



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA


Regulatory Compliance Committee Meeting

Tuesday, 30 November 2021

Time: 1.00 pm
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Cr Kelly Stratford - Chairperson
Cr Dave Collard – Deputy Chairperson
Mayor John Carter
Deputy Mayor Ann Court
Cr David Clendon
Cr Rachel Smith
Cr John Vujcich
Member Belinda Ward

	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Regulatory Compliance Committee Terms of Reference
	Approval Date	19 December 2019
	Responsible Officer	Chief Executive

Purpose

The purpose of the Regulatory Compliance Committee (the Committee) is to implement and monitor regulatory compliance and statutory matters on behalf of the Governing Body. The Committee will conduct hearings (except those under the *Resource Management Act 1991*) and undertake any functions as requested or delegated by Council from time to time provided the functions conform to the *Local Government Act 2002*.

The Committee will have functional responsibility for the following aspects:

- Hearings (excluding RMA and DLC)
- Regulatory activities
- Regulatory policies and bylaws
- Regulatory compliance
- Mana Whakahono

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities and key legislation.

Delegations

The Regulatory Compliance Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the Regulatory Compliance Committee will operate within:

- policies, plans, standards or guidelines that have been established and approved by Council.
- the overall priorities of Council.
- the needs of the local communities; and
- the approved budgets for the activity.

Power to Delegate

The Regulatory Compliance Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Council will determine the membership of the Regulatory Compliance Committee.

The Regulatory Compliance Committee will comprise of at least six elected members (one of which will be the chairperson).

When the Regulatory Compliance Committee is meeting as a Hearing Committee, the Chairperson and a majority of the Committee members must be accredited commissioners under the relevant Act.

When the Regulatory Compliance Committee is meeting as a Hearing Committee, the Chairperson shall hold the 'chair certification' as per the Act.

The Committee membership for each hearing shall be appointed by the Chairperson of the Regulatory Compliance Committee together with the Chief Executive and will normally comprise the core Regulatory Compliance Committee members.

The Regulatory Compliance Committee will comprise of at least six elected members (one of which will be the chairperson).

Mayor Carter

Kelly Stratford – Chairperson

Dave Collard – Deputy Chairperson

John Vujcich

Rachel Smith

David Clendon

Ann Court

Belinda Ward – Bay of Islands-Whangaroa Community Board Chair

Non-appointed Councillors may attend Regulatory Compliance Committee (but not Hearings) with speaking rights, but not voting rights.

Quorum - Committee

The quorum at a meeting of the Regulatory Compliance Committee is 4 members.

Frequency of Meetings

The Regulatory Compliance Committee shall meet every 6 weeks but may be cancelled if there is no business.

Committees Responsibilities

The Committees responsibilities are described below:

Hearings, Objections and Appeals

- Conduct hearings, as delegated by Council, in accordance with the relevant legislative and policy requirements (excluding Resource Management Act and District Licensing)
- Approve and monitor Council's list of hearing Commissioners for Resource Management Act and District Licensing hearings.

Regulatory Activities

- Assess and provide advice to Council on level of service and policy issues relating to:
 - regulatory matters; and
 - provision of services
- Reviewing and making recommendations to the Chief Executive in respect to functions and activities within the purpose of the Committee regarding codes of practice.

Policies and Bylaws

- Recommend the development and review of Council's regulatory policies and district bylaws
- Make a recommendation where in a bylaw the Council has specified that a matter be regulated, controlled or prohibited by the Council by resolution (eg dog areas under the dog control bylaw, speed limits)

Compliance

- Ensure that Council's planning and regulatory functions comply with legislative requirements and Council policy and processes
- Monitor operational functions comply with legislative requirements and Council policy
 - BCA (building consents)
 - RMA (resource consents)
- Ensure that consents associated with Council's infrastructure are being met and renewals are planned for
- Receive traffic light reports on regulatory compliance (policy, plans, functions and bylaws) such as:
 - District Plan (when proposed)
 - Building Act
 - Resource Management Act
 - Licences (various acts)
 - Animal management

Mana Whakahono-ā-Rohe (Mana Whakahono)

- Monitor regulatory matters arising from Mana Whakahono under the Resource Management Act 1991.

The committee seeks to foster and encourage participation and engagement with constituents.

HEARINGS, OBJECTIONS AND APPEALS**Regulatory Compliance Committee, meeting as a Hearing Committee**

The Regulatory Committee, when meeting as a Hearing Committee, shall be delegated authority to hear and determine matters as follows:

Public Works Act 1981

Public work requirements.

Local Government Act 2002

Objections against the construction of public works on private land.

Local Government Act 1974

Objections and appeals to road stopping proposals.

Fencing of Swimming Pools Act 1987

Applications for exemption, waiver or compliance.

Delegated decisions

- Requests for review or objections to delegated decisions by the Committee and/or delegated officers.
- Appeals against decisions made by officials acting under delegated authority in accordance with approved Council Policy.

Dog Control Act 1996

Objections.

Gambling Act 2003, Health Act 1956 and Building Act 2004

Hearings, objections and related matters.

And any other such matters as required under the legislation (but not Resource Management Act or the Supply and Sale of Alcohol Act for matters outside the district licensing committee).

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

REGULATORY COMPLIANCE COMMITTEE - MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Hon John Carter QSO	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
Kelly Stratford (Chair)	KS Bookkeeping and Administration	Business Owner, provides bookkeeping, administration and development of environmental management plans	None perceived	Step aside from decisions that arise, that may have conflicts
	Waikare Marae Trustees	Trustee	Maybe perceived conflicts	Case by case basis
	Bay of Islands College	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Karetu School	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Māori title land – Moerewa and Waikare	Beneficiary and husband is a shareholder	None perceived	If there was a conflict, I will step aside from decision making
	Sister is employed by Far North District Council			Will not discuss work/governance matters that are confidential
	Gifts - food and beverages	Residents and ratepayers may 'shout' food and beverage	Perceived bias or predetermination	Case by case basis
	Taumarere Counselling Services	Advisory Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	Sport Northland	Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	He Puna Aroha Putea Whakapapa	Trustee	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Kawakawa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Whangaroa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	National Emergency Management Advisor Committee	Member		Case by case basis
	Te Rūnanga ā Iwi o Ngāpuhi	Tribal affiliate member	As a descendent of Te Rūnanga ā Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā Iwi o Ngāpuhi Council relations	Declare a perceived conflict should there appear to be one
	Te Rūnanga ā Iwi o Ngāti Hine	Tribal affiliate member	Could have a perceived conflict of interest	Declare a perceived conflict should I determine there is a conflict
	Kawakawa Business and Community Association	Member		Will declare a perceived conflict should there appear to be one
Kelly Stratford - Partner	Chef and Barista	Opua Store	None perceived	
	Māori title land – Moerewa	Shareholder	None perceived	If there was a conflict of interest, I would step aside from decision making
David Collard (Deputy Chair)	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
David Clendon	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
David Clendon – Partner	Resident Shareholder on Kerikeri Irrigation			
Deputy Mayor Ann Court	Waipapa Business Association	Member		Case by case
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	District Licensing	N/A	N/A	N/A
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre-determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
	Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
	Warren Pattinson	My husband is a builder and may do work for Council staff		Case by case
Ann Court - Partner	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
Rachel Smith	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
	Vision Kerikeri	Financial Member		
Rachel Smith (Partner)	Property Owner	Kerikeri		
	Friends who work at Far North District Council			

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Kerikeri Cruising Club	Subscription Member and Treasurer		
	Vision Kerikeri	Financial Member		
	Town and General Groundcare Limited	Director, Shareholder		
John Vujcich	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest
Belinda Ward	Ward Jarvis Family Trust	Trustee		
	Kenneth Jarvis Family Trust	Trustee		
	Residence in Watea			
Belinda Ward (Partner)	Ward Jarvis Family Trust	Trustee and beneficiary		
	Kenneth Jarvis Family Trust	Trustee and beneficiary		
	Residence in Watea	Trustee		

Far North District Council
Regulatory Compliance Committee Meeting
will be held in the Council Chamber, Memorial Avenue, Kaikohe on:
Tuesday 30 November 2021 at 1.00 pm

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1 KARAKIA TIMATANGA / OPENING PRAYER**2 NGA WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Committee and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

3 TE TONO KŌRERO / DEPUTATION

No requests for deputations were received at the time of the Agenda going to print.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A3052655

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

PURPOSE OF THE REPORT

The minutes of the previous Regulatory Compliance Committee meeting are attached to allow the Committee to confirm that the minutes are a true and correct record.

RECOMMENDATION

That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 12 October 2021 are a true and correct record.

1) BACKGROUND

Local Government Act 2002 Schedule 7 clause 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

2) DISCUSSION AND OPTIONS

The minutes of the meeting are attached. Far North District Council Standing Orders Section 27.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

Reason for the recommendation

The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meeting.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision as a result of this report.

ATTACHMENTS

- 1. 2021-10-12 Regulatory Compliance Committee Minutes - A3433699**  

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	This report is asking for the minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

**MINUTES OF FAR NORTH DISTRICT COUNCIL
REGULATORY COMPLIANCE COMMITTEE MEETING
HELD AT THE HELD VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 12 OCTOBER 2021 AT 1.00 PM**

PRESENT: Chairperson Kelly Stratford, Cr Dave Collard, Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr Rachel Smith, Cr John Vujcich, Member Belinda Ward

IN ATTENDANCE: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager Districts Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Kelly Stratford opened the meeting with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

No apologies or declarations of interest at the time of the meeting.

3 NGĀ TONO KŌRERO / DEPUTATION

No deputations at the time of the meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3052648, pages 14 - 18 refers.

RESOLUTION 2021/29

Moved: Cr John Vujcich
Seconded: Cr Dave Collard

That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 7 September 2021 are a true and correct record.

In Favour: Crs Kelly Stratford, Dave Collard, John Carter, Ann Court, Rachel Smith, John Vujcich and Belinda Ward
Against: Nil

CARRIED

5 INFORMATION REPORTS

5.1 NOISE CONTROL AND PARKING ENFORCEMENT UPDATE

Agenda item 5.1 document number A3404022, pages 19 - 31 refers

RESOLUTION 2021/30

Moved: Cr Dave Collard
Seconded: Mayor John Carter

That the Regulatory Compliance Committee receive the report Noise Control and Parking Enforcement Update.

In Favour: Crs Kelly Stratford, Dave Collard, John Carter, Ann Court, Rachel Smith, John Vujcich and Belinda Ward
Against: Nil

CARRIED**5.2 ENVIRONMENTAL HEALTH SERVICES: FOOD LICENSING UPDATE**

Agenda item 5.2 document number A3414998, pages 32 - 57 refers

RESOLUTION 2021/31

Moved: Cr Rachel Smith
Seconded: Deputy Mayor Ann Court

That the Regulatory Compliance Committee receive the report Environmental Health Services: Food Licensing Update.

In Favour: Crs Kelly Stratford, Dave Collard, John Carter, Ann Court, Rachel Smith, John Vujcich and Belinda Ward
Against: Nil

CARRIED**5.3 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR AUGUST 2021**

Agenda item 5.3 document number A3428935, pages 58 - 99 refers

RESOLUTION 2021/32

Moved: Deputy Mayor Ann Court
Seconded: Cr Dave Collard

That the Regulatory Compliance Committee receive the report District Services Monthly business Report for August 2021.

In Favour: Crs Kelly Stratford, Dave Collard, John Carter, Ann Court, Rachel Smith, John Vujcich and Belinda Ward
Against: Nil

CARRIED**5.4 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE OCTOBER 2021**

Agenda item 5.4 document number A3410304, pages 100 - 102 refers

RESOLUTION 2021/33

Moved: Cr Rachel Smith
Seconded: Mayor John Carter

That the Regulatory Compliance Committee receive the report Action Sheet Update October 2021.

In Favour: Crs Kelly Stratford, Dave Collard, John Carter, Ann Court, Rachel Smith, John Vujcich and Belinda Ward
Against: Nil

CARRIED

6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Chair Kelly Stratford closed the meeting with a karakia

7 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 2:34 pm.

The minutes of this meeting will be confirmed at the Regulatory Compliance Committee Meeting held on 30 November 2021.

.....
CHAIRPERSON

5 INFORMATION REPORTS

5.1 TRADE WASTE MONITORING

File Number: A3464313

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To update Regulatory Compliance Committee on the frequency of issues reported to Council concerning grease traps and trade waste.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- At the FNDC Bylaw Hearings Meeting held on 26 October 2021, a submission was received from Jeff Garnham of Ngā Tai Ora, Public Health Northland for the On-site Wastewater Disposal Systems Bylaw – see attachment A for submission.
- As a result of the submission, a report was requested to update the Regulatory Compliance Committee on the frequency of issues concerning grease traps and trade waste reported to Council.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Trade Waste Monitoring.

