement.

2.1.4 Voluntary PIMS

Recent changes to the Building Act 2004 mean that as of 1 February 2010, the issuing of a Project Information Memorandum (PIM) at the time of a building consent will not be mandatory. If they wish, people may still apply for a PIM, but it is not a requirement. The PIM information that is collected remains an important part of the processing of a building consent (RMA compliance, natural hazards, provision of infrastructural services etc) and therefore the information will continue to be collected and used. Many projects, particularly larger or more complex ones, will benefit from an early PIM application as an aid to the design process. Minor changes to application forms, guidance material and internal processes are being made to reflect the changes to the Act.

2.1.5 Staff Changes/Timeframes

We currently have three vacancies within the Building Consent processing team and are planning interviews for replacement staff at the time of writing this report. The effect of these vacancies has meant that some consent processing has been outsourced to enable us to keep up with our statutory timeframes.

A new (replacement) Administration Officer started work within the Building team in January.

2.2 Animal Control

2.2.1 Annual Dog Registration

During the three months October to December 2009, 39 infringement notices were issued for unregistered dogs. There was a total of 186 unregistered dogs (out of 10142) at the end of December. Not all the follow up visits for unregistered dogs has been completed due to prioritising of resources into other areas of work, however this is expected to be finished within a month. The emphasis with this process is to make contact with owners of unregistered dogs and simply get them registered, priority is not on the infringements.

2.2.2 Dog Shelter

The new Dog Shelter is operating very successfully, albeit with a few “teething” problems such as dogs biting through rope door releases resulting in the need to replace these with metal cables!

The number of impounded dogs has increased significantly since the new facility has been finished; for the three months since it opened we have had 44 dogs pass through, compared to 15 in the same period a year ago. This was the expected outcome and shows the limitations that the old facility was imposing on the Animal Control activity.

2.3 Environmental Health / Maritime/ Liquor Licensing/ By-Laws

2.3.1 Environmental Health

Staff have been involved in assisting the Public Health Service with investigating an outbreak of a gastro-type virus (confirmed as norovirus) at the Tukurua Camp Ground during the Christmas/January period. Water sampling of both the water supply (which is UV treated) and the Tukurua Stream were undertaken to assist with ascertaining potential sources of contamination. The camp ground operation was restricted for a period during that time, in that new campers were not permitted to enter. A “boil water” notice is still in force (at the time of writing this report) and will be until the water supply was proven to be safe. Some of the samples taken indicated there was some contamination present, although the source has not been positively identified.

In such instances the Public Health Service acts as the lead agency. Full cooperation was given by the staff and management of the campground throughout. Outbreaks such as this, while not common, are not unknown and camping grounds are acknowledged to be high risk activities particularly during the summer period. In relation to the cause of the outbreak, neither the water supply nor recreational contact with creek water can be totally discounted as risk factors, but it is probable that contaminated surfaces and person to person spread were the most important risk factors accounting for the extent of the outbreak. Council staff are involved in some follow up work regarding the on-site wastewater treatment system and other potential sources of stream contamination.

2.3.2 Maritime

A full report from the Harbourmaster on the summer season activity and issues will be presented to the Committee at the May meeting.

2.3.3 Noise Issues

A defended Court hearing regarding a noise infringement notice which was appealed by the Wakefield Hotel was held in January, with the outcome being that the notice stands and the Council will be able to recover some of the legal costs from the appellant. One important matter to note was that non-compliance with the TRMP noise rules did not automatically mean a noise would be deemed to be “excessive” by the Judge. Technical noise evidence was very relevant to the outcome of the proceedings.

Further investigation is currently underway regarding on-going complaints about motorbike noise particularly in Golden Bay.

There is a noticeable trend towards increasing demands on staff time linked to noise complaint investigation.

2.3.4 Liquor Licensing

There were two On Licence Controlled Purchase Operations (CPOs) conducted during this three month period which covered 10 premises. The outcome was very pleasing as there were no sales made to minors.

2.3.5 “Illegal” Freedom Camping

During the three month period October to December, the records show that 24 complaints about “illegal” freedom camping were received, but in January 2010 alone, 28 were received. The tone of the messages coming through from people is clearly an expression of their disgust and frustration at the behaviour associated with campers using public land. People are becoming less tolerant about the problem and possibly more motivated to complain because of the amount of media coverage of the issue. Council’s Customer Services Manager commented that the complaints seemed to start earlier this year, but overall the number has not increased significantly from last summer.