TĀHUHU KŌRERO / BACKGROUND

The development of the draft Trade Waste bylaw was led by Infrastructure Planning in 2017/18.

A survey was sent to all commercial properties that were connected to a wastewater system asking about trade waste.

Council adopted the Statement of Proposal for the Trade Waste Bylaw on 11 May 2017, and consultation ran from 26 June - 28 August 2017, with 18 submitters making formal submissions. Of these submissions, 16 opposed the proposed changes and two supported them. Nine submitters asked to speak at the hearing.

The Bylaw was progressed to a draft stage and presented to the Committee on 11 Oct 2017, with a recommendation to go out for further public consultation.

The resolution was as follows:

5.0 STRATEGIC PLANNING AND POLICY GROUP (continued)

5.1. Proposed Trade Waste Bylaw Consultation

Agenda item 4.2, document number A1910067, pages 71-163 refers.

Resolved

His Worship The Mayor/Hookway

a) That the report entitled “Proposed Trade Waste Bylaw Consultation” be left to lie on the table.

b) And that Council staff organise workshop (s) with elected members and community representatives.

c) And that a subsequent report be brought back to the Strategy Committee.

Carried

A working group (staff, community board members, members of the public, EMs) was then organised. However, meetings ceased due to many original members leaving the group.

At the beginning of 2019 the Strategy Development team assessed the status of all bylaws. After carefully going back over minutes from all previous meetings it was concluded, with support from Legal Services, that the status of any bylaw for trade waste should be as follows:

Issue addressed: *This bylaw controls the discharge of trade wastes to the sewerage system. The issue that this bylaw addresses is equity amongst businesses that discharge waste. There is a perception that trade waste businesses should pay more because the type of discharge causes greater damage to the sewerage system overtime.*

Automatically revoked

This bylaw was made on 16/10/2009 and should have been reviewed 5 years later by 16/10/2014. A review was completed on 05/05/2016 but the bylaw was left to lie on the table and has not been adopted. The bylaw was automatically revoked on 16/10/2016 under sec 160A of the LGA.

As a result, there is currently no local regulation to control discharge of trade waste to our wastewater treatment systems.

The recent Bylaw Hearings meeting is the first time that this bylaw has been raised since the resolution in 2017.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

From a Regulatory perspective:

- S15 of the RMA and S124 of the Building Act gives council all the authority it needs to deal with failing, malfunctioning, leaking etc. on-site waste systems (OSDs).
- Grease traps are used by commercial businesses in their wastewater, not OSDs. A building consent is required to install one. G13 of the Building Code addresses this. There are two scenarios relating to grease traps. The first that it is discharged to a town sewer in which case Infrastructure and Asset Management must be satisfied with the design and its discharge to the town sewer. The second that the onsite grease trap is discharging to a private system in which case the manufacturer must be satisfied that the system will meet design outputs.
- Environmental Services Monitoring have not had any complaints made for trade waste or grease traps over the past four and a half years.
- Building Compliance are not able to provide any report on the number of queries regarding grease traps. However, these are very uncommon and limited to the odd enquiry mainly from the Environmental Health teams where a grease trap has required maintenance.
- Compliance Administration do not maintain the grease traps by sending out reminder letters. However, if a contractor is contacted by a customer and supplies a copy of the report relating to the grease trap then the council records are updated with that information.
- There are currently 200 grease traps in the "current status" in Council's OSD records.
- Environmental Health Services are not required to specifically look at grease traps when they are conducting an onsite verification at a food premises. Environmental Health Officers do, however, note if a grease trap needs emptying and will often ask the operator to tend to it.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial of resource implications associated with this report.

ĀPITIHINGA / ATTACHMENTS

1. **Attachment A Onsite Wastewater Bylaw - Jeff Garnham - Nga Tai Ora Public Health Northland - A3473549** [↓](#) 



Ngā Tai Ora
PUBLIC HEALTH NORTHLAND
Promote Protect Prevent

SUBMISSION
TO
THE FAR NORTH DISTRICT COUNCIL ON
On-site Wastewater Disposal Systems Bylaw

To: Submissions
Far North District Council
Private Bag 752
KAIKOHE 0440
submissions@fndc.govt.nz

15 October 2021

Kia ora,

Thank you for the opportunity for Ngā Tai Ora - Public Health Northland, Northland District Health Board to provide a submission on the Far North District Council (FNDC) On-site Wastewater Disposal Bylaw

Ngā Tai Ora is one of 12 public health units across New Zealand. We are tasked with promoting and protecting the health of our communities, and preventing disease, with actions focused on reducing inequities, influencing health determinants, and supporting people to be healthy where they live, learn, work and play.

We support the On-site Wastewater Disposal Bylaw for the Far North District and have made suggestions for further improvement. We wish to be heard in support of our submission.

Submission Contacts:

Dr. Bart Willems
Public Health Medicine Specialist
Ngā Tai Ora - Public Health Northland
Email: bart.willems@northlanddhsb.org.nz

Mr. Warren Moetara
Service Manager
Ngā Tai Ora – Public Health Northland
Email: warren.moetara@northlanddhsb.org.nz

Prepared by:

Jeff Garnham
Health Protection Officer
Ngā Tai Ora – Public Health Northland
Email: jeffery.garnham@northlanddhsb.org.nz

INTRODUCTION

The Far North District has historically been reliant on onsite wastewater treatment for both rural and town treatment of sewage.

Though the 1980s to the early 90's high rates of Hepatitis A (which is almost exclusively transmitted by the fecal-oral route) were experienced in the Far North. By way of example, there were 153 notifications in 1980 and 110 in 1992¹

A Hepatitis A outbreak occurred rurally in 1992² with follow-up by the Public Health Unit and investigation by the Auckland School of Medicine. This found the outbreak to be caused by malfunctioning septic tanks contaminating a drinking water source.

The last Hepatitis A outbreak occurring in 1998¹ this was controlled following a vaccination program.

Hepatitis A is not the only disease that can be spread via the fecal-oral route other examples are cryptosporidium, giardia, campylobacter, and lastly norovirus which were the cause of the Waikare inlet outbreak in 2008.

Notably, the reduction in rates of Hepatitis A followed the reticulation towns such as Mangonui/Coopers, Rawene, Opononi/Omapere, and Kohukohu.

The reticulation of Russell and the recent upgrade and expansion of Kerikeri reticulation has removed further onsite disposal systems.

It is not possible to connect all houses to sewers (reticulated sewage disposal). To reduce the likelihood that public health nuisances and adverse effects occur it is necessary to take a precautionary and multiple-barrier approach of which this bylaw is part. The overarching goal is to reduce and minimise the risk of a fecal-oral route being established in the environment and the spread of any associated diseases.

Section 23 of the Health Act 1956:

The use of the On-site Wastewater Disposal as proposed is part of ensuring the Far North District Councils' compliance with **Section 23 of the Health Act 1956** General powers and duties of local authorities in respect of public health. Particularly Sections **23 (b) (c) and (e)**

These sections state the following

23 (b) to cause inspection of its district to be regularly made for the purpose of ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive, exist in the district:

23 (c) if satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition:

23 (e) to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health:

¹ Comms Dr Jonathan Jarman Medical Officer of Health

² L Calder, G Collison - Communicable Disease New Zealand, 1992

Due to the above the bylaw should be amended and the following statement or similar words added in part 5 (Purpose) page 2.

Related information

Under Section 23 General Powers and duties of local authorities in respect to public health of the Health Act 1956 district councils are required to inspect their districts to 23(b) "ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive" 23(c) if any nuisance exist "cause all proper steps to secure the abatement of the nuisance and 23(e) make bylaws for the purposes of Health Act or other Acts authorising the making bylaws for the protection of public health.

Section 29, 30, and 34 of the Health Act 1956:

Nuisance conditions due to the malfunction or failure of onsite-site wastewater disposal systems are of increased concern if there is the exposure of people to either raw or treated sewage example of this are discharge close to houses, onto footpaths, roads, and into water bodies that are recreational water, drinking water sources, or shellfish harvesting areas.

These are the locations are where there is the greatest risk of illness occurring from onsite system malfunction and failure.

Under these circumstances, it may be necessary to abate the nuisance quickly to ensure the safety of actual or potentially exposed people.

The following sections of the Health Act 1956 are applicable and should be referred to in the bylaw.

Section 29 nuisances are defined for the purpose of the act, with S29 (a) being particularly relevant to onsite wastewater systems.

Section 30 states the following "every person by whose act, default, or sufferance a nuisance arises and continues, whether that person is or is not the owner or occupier of the premises in which the nuisance exists, commits an offence against this Act.

Section 34 allows for the abatement of a nuisance without notice by an engineer of environmental health officer with the recovery of the costs being allowed for.

Due to the above, the bylaw should be amended in part 8 on page 7 to include the following or similar statement.

Related information

If the council is satisfied an on-site wastewater disposal system is a nuisance or likely to be injurious to health as defined in Section 29 of the Health 1956, the council may use its powers under Section 34 Power to abate nuisances without notice.

Grease Traps:

Grease traps are used primarily for the removal of grease and oils by food premises to prevent these components of sewerage from causing blockages and affecting the treatment processes.

It is noted that

1. The bylaw is silent on grease traps.
2. There is currently no trade waste bylaw in place in the Far North to cover grease traps.
3. Trade Waste is defined in NZS 9201.23:2004 (model trade waste bylaw) as "any liquid, with or without matter in suspension or solution, that is or may be discharged from a Trade Premises to the *Wastewater Authority's (WWA) Sewerage System* in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include Condensing or Cooling Waters; Stormwater which cannot be practically separated, or Domestic Sewage."

The disposal of waste from a grease trap to a Far North District Council sewer system will be covered by a trade waste bylaw. However, a Trade Waste Bylaw will not include the grease traps monitoring and maintenance when they are part of an onsite wastewater disposal system.

Due to the above grease traps should be included in the definition of on-site wastewater disposal system on page 5 clause (a) should be amended to state the following

- (a) Any system for the reception and disposal of wastewater, including any grease trap, septic tank, mechanical system, alternative system, greywater system, cesspit, drainage or soakage pit or bore; and,

Future Considerations

The effective implementation of this bylaw should be considered part of preventing contamination of stormwater, waterbodies and move towards sustainable outcomes and improving the wellbeing of the Far North communities.

The three waters reform program that is currently being undertaken aims to improve New Zealand's drinking water, wastewater and stormwater.

Ngā Tai Ora - Public Health Northland looks forwards to working with the Far North District Council on the three waters reforms as opportunities present themselves going forwards.

Jeffery Garnham

Health Protection Officer

5.2 ALCOHOL LICENSING UPDATE

File Number: A3468766

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To report to the committee on:

- The number of alcohol licenses issued.
- The number of renewed licenses.
- The number of objections received and their outcomes.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- This report is an update on alcohol licensing activities in the district between 1 January 2021 and 31 October 2021, the period since the last Committee Report.
- There continues to be a significant drop in the number of special alcohol licences received. A special licence is required for ticketed events like festivals, concerts, and sporting events where alcohol is included in the ticket price or sold at a bar. The reduction in these types of events is expected due to the uncertainty of Covid restrictions.
- On-, off-, club- and managers' licence renewals have increased, which is encouraging for premises continuing to operate in the district.
- During this report period there have been seven objections received against five applications. All objections were subsequently withdrawn, and the licences issued. District Licensing Committee (DLC) hearing outcomes have resulted in one licence granted, one licence refused, and one decision appealed which is currently before the Alcohol Regulatory Licensing Authority (ARLA) for determination.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Alcohol Licensing Update.

TĀHUHU KŌRERO / BACKGROUND

There are four kinds of alcohol licence that can be applied for and issued.

- **On-licence** – this licence is held for a premise where the licensee can sell and supply alcohol for consumption there and can allow people to consume alcohol. Some on-licence premises also have a BYO endorsement
- **Off-licence** - this licence is held for a premise where the licensee can sell consumption elsewhere. Some off-licence premises have a "sale for delivery and sales at distance" endorsement where they can sell alcohol on or from the premises and deliver it somewhere else
- **Club licence** - this licence is held for a premise where the licensee can only sell and supply alcohol to authorised customers (member or visitor of member of the club) for consumption there
- **Special licence** – A special licence is applied for when the premises does not hold an alcohol licence or when the licensee would like to extend their licensed area or licensed hours for an event(s). There are two kinds of special licences - an on-site and off-site special licence.

A licensee is required to renew their license:

- Annually for a licence that has not been renewed before; or

- Every three years for a licence that has been renewed before.

Managers Certificates

Except for BYO restaurants, all on-, off- and club- licensed premises must appoint a manager who holds a manager's certificate.

The manager must be on duty when alcohol is sold. There are exceptions to this for BYO licenses, club licences, remote sellers, and off-licence cellar door sales where there is no licence condition to require it.

The manager's name must be prominently always displayed inside the premises while on duty.

The manager is responsible for the compliance with the conditions of the licence and provisions of the Sale and Supply of Alcohol Act 2012, which include ensuring the safe and responsible sale and supply of alcohol and minimising alcohol-related harm.

The holder of a Manager's Certificate is required to renew their certificate:

- Annually for a certificate that has not been renewed before, or
- Every three years for a certificate that has been renewed before.

District Licensing Committee (DLC)

Each territorial authority must appoint a DLC to manage licensing matters within its district under the Sale and Supply of Alcohol Act 2012 (the Act).

Within their local areas, DLCs decide applications for:

- new and renewal applications for on-, off- and club licences.
- special licences.
- new and renewal applications for manager's certificates.
- opposed acting or temporary appointments of managers.
- variation of licence conditions.
- temporary authorities and temporary licences.
- orders to vary, revoke, suspend or cancel a special licence.

A DLC is made up of a chair and two members who have terms of office up to five years.

The quorum for a DLC meeting is three members, except when licence or manager's certificate applications have no objections or matters raised in opposition. In these instances, the Chair can form a quorum of one.

A DLC hearing is held where there are public or agency objections to an application.

A DLC considers the application, agency reports, evidence and submissions presented to it against the criteria in the Act and any relevant case law. It then objectively determines facts and draws conclusions from them to make its decision.

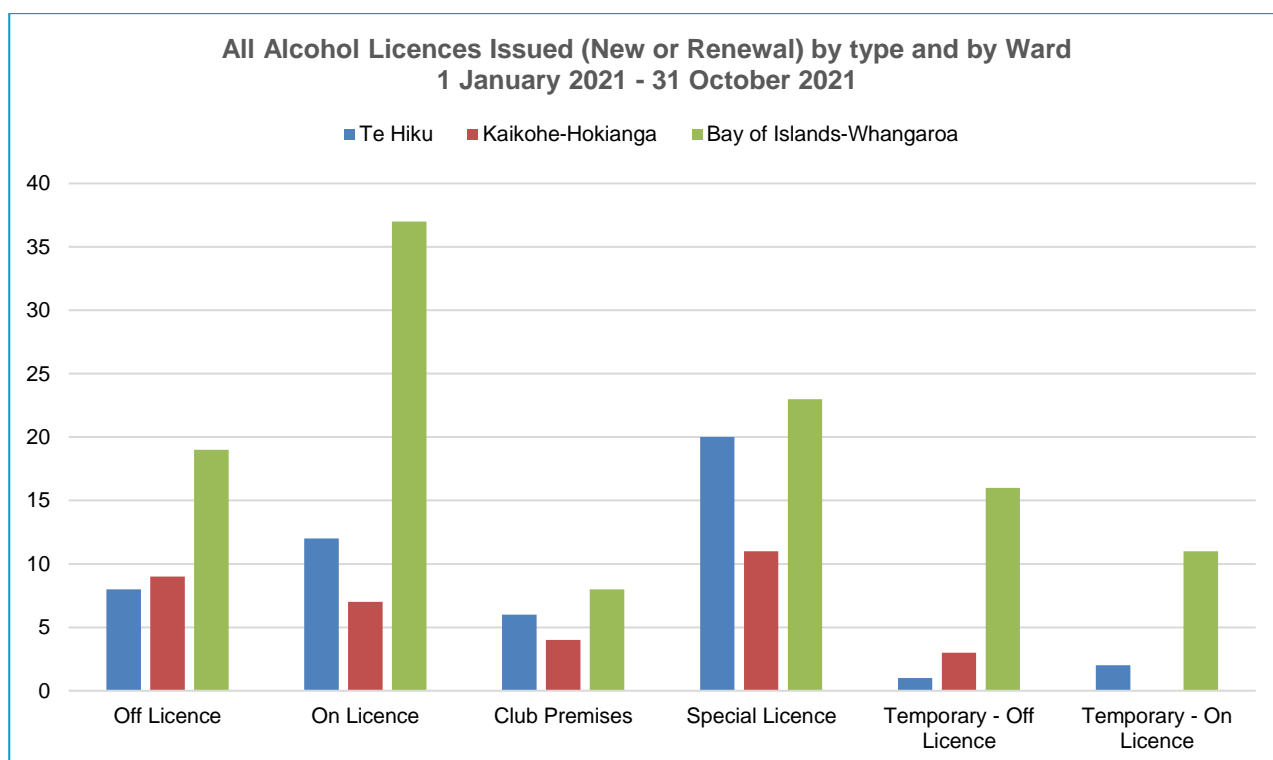
MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Number of Alcohol Licences Issued.

For the period 1 January 2021 to 31 October 2021 there has been a total of 197 alcohol licenses issued. This is an increase of 50 licences from the same period last year.

The following table includes all new and renewed licenses issued by Ward during this period:

Ward	Off Licence	On Licence	Club Premises	Special Licence	Temporary Off Licence	Temporary On Licence	Total
Te Hiku	8	12	6	20	1	2	49
Kaikohe-Hokianga	9	7	4	11	3	0	34
BOI-Whangaroa	19	37	8	23	16	11	114
Total	36	56	18	54	20	13	197



Special Licenses

A total of 54 Special Licenses were applied for and issued between 1 January 2021 – 31 October 2021, compared with 64 for the same period last year. There has been a noticeable decrease in the number of special license applications. This is most likely due to the uncertainty in being able to hold events and the COVID19 restrictions for events.

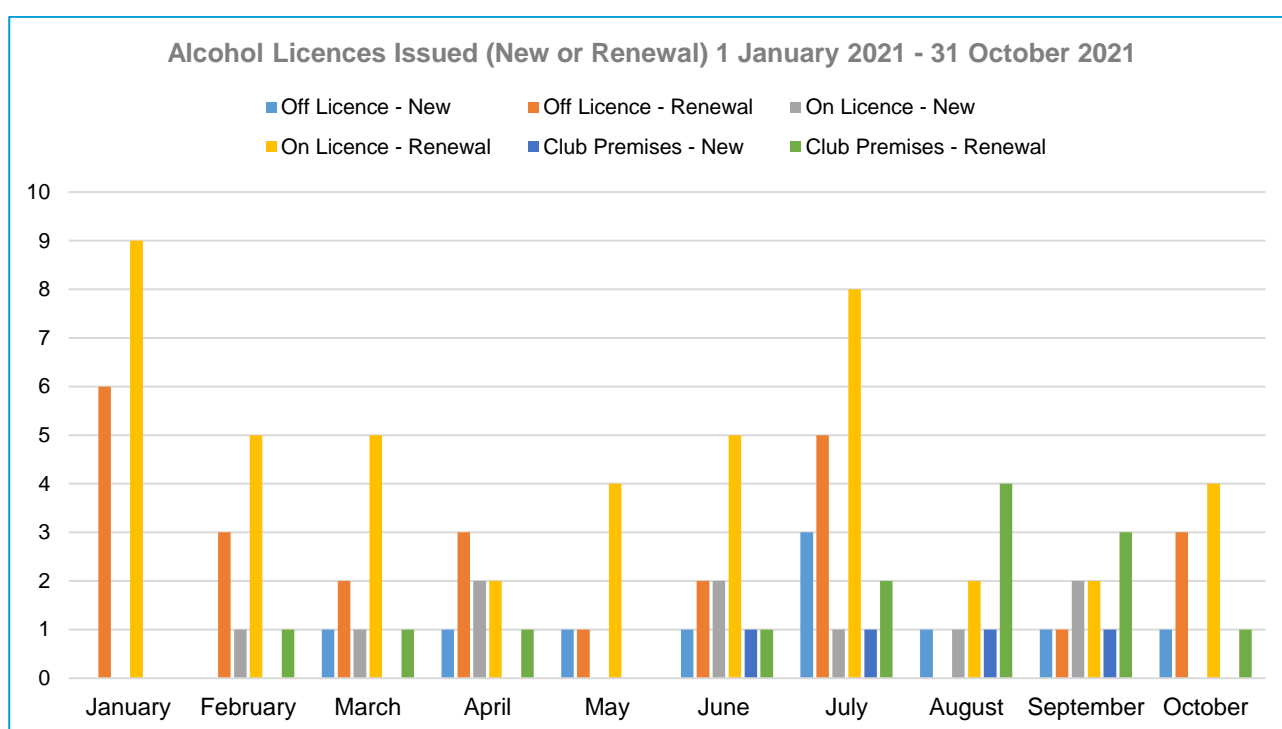
The highest number of special licenses issued in 2021 were 11 issued in February and 12 issued in March.

New and Renewed Licenses

The following information includes all new and renewed licenses that have been issued (by type and by month). It does not include the special licenses or temporary licences as they are not able to be renewed. There have been 110 new or renewed licences compared to 70 for the same period last year.

Month	Off Licence New	Off Licence Renewal	On Licence New	On Licence Renewal	Club Premises New	Club Premises Renewal	Total
January	0	6	0	9	0	0	15

February	0	3	1	5	0	1	10
March	1	2	1	5	0	1	10
April	1	3	2	2	0	1	9
May	1	1	0	4	0	0	6
June	1	2	2	5	1	1	12
July	3	5	1	8	1	2	20
August	1	0	1	2	1	4	9
September	1	1	2	2	1	3	10
October	1	3	0	4	0	1	9
Total	10	26	10	46	4	14	110

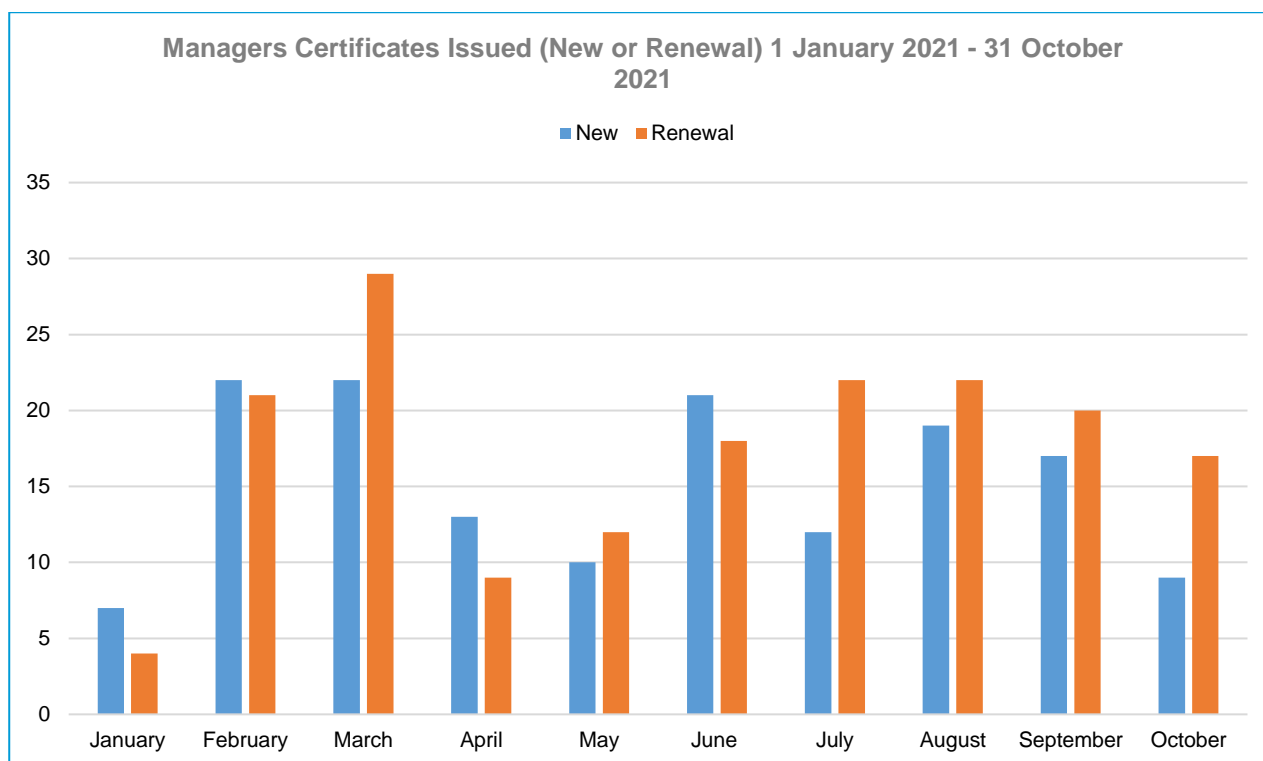


Managers Certificates (new / renewed)

For the period 1 January 2021 – 31 October 2021, a total of 326 Managers Certificates were issued, compared to 249 issued for the same period in 2020. Of the Managers Certificates issued, 152 were new certificates and 174 were renewals.