Our contractors report that generally, the situation has been much the same as previous years, although the number of non-self contained vans seems to be increasing. They report that there are difficulties experienced in that often the people who are approached state that they are not “camping”, but only having a picnic etc. It can be quite difficult for the contractors to “be at the right place at the right time” to catch up with people camping in a manner contrary to the Council policy. This kind of “education” can only go so far towards trying to manage this problem.

Some of the known “hot spots” which are most problematic include Nees Road/Rototai Beach, Hambrook Road, Waitapu Bridge, Franklin Street, Marahau and Motueka Salt Water Baths. The sheer number of vans and people camping on public land is difficult to deal with at this time of year, particularly when there are occasions such as the music events and the Mardi Gras in Golden Bay.

I wish to thank the Control Services staff who respond to the complaints, talk to the campers and move them on as best they can. It really is a difficult task.

2.3.6 Licensed Premises Inspections

The progress on the annual inspections of licensed premises is somewhat behind where we would like to be at this stage, but the Committee is assured that all food complaints, new premises and high risk premises are being well managed. As has been advised previously, the overall standard of licensed premises is being raised and this process is taking extra time but is paying off with positive results.

3. RECOMMENDATION

That this report be received.

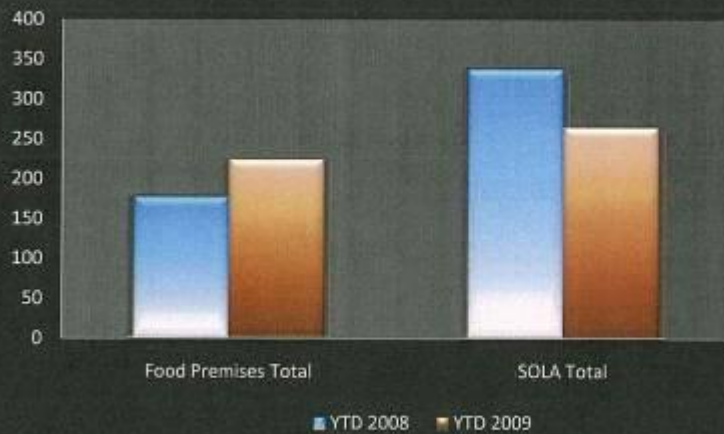


Jean Hodson
Regulatory Manager

Environmental Health Licences Issued Year to Date

Health Licences	2008	2009	Var
Food Premises	116	145	125%
Other	61	79	130%
Food Premises Total	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%
SOLA Total	337	264	78%

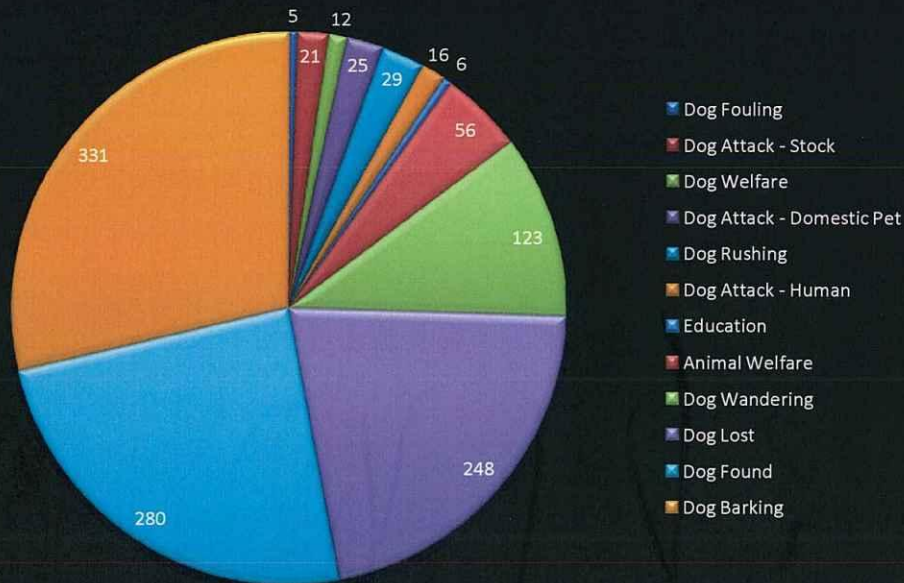
Licences Issued YTD 2008 - 2009



Animal Control July - Dec 2009

Infringements	July	Aug	Sept	Oct	Nov	Dec	Totals
Failure to Register			3	3	28	8	42
Failure to Control/Confine			1	1			2
Fail to keep dog under control					1		1
Impounding							
Dogs Impounded	10	10	13	9	17	12	71
Dogs Rehomed	2	1	1	5	4	2	15
Dogs Returned to owner	5	9	11	4	9	9	47
Dogs Destroyed	3		1		2		6
Still in Pound							4
Service Requests							
Dogs	170	208	228	163	194	190	1153
Stock	9	22	11	7	16	9	74