Month	New	Renewal	Total
January	7	4	11
February	22	21	43
March	22	29	51
April	13	9	22
May	10	12	22
June	21	18	39
July	12	22	34
August	19	22	41

September	17	20	37
October	9	17	26
Total	152	174	326



Objections

During the period of 1 January 2021 – 31 October 2021, a total of seven objections were received against five applications.

The objections received during 1 January 2021 – 31 October 2021 are explained in the following table:

Application Date	Application Type	Trading Name	Number of Objections	Outcome
05/05/2021	Variation of ON Licence	Duke of Marlborough	One public objection – objecting due to road safety concerns. No opposition from Inspector, Police or MoH.	Objection was withdrawn on 3 June 2021 and variation was granted on 16 August 2021.
12/05/2021	ON Licence	The Nauti Penguin	One public objection – objecting due to design of premises and amenity and good order One public objection – objecting due to design of premises and amenity and good order No opposition from Inspector, Police or MoH.	Both objections withdrawn on 30 July 2021 and licence was granted on 5 August 2021.
12/05/2021	OFF Licence	The Nauti Penguin	One public objection – objecting due to design of premises and amenity and good order	Both objections withdrawn on 30 July 2021 and licence was granted on 5 August 2021.

			One public objection – objecting due to design of premises and amenity and good order No opposition from Inspector, Police or MoH.	granted on 5 August 2021.
20/05/2021	ON Licence	Taipa Tavern	One public objection – objecting due to design of premises, suitability of the application and other activities not related to the sale of alcohol and refreshments. No opposition from Inspector, Police or MoH.	Objection was withdrawn on 30 June 2021, on licence was renewed on 8 July 2021.
20/05/2021	OFF Licence	Taipa Tavern	One public objection – objecting due to design of premises, suitability of the application and other activities not related to the sale of alcohol and refreshments. No opposition from Inspector, Police or MoH.	Objection was withdrawn on 30 June 2021, on licence was renewed on 8 July 2021.

Hearings

The District Licensing Committee (DLC) can consider applications in a public hearing where they have been opposed or unopposed. Three hearings were held between 1 January 2021 – 31 October 2021 and these are outlined in the following table:

Application Type	Trading Name	Hearing Date	Reason for Hearing	Outcome
New Off Licence	Far North Wines & Spirits	19 March 2021	4 x objections received in 2020 (as reported in previous Committee report)	New on licence granted on 25 March 2021.
New Off Licence	Shopping Square (Kaikohe)	23 April 2021	No objections, DLC directed that application to be determined at a public hearing.	New off licence refused on 3 May 2021.
Renewal of On Licence	Pipi Patch	14 May 2021	2 x objections received in 2020 (as reported in previous Committee report)	Renewal of on licence granted on 26 May 2021. The DLC decision has been appealed and is currently before the Alcohol Regulatory Licensing Authority (ARLA) for determination.

Annual Report to the Alcohol Regulatory Licensing Authority (ARLA)

As per section 199 of the Sale and Supply of Alcohol Act, within 3 months after the end of the financial year, Council must prepare and send to ARLA a report of the proceedings and operations of its DLC during the year. Council filed its annual report with ARLA on 9 August 2021, a copy of

this report is attached. Attachment A: ARLA Annual Report and Attachment B: ARLA Annual Report – Licensed Premises List.

Alcohol Licensing Improvements / Strategies

A list of the alcohol licensing teams' improvements or strategies that were carried out between 1 January 2021 – 31 October 2021 are outlined below:

- All new Manager Certificate applicants are interviewed (in person or virtually) at application stage to assess their experience and knowledge under the Sale and Supply of Alcohol Act 2012.
- Webinar held on 7 October 2021 with Event Organisers. The purpose of the workshop was to provide event organisers with the information they need to hold an event in the district.
- All alcohol application forms were reviewed during September – October 2021 and updated.

The licensing team published its first alcohol newsletter in November 2021, refer attachment C. The team will be publishing alcohol newsletters on a quarterly basis. The purpose of the newsletters is to deliver important messages about alcohol licensing to licensees as well as the public.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications with this report.

ĀPITI HANGA / ATTACHMENTS

1. Attachment A ARLA Annual Report 2020_2021 - A3473278 [↓](#) 
2. Attachment B ARLA Annual Report 2020_2021 - Licensed Premises List - A3473279 [↓](#) 
3. Attachment C Alcohol Licensing Newsletter November 2021 - A3489056 [↓](#) 

Functions of the Far North District Licensing Committee

Annual Report for the 12-month period ending 30 June 2021

Section 199 of the Sale and Supply of Alcohol Act 2012 requires the Far North District Council submit an annual report. This report is for the 1 July 2020 to 30 June 2021 licensing period.

Name of District Licensing Committee

Far North District Licensing Committee

Committee Members

Role	Name	Email	Phone
Secretary	Rochelle Deane	[REDACTED]	[REDACTED]
Chairperson	Ann Court	[REDACTED]	[REDACTED]
Deputy Chairperson	Kelly Stratford	[REDACTED]	[REDACTED]
Member	Martin Macpherson	[REDACTED]	[REDACTED]
Member	Stuart Wright	[REDACTED]	[REDACTED]
Member	Kirsty Beard	[REDACTED]	[REDACTED]
Member	Murray Clearwater	[REDACTED]	[REDACTED]

Licensing Inspectors

Role	Name	Email	Phone
Chief Licensing Inspector	Patrick Barber	patrick.barber@fndc.govt.nz	021959578
Inspector	Christina Rosenthal	christina.rosenthal@fndc.govt.nz	(09)4015406
Inspector	Natasha Thompson	natasha.thompson@fndc.govt.nz	0275527957
Inspector	Emmanuel Platero	emmanuel.platero@fndc.govt.nz	0272830616
Inspector	Megan Edwards	megan.edwards@fndc.govt.nz	(09)4070420
Inspector	Te Orakiri Graham	TeOrakiri.graham@fndc.govt.nz	0272201326

Number of Licenses and Managers Certificates issued and refused in the 2020-2021 financial year

Within the Far North District there are a total of 258 licensed premises (47 clubs, 128 on license and 83 off licenses).

Note: the 2020-2021 financial year runs from 1 July 2020 to 30 June 2021

Licenses 2020-2021

Type of License	Number Issued	Number Refused	Number Withdrawn
On License	64	0	0
Off License	37	1	2

Club License	14	0	0
Special License	89	0	3

Manager's certificates 2020-2021

Number Issued	402
Number Refused	0
Number Withdrawn	6

Number of Licenses renewed and refused in the 2020-2021 financial year

Licenses 2020-2021

Type of License	Number Issued	Number Refused	Number Withdrawn
On License	37	0	0
Off License	28	0	0
Club License	13	0	0

Comments on any changes or trends in the Committee's workload in 2020-2021

During 2020-2021 there were only 89 special licenses issued compared to 154 special licenses issued in 2019-2020. This is likely due to the uncertainty of holding an event due to COVID-19 alert level changes. The number of licenses (ON/OFF/CLUB) remain similar to last year.

Due to uncertainty around Covid Levels a lot of applications for special licenses creates challenges for both the applicant and enforcement agencies in regard to timing and managing social distancing.

Comments on any new initiatives the Committee has developed/adopted in 2020-2021

A questionnaire has been developed which goes out with every renewal application. The questionnaire works to ensure that each manager and licensee is keeping update to with their legal responsibilities under the Act to ensure they give effect to the object of the Act.

All applications for new managers certificates now have a face to face interview with the licensing inspector.

All premises are now receiving good host visits.

A new condition has been entered into each renewal requiring the licensee to comply with

- Any order made under section 11 of the COVID-19 Public Health Response Act 2020; and
- Any order made under section 70 of the Health Act 1956 and listed in schedule 2 of the COVID-19 Public Health Response Act 2020; and
- Any instruction from a Medical Officer of Health which relates to a notifiable or quarantinable disease.

Has your Committee developed a Local Alcohol Policy?

The Committee have not developed a Local Alcohol Policy.

Comments on the ways in which the Committee believe the Sale and Supply of Alcohol Act 2012 is achieving its object. Note: the object of the Sale and Supply of Alcohol Act 2012 is that:

- The sale, supply and consumption should be undertaken safely and responsibly; and*
- The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

Whilst there have been a few failed CPO's in the district, we are seeing very little non compliance overall. There appears to be an increased understanding by both the licensees and the general public that the harm caused by excessive or inappropriate consumption of alcohol is no longer acceptable practice.

With the closure of one of our serious offenders there has been a clear message to the industry that continued non-performance carries significant consequences.

Comments on the manner in which COVID-19 has impacted on DLC Operations?

The only notable impact on DLC operations during COVID-19 was holding a DLC hearing on 20 August 2020 during alert level 2, which required additional measures to ensure alert level rules were adhered to.

To what extent, if any, do you consider that achievement of the object of the Act may have been affected by the COVID-19 pandemic?

During the COVID-19 pandemic there has been an increase in the number of Police incidents involving alcohol. The local "Alcohol Harm Reduction Officer" of the NZ Police has advised of the increase in the number of Police incidents where alcohol has been a factor. Whilst this cannot be directly linked to the operations of licensed premises, there would appear to be a link to a degree.

There was initially a great deal of confusion during lock down as to who had authority to sell alcohol for off-site consumption. Not all licensees are endorsed pursuant to Section 17. We observed some illegal advertising via Facebook and other social media promoting discounted alcohol delivered.

What changes or trends in licensing have you seen since the Act came into force?

Hearings are becoming more litigious with applicants regularly represented by legal counsel. Hearing decisions are being challenged more on the grounds of what I am going to call legal manoeuvrings. The Act was never meant to become so litigious – local decision making by local people is how Hansard describes it - district licensing committees are not lawyers and yet we see ARLA applying legal tests to a standard that was never intended. This is not helpful especially when appeals run to the high court. This is where we see legal professionals with years of experience demolish local democratic decision making. If it is the intent that a more legal based approach is undertaken then qualified legal counsel should be appointed as the chairperson of each committee and tasked with decision writing.

We are seeing less committees run by local representatives and more frequently by professional DLC members who often represent multiple TA's. I question if this is in alignment with the intention of the Act.

Training is challenging with most learning modules focussed on new entrants rather than those who have been around the traps for a while. Case law is still challenging to find.

ARLA is at times rewriting the Legislation. The purpose of conditions is to manage effects and put a frame work in place. If a licensee is suitable then why all the conditions other than hours and licensed areas etc? If a licensee is not suitable then they don't pass go and don't collect \$200. Yet we see conditions applied when it suits and then challenged when they don't. How is one supposed to navigate that minefield? New categories that do not currently exist under the Regulations are also being applied.

What changes to practices and procedures under the Act would you find beneficial?

More information around COVID-19 processes in relation to Licensees. During alert level 3 in 2020, some OFF licensed premises were able to provide contactless sales. Clearer legislation is required in order to monitor these activities when there is a change in COVID-19 alert levels.

Application of alfresco dining licenses and their interplay with the Act and the receiving environment like roading corridors, public spaces including beach foreshore, parks and reserves

Appendix

The following statistical information is attached:

1. Annual Return
2. Current List of Licensed Premises



Rochelle Deane
Secretary
Far North District Licensing Committee



Functions of the Far North District Licensing Committee

Annual Report for the 12-month period ending 30 June 2021

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Memorial Ave, Kaikohe 0440
Private Bag 752, Kaikohe 0440
askus@fndc.govt.nz
Phone 0800 920 029

Section 199 of the Sale and Supply of Alcohol Act 2012 requires the Far North District Council submit an annual report. This report is for the 1 July 2020 to 30 June 2021 licensing period.

Appendix

Current List of Licensed Premises in the Far North District

PREMISES NAME	Town	ADDRESS	LICENCE TYPE	CATEGORY	NUMBER	EXPIRY	NOTES
Bay of Islands Kerikeri Golf Club Incorporated	Kerikeri	Golf View Road,	Club	Class 2 Club	01/CL/018/2015	27/07/2021	Renewal application currently being processed
Bay of Islands Swordfish Club	Russell	25 The Strand, Russell	Club	Class 2 Club	01/CL/009/2015	10/07/2021	Renewal application currently being processed
Bay Of Islands Yacht Club	Waitangi	Ti Point Peninsula, Waitangi	Club	Class 2 Club	01/CL/003/2016	17/11/2021	
Houhora Big Game & Sports Fishing Cl	Houhora	State Highway 1F,	Club	Class 2 Club	01/CL/014/2014	30/10/2023	
Kerikeri Cruising Club	Kerikeri	Opito Bay Road,	Club	Class 2 Club	01/CL/011/2016	24/10/2022	
Opua Cruising Club	Opua	Wharf,	Club	Class 2 Club	01/CL/001/2016	05/12/2021	
Paihia Ex-Servicemens Club	Paihia	Joyces Road, Paihia	Club	Class 2 Club	01/CL/024/2015	27/11/2021	
Russell Boating Club	Russell	Matawhi Bay, Russell	Club	Class 2 Club	01/CL/013/2015	31/07/2021	Renewal application currently being processed
Waitangi Golf Club	Waitangi	Tau Henare Drive, Waitangi	Club	Class 2 Club	01/CL/004/2014	09/06/2023	
Whangaroa Sport Fishing Club	Whangaroa	573 Whangaroa Road, Whangaroa	Club	Class 2 Club	01/CL/004/2016	23/01/2022	
Awanui Sports Complex	Awanui	Main Road,	Club	Class 3 Club	01/CL/011/2015	03/08/2021	
Coopers Beach Bowling Club	Coopers Beach	Coopers Beach R D 3,	Club	Class 3 Club	01/CL/006/2015	05/07/2021	Renewal application currently being processed
Eastern United Rugby Football Club	Taipa	East Street, Taipa	Club	Class 3 Club	01/CL/005/2016	06/04/2022	
Far North (Kaitaia) R S A	Kaitaia	12-18 Matthews Avenue,	Club	Class 3 Club	01/CL/007/2016	29/07/2022	
Hokianga Memorial RSA Inc	Omapere	State Highway 12, Pakia Hill,	Club	Class 3 Club	01/CL/023/2015	18/09/2021	
Houhora Bowling Club	Pukenui	Main Road North,	Club	Class 3 Club	01/CL/008/2016	08/08/2022	
Houhora Golf Club	Houhora	Main North Road,	Club	Class 3 Club	01/CL/008/2014	13/09/2023	
Kaeo Bowling Club	Kaeo	Main Road, SHW10, Kaeo	Club	Class 3 Club	01/CL/021/2015	15/08/2021	
Kaeo Rugby Football Club	Kaeo	Waikoura Domain, Whangaroa Road, Kaeo	Club	Class 3 Club	01/CL/019/2015	24/07/2021	
Kaikohe Bowling Club	Kaikohe	18 Sydney Street,	Club	Class 3 Club	01/CL/010/2016	27/07/2022	
Kaikohe Golf And Squash Club	Kaikohe	State Highway 12, Ngawha,	Club	Class 3 Club	01/CL/002/2017	11/12/2022	
Kaikohe Rugby Football and Sports Club Inc	Kaikohe	15 Penney Crescent, Kaikohe	Club	Class 3 Club	01/CL/001/2020	12/06/2021	Renewal application currently being processed
Kaitaia Aero Club	Kaitaia	Kaitaia Aerodrome, Quarry Road,	Club	Class 3 Club	01/CL/020/2015	10/08/2021	
Kaitaia City Rugby Football Club	Kaitaia	Church Road,	Club	Class 3 Club	01/CL/016/2015	27/08/2021	
Kaitaia Tennis & Squash Club	Kaitaia	Naumai Avenue,	Club	Class 3 Club	01/CL/001/2014	19/12/2022	
Kawakawa & Districts RSA	Kawakawa	29 Albert Street,	Club	Class 3 Club	01/CL/003/2015	11/04/2024	
Kawakawa Bowling Club	Kawakawa	1-7 Waiomio Road,	Club	Class 3 Club	01/CL/008/2015	02/08/2021	
Kerikeri Bowling Club	Kerikeri	Cobham Road,	Club	Class 3 Club	01/CL/028/2015	23/12/2021	
Kerikeri Football Club	Kerikeri	402c Harmony Lane, Kerikeri	Club	Class 3 Club	01/CL/001/2018	06/04/2022	
Kerikeri Sports Complex	Kerikeri	71 Waipapa Road Kerikeri	Club	Class 3 Club	01/CL/005/2014	18/06/2023	
Kohukohu Bowling Club	Kohukohu	Beach Road, Kohukohu	Club	Class 3 Club	01/CL/011/2014	21/08/2023	
Mangonui Cruising Club	Mangonui	Silver Egg Road, Mill Bay, Mangonui	Club	Class 3 Club	01/CL/12/2014	31/08/2023	



Northland Riders Club	Kaitia	SHW1 Awanui	Club	Class 3 Club	01/CL/002/2016	12/12/2021	
Ohaeawai R F & Sports Club	Ohaeawai	Recreation Reserve, S H 12, Ohaeawai	Club	Class 3 Club	01/CL/03/2014	22/04/2023	
Okaihau Bowling Club	Okaihau	Settlers Way, Okaihau	Club	Class 3 Club	01/CL/006/2014	26/02/2023	
Okaihau Golf Club	Okaihau	Waiare Road, Okaihau	Club	Class 3 Club	01/CL/010/2014	06/09/2023	
Okaihau R U F & Sports Club	Okaihau	Domain, Michie Street, Okaihau	Club	Class 3 Club	01/CL/001/2021	25/06/2022	
Opononi Bowling Club	Opononi	S H 12, Opononi	Club	Class 3 Club	01/CL/005/2015	22/05/2024	
Otaua Sports Club	Otaua	Renwick Road, Otaua	Club	Class 3 Club	01/CL/0013/2014	08/10/2023	
Otiria Rugby & Sports Club	Otiria	Station Road, Otiria	Club	Class 3 Club	01/CL/014/2015	31/07/2021	Renewal application being processed.
Pawarenga Old Boys Club	Pawarenga	Te Riha Road,	Club	Class 3 Club	01/CL/015/2015	19/09/2021	
Rawene Golf Club	Rawene	De Thierry Road, Rawene	Club	Class 3 Club	01/CL/009/2016	04/09/2022	
Russell Bowling Club	Russell	15 Church Street, Russell	Club	Class 3 Club	01/CL/012/2015	13/07/2021	Renewal application currently being processed
Te Aupouri R F & Sports Club	Te Kao	Acheson Park, Potahi Road, Te Kao	Club	Class 3 Club	01/CL/022/2015	10/09/2021	
Te Rarawa Rugby Football Club	Ahipara	Wainui Junction & Takahe St.,	Club	Class 3 Club	01/CL/025/2015	19/11/2021	
Waipapakauri Sports Complex	Waipapakauri	Domain Road, Waipapakauri	Club	Class 3 Club	01/CL/001/2015	03/03/2024	
Waitangi Bowling Club	Waitangi	Tau Henare Drive, Waitangi	Club	Class 3 Club	01/CL/001/2017	15/12/2022	
Ake Ake Vineyard	Kerikeri	165 Waimate North Road	OFF	Cellar Door	01/OFF/030/2016	23/11/2022	
Cottle Hill Winery	Kerikeri	Cottle Hill Drive,	OFF	Cellar Door	01/OFF/011/2016	20/04/2022	
Dancing Petrel	Mangonui	2958 State Highway 10, Mangonui	OFF	Cellar Door	01/OFF/004/2019	08/04/2023	
Fat Pig Vineyard	Kerikeri	177 Puketotara Road	OFF	Cellar Door	01/OFF/003/2021	29/04/2022	
Kainui Road Vineyard	Kerikeri	15 Confler Lane	OFF	Cellar Door	01/OFF/026/2016	31/10/2022	
Karikari Estate	Whatuwhiwhi	Matai Bay Road, Whatuwhiwhi	OFF	Cellar Door	01/OFF/004/2015	01/04/2024	
Marsden Estate	Kerikeri	Wiroa Road, Kerikeri	OFF	Cellar Door	01/OFF/025/2016	08/10/2022	
Okahu Estate Winery	Kaitia	Okahu Road, Kaitia	OFF	Cellar Door	01/OFF/028/2016	10/11/2022	
Omata Estate	Russell	212A Aucks Road, Russell	OFF	Cellar Door	01/OFF/024/2016	27/11/2022	
The Landing Winery	Kerikeri	623 Rangihoua Road, Kerikeri 0294	OFF	Cellar Door	01/OFF/008/2019	13/12/2023	
Far North (Kaitia) R S A	Kaitia	12-18 Matthews Avenue,	OFF	Class 2 Club	01/OFF/006/2014	17/01/2023	
Matauri Bay General Store	Matauri Bay	Matauri Bay Road, Matauri Bay	OFF	General Store	01/OFF/010/2016	09/09/2021	
Awanui Superette	Awanui	Main Road,	OFF	Grocery Store	01/OFF/03/2016	19/01/2022	
Bay Four Square	Russell	York Street, Russell	OFF	Grocery Store	01/OFF/010/2014	30/04/2023	
Blue Lagoon Four Square	Moerewa	64 State Highway 1,	OFF	Grocery Store	01/OFF/025/2015	26/11/2021	
Broadwood General Store	Broadwood	1099 Broadwood Road, Broadwood	OFF	Grocery Store	01/OFF/014/2017	03/12/2021	
Coopers Beach Four Square	Coopers Beach	Cooper Drive Mangonui	OFF	Grocery Store	01/OFF/006/2019	29/07/2023	
Countdown paihia centre	Paihia	6 Williams Road, Paihia	OFF	Grocery Store	01/OFF/038/2014	17/12/2021	
Four Square Mangonui	Mangonui	Beach Road, Mangonui	OFF	Grocery Store	01/OFF/008/2019	28/11/2023	
Four Square Waipapa	Kerikeri	1993 State Highway 10, Kerikeri	OFF	Grocery Store	01/OFF/007/2017	03/08/2021	
Houhora Four Square	Pukenui	Harbour View Road, Pukenui	OFF	Grocery Store	01/OFF/003/2019	08/04/2023	
Kaero Four Square	Kaero	Leigh Street, Kaero	OFF	Grocery Store	01/OFF/020/2015	20/12/2023	
Kaikohe Four Square	Kaikohe	120 Broadway, Kaikohe	OFF	Grocery Store	01/OFF/003/2015	25/02/2022	
Kaitia Food Market	Kaitia	65 Commerce Street,	OFF	Grocery Store	01/OFF/002/2017	05/02/2024	
Kawakawa Four Square	Kawakawa	73-75 Gillies Street,	OFF	Grocery Store	01/OFF/016/2016	29/06/2022	
Omapere Foodmart	Omapere	352 State Highway 12, Omapere	OFF	Grocery Store	01/OFF/009/2017	29/08/2021	