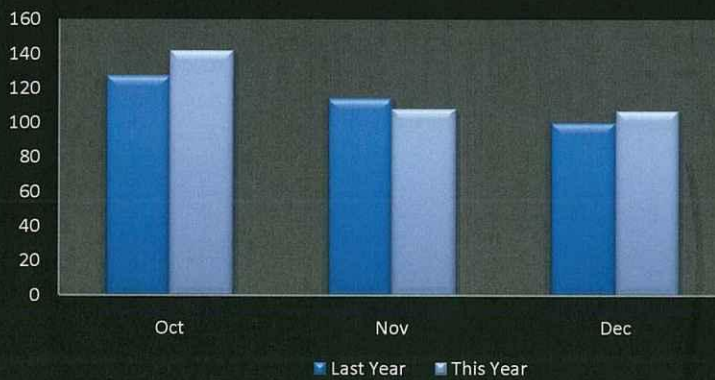
Animal Control Service Requests July - Dec 2009



Building Consent Applications Received Yearly Comparisons October-December 08-09

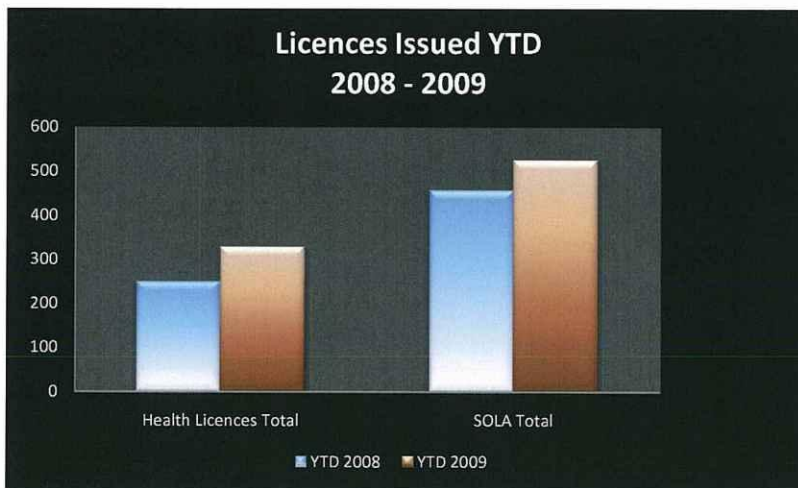
All Building Consents	Oct	Nov	Dec	Total	Var
Previous year	127	114	100	341	
Current Year	142	108	107	357	105%
New Dwellings					
Previous year	30	23	16	69	
Current Year	28	22	26	76	110%
Alterations					
Previous year	38	33	23	94	
Current Year	42	33	25	100	106%
Garages and Sheds					
Previous year	40	47	42	129	
Current Year	22	20	21	63	49%
Heating					
Previous year	12	4	7	23	
Current Year	12	7	11	30	130%
Commercial					
Previous year	7	6	10	23	
Current Year	16	15	9	40	174%
Certificate of Acceptance					
Previous year	9	0	2	11	
Current Year	3	0	2	5	45%

Building Consent Applications Received October-December 08-09



**Environmental Health
Licences Issued Year to Date
January - December 2008 - 2009**

Health Licences	2008	2009	Var
Food Premises	179	237	132%
Other	70	91	130%
Health Licences Total	249	328	132%
Sale of Liquor (SOLA)			
Club Licence	8	9	113%
Manager's Licence	268	286	107%
Off Licence	32	42	131%
On Licence	30	50	167%
Special	57	88	154%
Temporary Authority	61	49	80%
SOLA Total	456	524	115%