Opononi Four Square	Opononi	29 State Highway 12, Opononi	OFF	Grocery Store	01/OFF/019/2015	17/07/2021	Renewal application currently being processed
Opua General Store	Opua	1 Beechy Street, Opua	OFF	Grocery Store	01/OFF/002/2019	14/03/2023	
Paihia 4 Square	Paihia	Williams Road, Paihia	OFF	Grocery Store	01/OFF/031/2016	16/01/2024	
Rawene Food Mart	Rawene	2 Clendon Esplanade, Rawene	OFF	Grocery Store	01/OFF/005/2017	16/04/2024	
Russell Four Square	Russell	The Strand, Russell	OFF	Grocery Store	01/OFF/008/2014	02/03/2023	
Taipa Foodmarket	Taipa	568a SHW10 Taipa	OFF	Grocery Store	01/OFF/024/2014	09/07/2023	
Waimamaku Four Square	Waimamaku	S H 12, Waimamaku	OFF	Grocery Store	01/OFF/029/2014	23/08/2023	
Copthorne Resort Waitangi	Paihia	Tau Henare Drive,	OFF	Hotel	01/OFF/002/2015	02/11/2023	
Duke Of Marlborough Hotel	Russell	The Strand, Russell	OFF	Hotel	01/OFF/019/2014	03/05/2023	
Hokianga Harbour Hotel	Kohukohu	Beach Road,	OFF	Hotel	01/OFF/026/2014	14/07/2023	
Kiwi Liquor	Kawakawa	84 Gillies Street,	OFF	Hotel	01/OFF/004/2021	25/06/2022	
Mangonui Hotel	Mangonui	112 Waterfront Drive, Mangonui	OFF	Hotel	01/OFF/004/2014	10/02/2023	
Ohaeawai Hotel	Ohaeawai	Cnr S H 1 & S H 12, Ohaeawai	OFF	Hotel	01/OFF/035/2014	12/09/2023	
Opononi Hotel	Opononi	State Highway 12, Opononi	OFF	Hotel	01/OFF/023/2016	24/08/2022	
Scenic Hotel Bay of Islands	Paihia	Cnr Seaview & McMurray,	OFF	Hotel	01/OFF/018/2014	13/06/2023	
Waipapakauri Hotel	Waipapakauri	1108 SHW1F, Main North Road, Waipapakauri	OFF	Hotel	01/OFF/003/2018	05/07/2022	
Ahipara Liquor Store	Ahipara	Takahe Street,	OFF	Liquor Store	01/OFF/025/2014	15/08/2023	
Bay Liquor, Paihia	Paihia	10 Selwyn Road, Paihia	OFF	Liquor Store	01/OFF/005/2021	12/07/2022	
Colonial Liquor Centre	Russell	York Street, Russell	OFF	Liquor Store	01/OFF/003/2014	24/12/2022	
Houhora Liquor Store	Pukenui	4 Lamb Road, Pukenui	OFF	Liquor Store	01/OFF/019/2016	03/08/2022	
Kaitaia Wines and Spirits	Kaitaia	195-197 Commerce Street,	OFF	Liquor Store	01/OFF/005/2019	01/06/2023	
Kerikeri Liquorland	Kerikeri	52 Kerikeri Road,	OFF	Liquor Store	01/OFF/012/2017	10/10/2021	
Liquor King	Kaitaia	Cnr Commerce & Empire Streets, Kaitaia	OFF	Liquor Store	01/OFF/013/2015	24/12/2021	
Liquor World Waipapa	Waipapa	3 Klinac Lane Waipapa	OFF	Liquor Store	01/OFF/008/2017	05/09/2021	
Liquorland Waipapa	Waipapa	State Highway 10, Waipapa	OFF	Liquor Store	01/OFF/029/2016	23/11/2022	
Super Liquor Kerikeri	Kerikeri	Kerikeri Road,	OFF	Liquor Store	01/OFF/010/2015	24/11/2021	
Super Liquor Paihia	Paihia	14 Marsden Road, Paihia	OFF	Liquor Store	01/OFF/006/2021	19/07/2022	
The Bottle-O Kaitaia	Kaitaia	25 Commerce Street, Kaitaia	OFF	Liquor Store	01/OFF/002/2020	24/06/2024	
The Shed	Kaikohe	Shop 1, Marino Court, Memorial Ave, Kaikohe	OFF	Liquor Store	01/OFF/033/2014	20/10/2023	
Thirsty Liquor	Coopers Beach	172 State Highway 10 Coopers Beach	OFF	Liquor Store	01/OFF/005/2015	30/05/2024	
Phat House Brewery & Taproom	Paihia	2 Garden Court, Haruru	OFF	Other	01/OFF/005/2020	07/07/2021	Renewal application currently being processed
Villa Italia	Kerikeri	37 Kingfisher Drive Kerikeri	OFF	Other	01/OFF/015/2016	11/06/2022	
144 Islands Wine	Kerikeri	705 Mangakaretu Road, Kerikeri 0295	OFF	Remote Sales	01/OFF/008/2020	20/10/2021	
Black Collar Distillery	Kerikeri	Unit B/32 Klinac Lane, Kerikeri	OFF	Remote Sales	01/OFF/009/2018	03/12/2022	
Mood Food Wines	Opua	13 Ward Drive, Opua	OFF	Remote Sales	01/OFF/007/2020	15/10/2021	
Society Liquor	Russell	5 Uruti Road, Russell	OFF	Remote Sales	01/OFF/011/2017	07/10/2021	
Kaikohe Liquorland	Kaikohe	42-48 Broadway,	OFF	Retain	01/OFF/015/2014	04/06/2023	
Okaihau Liquor	Okaihau	1191 S H 1 Okaihau	OFF	Retain	01/OFF/020/2014	17/07/2024	
Paroa Bay Winery	Russell	31A Otamatua Road Russell	OFF	Retain	01/OFF/020/2016	26/09/2022	
Waitapu Estate Vineyard	Kaitaia	111 Masters Access Rd, Kaitaia	OFF	Retain	01/OFF/026/2015	04/12/2021	
Countdown Kaikohe	Kaikohe	17 Station Road, Kaikohe	OFF	Supermarket	01/OFF/007/2015	26/11/2023	
Countdown Kerikeri	Kerikeri	54 Kerikeri Road Kerikeri	OFF	Supermarket	01/OFF/002/2018	12/12/2021	

Countdown Paihia	Paihia	Blackbridge Road, Paihia	OFF	Supermarket	01/OFF/017/2015	22/08/2023	
Kaikohe New World	Kaikohe	8-10 Memorial Avenue, Kaikohe 0405	OFF	Supermarket	01/OFF/015/2017	11/12/2021	
New World Kerikeri	Kerikeri	99 Kerikeri Road, Kerikeri	OFF	Supermarket	01/OFF/001/2016	12/01/2023	
Pak N Save Kaitaia	Kaitaia	Far North Road, SHW1 Kaitaia	OFF	Supermarket	01/OFF/005/2018	10/10/2022	
Bad Habits	Paihia	76 Marsden Road, Paihia	OFF	Tavern	01/OFF/006/2020	28/08/2024	
Ferment	Kerikeri	2 Cobham Road Kerikeri	OFF	Tavern	01/OFF/006/2018	08/10/2022	
Historic Gumstore & Bar & Grill	Kaeo	88 Gangway Road, Totara North	OFF	Tavern	01/OFF/013/2016	21/07/2023	
Klondike Ale House (Thirsty Liquor)	Kawakawa	5 Gillies Street, Kawakawa	OFF	Tavern	01/OFF/004/2020	26/06/2024	
Klondike Tavern	Moerewa	68 Main Road, SHW1, Moerewa	OFF	Tavern	01/OFF/012/2015	04/10/2021	
Matauri Café & Bar	Matauri Bay	Cnr Matauri Road & Tapui Rd	OFF	Tavern	01/OFF/001/2017	21/01/2024	
Panguru Tavern	Panguru	2181 West Coast Road, Panguru	OFF	Tavern	01/OFF/008/2016	15/12/2021	
Taipa Tavern	Taipa	Shop 1, Mall, SH 10, Taipa	OFF	Tavern	01/OFF/003/2020	19/06/2022	
Thirsty Liquor	Opuā	Paihia Main Road, Paihia	OFF	Tavern	01/OFF/010/2018	21/12/2022	
Towai Tavern	Towai	3827 SHW1 Towai RD2 Hikurangi 0182	OFF	Tavern	01/OFF/010/2017	26/09/2021	
Waitiki Tourist Complex	Waitiki	SHW1F, R D 4, Kaitaia,	OFF	Tavern	01/OFF/001/2018	19/02/2022	
Beachcomber Restaurant	Kaitaia	222 Commerce Street,	ON	Class 1 Restaurant	01/ON/041/2015	22/10/2022	
La Taza Del Diablo	Kerikeri	Unit A, 3 Homestead Road, Kerikeri	ON	Class 1 Restaurant	01/ON/005/2016	23/03/2023	
Pukenui Pacific	Pukenui	Cnr Lambs & Far North Rd	ON	Class 1 Restaurant	01/ON/010/2018	16/06/2022	
Swordy Bistro & Bar	Paihia	96 Marsden Road, Paihia	ON	Class 1 Restaurant	01/ON/025/2017	18/09/2021	
Tipsy Oyster	Paihia	24 Kings Road, Paihia	ON	Class 1 Restaurant	01/ON/009/2019	01/09/2023	
Twin Pines Manor	Paihia	342 Puketona Road, Paihia	ON	Class 1 Restaurant	01/ON/028/2017	28/11/2021	
Zane Greys Restarants and Bars	Paihia	Marsden Road,	ON	Class 1 Restaurant	01/ON/017/2018	10/10/2022	
Ake Ake Vineyard Restaurant	Kerikeri	165 Waimate North Road, Kerikeri	ON	Class 2 Restaurant	01/ON/014/2014	04/03/2020	
Alfresco's	Paihia	6 Marsden Road,	ON	Class 2 Restaurant	01/ON/050/2014	23/01/2022	
Charlotte's Kitchen	Paihia	69 Marsden Road, Paihia	ON	Class 2 Restaurant	01/ON/059/2015	16/12/2022	
Greens - Traditional Indian Cuisine	Paihia	96 Marsden Road, Paihia	ON	Class 2 Restaurant	01/ON/023/2020	14/12/2021	
Greens - Traditional Thai Cuisine	Paihia	78-94 Marsden Road Paihia	ON	Class 2 Restaurant	01/ON/014/2019	02/10/2023	
Jimmy Jacks Rib Shack	Paihia	Williams Road,	ON	Class 2 Restaurant	01/ON/019/2018	12/10/2022	
Orana Motor Inn	Kaitaia	238-242 Commerce Street, Kaitaia	ON	Class 2 Restaurant	01/ON/002/2020	17/04/2024	
Plough & Feather	Kerikeri	215 Kerikeri Road, Kerikeri	ON	Class 2 Restaurant	01/ON/020/2020	14/01/2024	
Sage	Russell	46 Otamarua Road, Russell	ON	Class 2 Restaurant	01/ON/026/2017	21/10/2021	

Ahipara Bay Motel & Bayview Restaurant	Ahipara	Foreshore Road	ON	Class 3 Restaurant	01/ON/013/2014	21/12/2022	
Seaside	Russell	29 The Strand, Russell	ON	Class 3 Restaurant	01/ON/002/2021	15/03/2022	
Burger Fiasko	Kerikeri	1G/60 Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/029/2017	01/12/2021	
Butterfish	Russell	25 The Strand, Russell	ON	Class 3 Restaurant	01/ON/027/2017	27/11/2021	
Café Cinema Restaurant	Kerikeri	Hobson Avenue,	ON	Class 3 Restaurant	01/ON/030/2014	07/05/2023	
Café Jerusalem	Kerikeri	Unit G, Cobblestone Mall,	ON	Class 3 Restaurant	01/ON/043/2015	22/10/2021	
Chang Siam Thai Restaurant	Kerikeri	248 Waipapa Road Kerikeri	ON	Class 3 Restaurant	01/ON/013/2017	28/05/2024	
Craft, Bar And Kitchen	Paihia	Marsden Road, Paihia	ON	Class 3 Restaurant	01/ON/007/2017	08/02/2024	
Curry King	Kerikeri	Village Mall, Kerikeri Rd,	ON	Class 3 Restaurant	01/ON/059/2014	14/10/2023	
Delhi 6 The Indian Kitchen	Paihia	1st Floor, 41 Williams Road Paihia	ON	Class 3 Restaurant	01/ON/066/2014	04/10/2023	
Fishbone Café	Kerikeri	88 Kerikeri Road,	ON	Class 3 Restaurant	01/ON/004/2020	08/06/2024	
Gables Restaurant	Russell	10 York Street, Russell	ON	Class 3 Restaurant	01/ON/038/2016	04/11/2022	
Greens	Russell	15A York Street Russell	ON	Class 3 Restaurant	01/ON/014/2017	04/06/2021	
Indian Spice	Kaitia	43 Commerce Street Kaitia	ON	Class 3 Restaurant	01/ON/003/2019	18/05/2023	
Indian Spice	Mangonui	66 Waterfront Drive, Mangonui	ON	Class 3 Restaurant	01/ON/032/2016	09/11/2023	
Istanbul Kebab	Kerikeri	68A Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/016/2019	20/11/2020	
JFC - Just Fish & Chips	Paihia	40 Marsden Road,	ON	Class 3 Restaurant	01/ON/010/2019	27/08/2023	
JWK Trading Limited	Kerikeri	84 Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/006/2020	06/08/2021	
Kainui Road Vineyard	Kerikeri	15 Confier Lane	ON	Class 3 Restaurant	01/ON/008/2017	18/12/2021	
King Wah Chinese Restaurant	Paihia	Shops 8 & 9, Selwyn Mall,	ON	Class 3 Restaurant	01/ON/016/2016	20/05/2022	
Little Kitchen On The Bay	Mangonui	118 Waterfront Drive, Mangonui	ON	Class 3 Restaurant	01/ON/015/2017	13/06/2024	
Madly Indian Restaurant	Kerikeri	342 Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/016/2015	01/04/2022	
Maha Restaurant	Kerikeri	190 Kerikeri Road Kerikeri	ON	Class 3 Restaurant	01/ON/024/2018	07/12/2022	
Makana Chocolate Café	Kerikeri	504 Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/018/2016	16/06/2023	
Mangonui Fish Shop	Mangonui	137 Waterfront Drive, Mangonui	ON	Class 3 Restaurant	01/ON/004/2016	27/01/2022	
Marina Café	Opuia	Baffin Street, Opuia	ON	Class 3 Restaurant	01/ON/020/2018	02/11/2022	