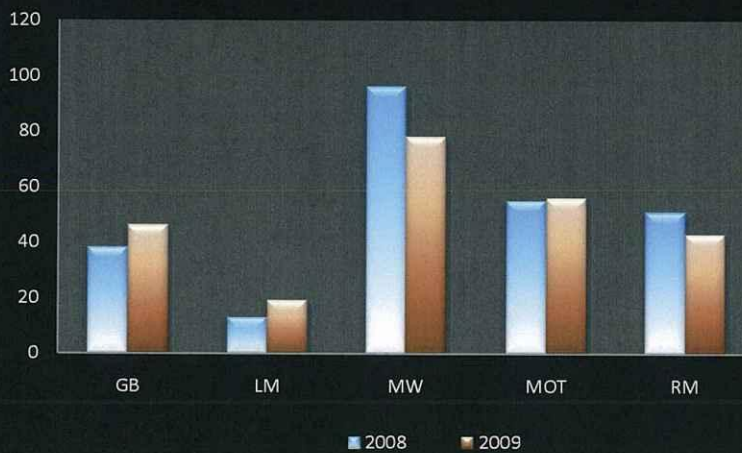


New Dwellings by Ward Yearly Comparison Jan - Dec 2008 - 2009

New Dwellings	GB	LM	MW	MOT	RM	Total	Var
2008	38	13	96	55	51	253	
2009	46	19	78	56	43	242	96%
<i>Var</i>	121%	146%	81%	102%	84%		

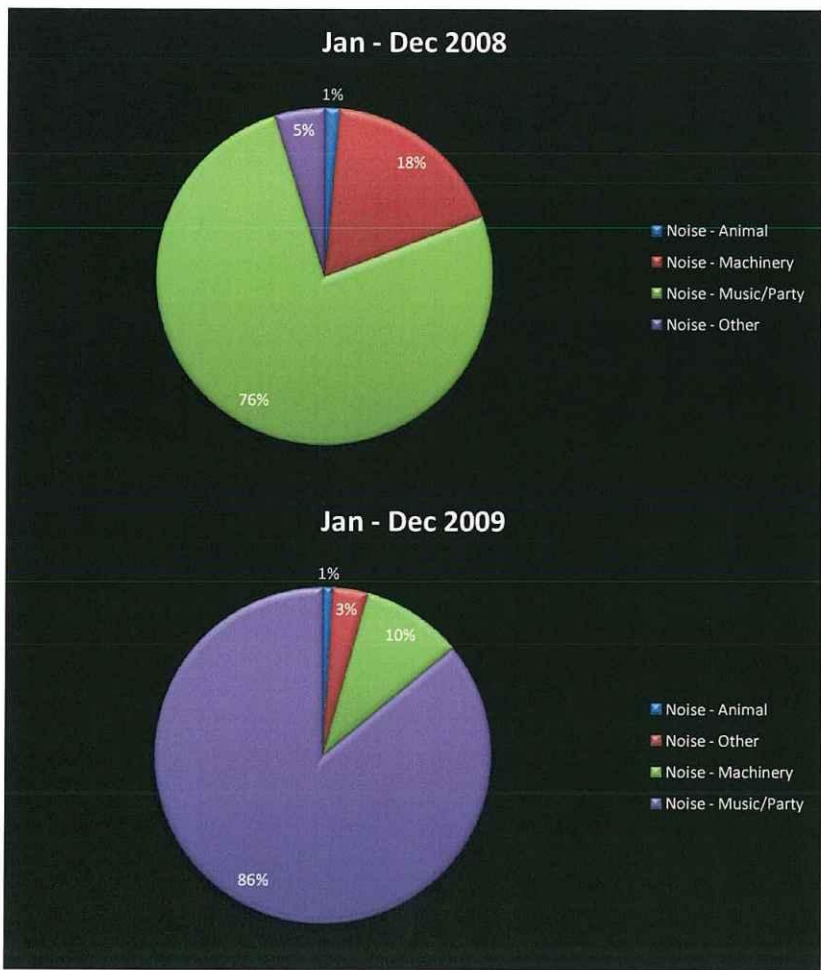
GB	Golden Bay
LM	Lakes Murchison
MW	Moutere Waimea
MOT	Motueka
RM	Richmond

New Dwellings by Ward 2008 - 2009



Service Request Noise Complaints Year to Date Comparison Jan - Dec 2008 - 2009

Service Requests	2008	2009
Noise - Animal	13	5
Noise - Machinery	166	69
Noise - Music/Party	710	691
Noise - Other	45	23



**Parking Control
July to December 2009**

Total Infringements issued	600
Total Infringements paid	397
Total Infringements to Court	119

**Stationary Vehicle Traffic Infringements Issued
July - Dec 2009**