Marsden Estate	Kerikeri	Wiroa Road, Kerikeri	ON	Class 3 Restaurant	01/ON/039/2016	08/10/2022	
Omata Estate	Russell	212A Aucks Road, Russell	ON	Class 3 Restaurant	01/ON/030/2016	11/10/2022	
Breeze	Paihia	1/150 Marsden Road, Paihia	ON	Class 3 Restaurant	01/ON/005/2021	16/04/2022	
Pizza Shack	Paihia	68 Marsden Road, Paihia	ON	Class 3 Restaurant	01/ON/001/2018	31/01/2022	
Rainbow Falls Tea House	Kerikeri	73 Rainbow Falls Road, Kerikeri	ON	Class 3 Restaurant	01/ON/011/2020	19/08/2021	
Spice Grill	Kaero	20 Leigh Street Kaero	ON	Class 3 Restaurant	01/ON/019/2015	25/03/2024	
Sushi Gallery	Kerikeri	Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/049/2015	10/11/2022	
Terra Restaurant	Paihia	76 Marsden Road, Paihia	ON	Class 3 Restaurant	01/ON/012/2019	30/09/2023	
The Black Olive Restaurant	Kerikeri	Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/011/2017	06/04/2024	
The Boatshed Café	Rawene	8 Clendon Esplanade,	ON	Class 3 Restaurant	01/ON/013/2019	30/09/2023	
The Grazing Table	Russell	29 The Strand, Russell	ON	Class 3 Restaurant	01/ON/011/2019	25/09/2023	
The Landing Winery	Kerikeri	623 Rangihoua Road, Kerikeri 0294	ON	Class 3 Restaurant	01/ON/019/2019	13/12/2023	
The Rusty Tractor Café & Trading Store	Kerikeri	582 Kerikeri Road, Kerikeri	ON	Class 3 Restaurant	01/ON/007/2019	01/07/2023	
The Thai Mangonui	Mangonui	Waterfront Drive, Mangonui	ON	Class 3 Restaurant	01/ON/009/2018	07/06/2022	
The Village Café	Kerikeri	Shop 8, Cobblestone Mall, Kerikeri	ON	Class 3 Restaurant	01/ON/045/2015	22/09/2021	
The York Street Café	Russell	Shops 1 & 2, York Street, Russell	ON	Class 3 Restaurant	01/ON/015/2014	01/02/2023	
Tuk-Tuk Bangkok Restaurant	Russell	York Street, Russell	ON	Class 3 Restaurant	01/ON/064/2014	16/11/2023	
Turkish Kebab And Pizza	Kaitia	28 Commerce Street, Kaitia	ON	Class 3 Restaurant	01/ON/014/2020	18/11/2021	
Turmeric	Kerikeri	9 Cobham Road, Kerikeri	ON	Class 3 Restaurant	01/ON/012/2020	09/10/2021	
Waterfront Café and Bar	Mangonui	Waterfront Road, Mangonui	ON	Class 3 Restaurant	01/ON/003/2016	17/01/2022	
Whare Waka Café	Waitangi	Tau Henare Drive, Waitangi	ON	Class 3 Restaurant	01/ON/005/2020	18/06/2024	
Carino New Zealand	Paihia	Wharf,	ON	Conveyance	01/ON/013/2018	09/07/2022	
Darryls Dinner Cruises - Ratanui	Paihia	Bay of Islands	ON	Conveyance	01/ON/065/2014	11/11/2023	
Discovery I	Opuha	Wharf,	ON	Conveyance	01/ON/003/2017	21/01/2024	
Discovery IV	Opuha	Wharf,	ON	Conveyance	01/ON/058/2015	22/09/2021	
Dolphin Seeker	Opuha	Wharf,	ON	Conveyance	01/ON/052/2015	11/11/2021	
R Tucker Thompson	Opuha	Opuha Wharf,	ON	Conveyance	01/ON/040/2016	08/12/2022	
Sunkissed Gourmet Sailing Adventures	Opuha	3 Beechy Street, Opuha	ON	Conveyance	01/ON/008/2020	24/06/2021	Renewal application currently being processed
Te Maki	Opuha	Wharf,	ON	Conveyance	01/ON/018/2017	21/06/2024	

The Rock	Opua	Wharf,	ON	Conveyance	01/ON/023/2015	01/05/2022	
Far North Business And Event Hub	Kaikohe	5 Marino Place, Kaikohe	ON	Events Centre	01/ON/001/2021	10/02/2022	
Taharoa	Waitangi	Tau Henare Drive, Waitangi	ON	Events Centre	01/ON/007/2020	19/06/2021	Renewal application currently being processed
Turner Centre	Kerikeri	43 Cobham Road	ON	Events Centre	01/ON/036/2015	26/07/2021	Renewal application currently being processed
Copthorne Hotel & Resort Hokianga	Omapere	State Highway 12, Omapere	ON	Hotel	01/ON/001/2019	10/03/2023	
Copthorne Resort Waitangi	Paihia	Tau Henare Drive,	ON	Hotel	01/ON/004/2018	02/11/2023	
Duke Of Marlborough Hotel	Russell	The Strand, Russell	ON	Hotel	01/ON/003/2018	03/05/2023	
Eagles Nest	Russell	60 Tapeka Road, Russell	ON	Hotel	01/ON/031/2014	30/01/2023	
Hokianga Harbour Hotel	Kohukohu	Beach Road,	ON	Hotel	01/ON/044/2014	14/07/2023	
Hunter Star	Kawakawa	84 Gillies Street,	ON	Hotel	01/ON/009/2021	25/06/2022	
Karikari Estate	Whatuwhiwhi	Matai Bay Road, Whatuwhiwhi	ON	Hotel	01/ON/025/2015	01/04/2024	
Kauri Cliffs Golf Course & Lodge	Matauri Bay	Tepene Tablelands Matauri Bay	ON	Hotel	01/ON/017/2014	20/12/2022	
Kingsgate Hotel Autolodge Paihia	Paihia	Cnr Marsden & Selwyn Roads,	ON	Hotel	01/ON/008/2018	10/05/2022	
Left Bank & Mint Restaurant	Kaikohe	150 Broadway, Kaikohe	ON	Hotel	01/ON/023/2018	26/11/2022	
Mangonui Hotel	Mangonui	112 Waterfront Drive, Mangonui	ON	Hotel	01/ON/020/2014	10/02/2023	
Marlin Hotel & Restaurant	Whangaroa	Whangaroa Road, Whangaroa	ON	Hotel	01/ON/021/2018	12/11/2022	
Ohaeawai Hotel	Ohaeawai	Cnr S H 1 & S H 12, Ohaeawai	ON	Hotel	01/ON/062/2014	12/09/2023	
Opononi Hotel	Opononi	State Highway 12, Opononi	ON	Hotel	01/ON/029/2016	20/09/2022	
Otehei Bay Resort	Urupukapuka Isl	Otehei Bay, Urupukapuka, BOI	ON	Hotel	01/ON/007/2015	18/12/2022	
Paihia Beach Resort & Spa	Paihia	130 Marsden Road, Paihia	ON	Hotel	01/ON/018/2018	15/10/2022	
Paihia Pacific Resort Hotel	Paihia	27 Kings Road, Paihia	ON	Hotel	01/ON/012/2015	23/01/2024	
Ramada Resort Reia Taipa Beach	Taipa	22 Point Road, Taipa	ON	Hotel	01/ON/015/2015	26/03/2024	
Scenic Hotel Bay of Islands	Paihia	Cnr Seaview & McMurray,	ON	Hotel	01/ON/033/2014	13/06/2023	
Sea Spray Suites	Paihia	138 Marsden Road Pahia	ON	Hotel	01/ON/057/2014	20/09/2023	
The Landing NZ	Kerikeri	623 Rangihoua Road, Kerikeri 0294	ON	Hotel	01/ON/017/2019	08/12/2023	
The Waterfront	Paihia	98-100 Marsden Road Paihia	ON	Hotel	01/ON/058/2014	23/09/2023	
Waipapakauri Hotel	Waipapakauri	1108 SHW1F, Main North Road, Waipapakauri	ON	Hotel	01/ON/012/2018	05/07/2022	
Awanui Hotel	Awanui	50 State Highway 1, Awanui	ON	Tavern	01/ON/006/2021	30/04/2022	
Bad Habits	Paihia	76 Marsden Road, Paihia	ON	Tavern	01/ON/022/2020	28/08/2024	
Collards Sports Bar, Gaming & Restaurant	Kaitaia	SHW1/Whangatane Drive,	ON	Tavern	01/ON/023/2017	21/09/2021	
Duke Of Marlborough Tavern	Russell	Cnr York & Chapel Streets,	ON	Tavern	01/ON/015/2019	11/10/2023	
Ferment	Kerikeri	2 Cobham Road Kerikeri	ON	Tavern	01/ON/016/2018	08/10/2022	
Herekino Tavern	Herekino	25 Whangape Road, Herekino	ON	Tavern	01/ON/008/2021	02/06/2022	
Historic Gumstore & Bar & Grill	Kaero	88 Gangway Road, Totara North	ON	Tavern	01/ON/019/2016	21/07/2023	
Horeke Tavern	Horeke	Horeke Road,	ON	Tavern	01/ON/020/2015	15/04/2024	
Kauri Arms Tavern	Kaitaia	195-197 Commerce Street,	ON	Tavern	01/ON/013/2020	19/10/2021	
Klondike Ale House	Kawakawa	5 Gillies Street, Kawakawa	ON	Tavern	01/ON/009/2020	26/06/2024	
Klondike Tavern	Moerewa	68 Main Road, SHW1, Moerewa	ON	Tavern	01/ON/050/2015	04/10/2021	
Matauri Café & Bar	Matauri Bay	Cnr Matauri Road & Tapui Rd	ON	Tavern	01/ON/002/2017	21/01/2024	
Mussell Rock Cafe & Bar	Kaitaia	75 Commerce Street, Kaitaia	ON	Tavern	01/ON/003/2015	16/09/2023	
Paihia Sports Bar	Paihia	10 Selwyn Road, Paihia	ON	Tavern	01/ON/033/2016	15/11/2023	

Panguru Tavern	Panguru	2181 West Coast Road, Panguru	ON	Tavern	01/ON/011/2016	15/12/2021	
Phat House Brewery & Taproom	Paihia	2 Garden Court, Haruru	ON	Tavern	01/ON/015/2020	01/12/2021	
Pioneer Restaurant & Bar	Waipapa	Loop Road, Waipapa	ON	Tavern	01/ON/006/2016	14/03/2023	
Pipi Patch	Paihia	18 Kings Road,	ON	Tavern	01/ON/008/2019	14/08/2023	
Rayz on the Bay	Paihia	50 Marsden Road, Paihia	ON	Tavern	01/ON/003/2020	01/04/2024	
Roadrunner Tavern	Opuia	Paihia Main Road, Paihia	ON	Tavern	01/ON/025/2018	21/12/2022	
Rock Salt Bar	Kerikeri	Cnr Cobham and Roads,	ON	Tavern	01/ON/037/2016	08/11/2023	
Saltwater Café and Bar	Paihia	14 Kings Road, Paihia	ON	Tavern	01/ON/002/2016	21/11/2021	
Sandpit Poolroom and Bar	Paihia	16 Kings Road, Paihia	ON	Tavern	01/ON/019/2017	17/07/2021	
Taipa Tavern	Taipa	Shop 1, Mall, SH 10, Taipa	ON	Tavern	01/ON/010/2020	02/07/2022	
The Bank Bar & Casino	Kaikohe	124 Broadway, Kaikohe	ON	Tavern	01/ON/006/2015	14/02/2024	
The Homestead Sports Bar & Bistro	Kerikeri	Homestead Road,	ON	Tavern	01/ON/009/2017	01/03/2024	
Thirty 30	Paihia	16 Kings Road,	ON	Tavern	01/ON/030/2015	16/07/2022	
Towai Tavern	Towai	3827 SHW 1 Towai RD2 Hikurangi 0182	ON	Tavern	01/ON/024/2017	26/09/2021	
Waimamaku Bar and Grill	Waimamaku	7227 SH12, Waimamaku	ON	Tavern	01/ON/022/2014	7/03/2023	
Waitiki Tourist Complex	Waitiki	SHW1F, R D 4, Kaitaia,	ON	Tavern	01/ON/005/2018	19/02/2022	



To help keep our communities safe

Sun, fun, sun... and repeat. That's what Northland summers are all about. But when you combine heat, holidays and heavy drinking the result can be a nasty cocktail. No one wants to be the fun police, so following these responsible drinking practices will help you and your customers celebrate safely.

Keep your cool — temperature control tips

S

Special licence

An event that includes alcohol may need a [Special Licence](#). This can apply whether the event is ticketed, has a cover charge or is asking for donations. Check out more information and handy links on the next page to see if this licence applies to you.

U

No ID, no service, no exceptions

Serving alcohol to under age customers could bring you the wrong kind of heat this summer. Controlled Purchase Operations (CPO) are carried out on the regular. Failing one can mean higher licensing fees, fines, loss of licence or loss of a manager's certificate. Avoid the stress. If in doubt, ask for ID.

M

Manager change notification

If you have a new, temporary, terminated or acting manager you need to let us know using the Notice of Management Change form. We need 48 hours' notice before your acting or temporary manager steps up.

Find forms at: www.fndc.govt.nz/our-services/licence-application-forms

M

Make water available

Making free water available is one of the best ways to prevent over the top intoxication. Keep water jugs full, regularly refreshed, in clear view (even during busy times), and with a stock of clean drinking glasses nearby.

E

Encourage safe transport options

Information about transport options is a requirement of licenced premises. Are shuttle buses available? Is providing a courtesy couch possible? What about free non-alcoholic drinks for sober drivers? Consider adding incentives that could work for your customers and keep them safe.

R

Reasonable range of food

When alcohol is sold, supplied or consumed the licence holder must provide a reasonable range of food. A minimum of three options are required. Visit www.alcohol.org.nz/hospitality-and-industry for more helpful information.



Unite
against
COVID-19

Please keep up to date with the COVID-19 alert level restrictions and any guidelines that may impact your business.

Go to covid19.govt.nz

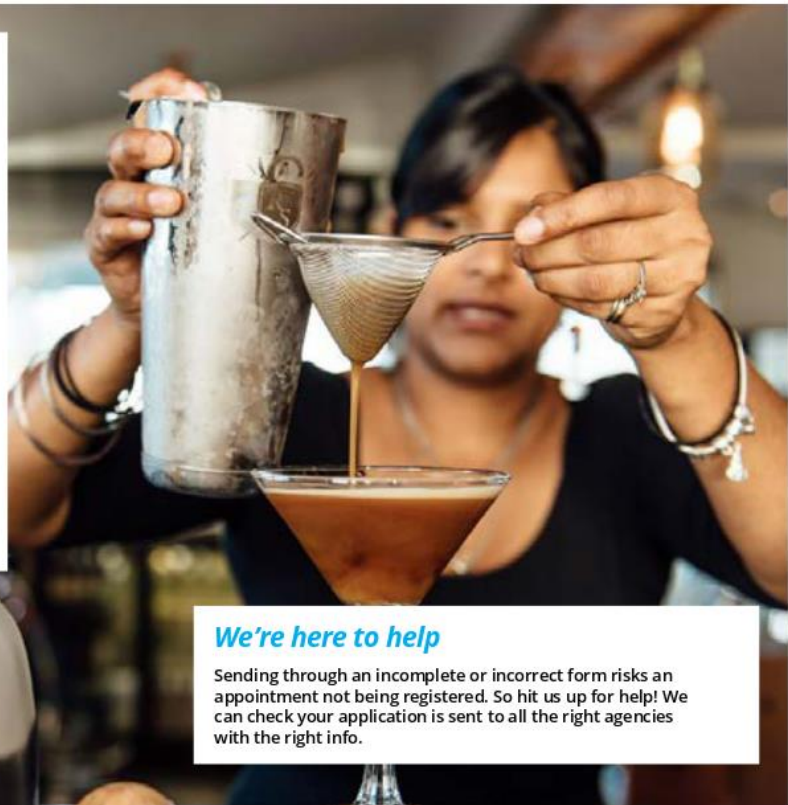
Formal appointment of Duty Managers

Are all your Duty Managers correctly appointed? If not, your alcohol sales could be unauthorised and you could be liable for an infringement.

The licensee is responsible for formally appointing all their Duty Managers - not the staff member who is being appointed.

The Notice of Management Change [form](#) must be sent to both the Council Alcohol Licensing Team and the Police.

Find this form on our website at: www.fndc.govt.nz



We're here to help

Sending through an incomplete or incorrect form risks an appointment not being registered. So hit us up for help! We can check your application is sent to all the right agencies with the right info.

Event Special Licence

Planning an event that includes alcohol? The QR code below links to a guide to work out if a Special Licence is needed. Remember unlike tavern licences, no additional *drink up time* is permitted with a Special Licence, so this time needs to be incorporated into the hours requested in your application. A Special Licence is only valid for the event specified.

Applications must be lodged at least 20 working days before the event OR 40 working days for a large event. Go to www.fndc.govt.nz and search for 'special alcohol licence' to find the application form.



Diagram courtesy of: Whangārei District Council

Check out our Event Organisers Workshop webinar on [YouTube](#).

Building evacuation and building occupancy info

You must display evacuation information around your premises and ensure it meets section 76 of the Fire and Emergency NZ Act 2017 or section 21B of the Fire Service Act 1975.

You must know your building occupancy load, so you can avoid exceeding it. Everyone at your premises must be able to safely evacuate within a reasonable time.

Any questions? Contact: Jason.Goffin@fireandemergency.nz



Alfresco alcohol

Your alcohol licence must cover the alfresco dining area located in a public space. If you want to vary your alcohol licence to include this space find the *variation* application [form](#) on our website. Go to fndc.govt.nz and search for 'variation'.

Any suggestions for our Autumn newsletter?

Email us: ask.us@fndc.govt.nz

You can also contact:

Our Alcohol Licensing Team
DLG@fndc.govt.nz

Northland District Health Board

Wendy Antrobus:
liquor@northlanddhsb.org.nz

NZ Police, Alcohol Harm Reduction Unit

Rasau Kalivati:
AHROFarnorth@police.govt.nz

Fire and Emergency NZ

Jason Goffin, Advisor Risk Reduction/
Specialist Fire Investigator:
Jason.Goffin@fireandemergency.nz

Visit: www.fndc.govt.nz/Our-Services/Licences_and_permits

5.3 UPDATE REPORT: ENVIRONMENTAL SERVICES MONITORING AND COMPLIANCE**File Number: A3471997****Author: Rochelle Deane, Manager - Environmental Services****Authoriser: Dean Myburgh, General Manager - District Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To provide an update to the committee on:

- The Monitoring of Resource Consent Conditions
- District Plan Breaches

WHAKARĀPOPO MATUA / EXECUTIVE SUMMARY

Under the Resource Management Act 1991 (RMA), local authorities are responsible for monitoring to ensure activities meet requirements under the RMA, plan rules and resource consents.

Monitoring provides a feedback mechanism for FNDC that tests the efficiency and effectiveness of planning processes and provides a quality control mechanism.

The RMA does not prescribe how councils should carry out this function - councils have discretion to determine how to achieve compliance in their respective areas.

FNDC use compliance promotion (such as education, on-site directions, and awareness-raising) as the preferred method for encouraging compliance. When necessary, FNDC can use formal enforcement action to discourage and penalise non-compliance and direct remediation of the damage.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Update Report: Environmental Services Monitoring and Compliance.

TĀHUHU KŌRERO / BACKGROUND

The FNDC Compliance and Monitoring team helps to ensure the protection and enhancement of our district environments.

We achieve this through education, monitoring and enforcement of resource consent conditions, and compliance with the District Plan and Resource Management Act 1991.

The team's functions include:

- monitoring and enforcing land-use resource consent conditions
- monitoring compliance with the requirements of the FNDC District Plan
- monitoring compliance with the Resource Management Act 1991 (RMA)
- responding to and investigating District Plan related and resource consent related complaints
- working with site owners and the public as to their obligations under the District Plan and/or resource consent

When a resource consent is granted, it may be subject to specific conditions. These can be wide-ranging and cover many aspects. Council's Monitoring Officers check that all the conditions outlined in resource consents are complied with throughout the development and for the life of the consent. Some typical conditions relate to:

- building and structure site location
- car parking layout
- landscaping requirements

- hours and conditions of operation

There is a range of non-compliance activities requiring investigation. Some of the more common ones include:

- Non-complying home-based activities in which the subject site is located.
- signage on private land.
- setback infringements.
- noncomplying earthworks.

Enforcement action can be taken in cases of non-compliance with the Resource Management Act, a resource consent condition, or a District Plan rule.

There are several enforcement options available to Council. The decision about which option to use is based on:

- the nature and scale of the non-compliance.
- effects generated.
- perceived level of deterrence required.

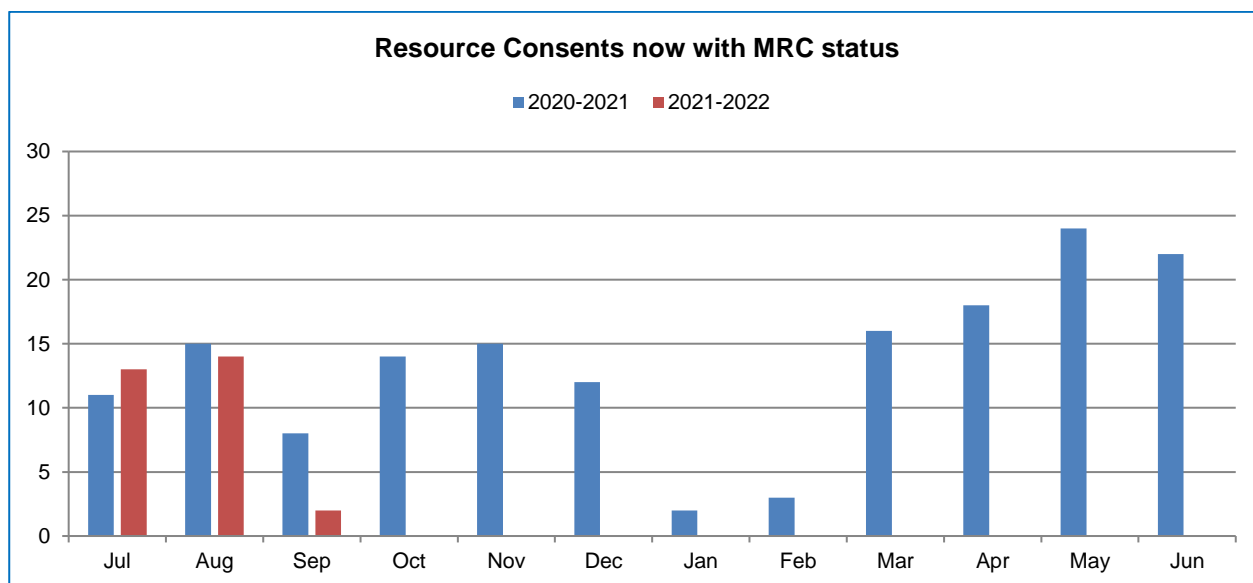
MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Resource Consent Monitoring

Councils have the discretion to determine what resource consents to monitor and how often. Not all Resource Consents (RC) are issued with conditions that require monitoring.

The graph below reflects the new way of working created by a business improvement which began in July 2021. When RC's have a decision issued, the Resource Consent Monitors are now automatically notified and, rather than creating a new application, the status of the RC application is updated to "MRC Lodged".

This process saves considerable administration time and, although there have been some teething problems, is proving to be an effective change.



In the graph September and October data are low. There will always be a lag in the data due to the statutory fifteen-day appeal period once a decision is issued. Resource consent monitoring does not commence until at least twenty working days from the date of issue to allow for the appeal period and any administration time required to lodge an appeal.

The position of Resource Consent Monitoring officer was transitioned into the Monitoring team from the Resource Consents team as a result of the Functional Review undertaken in 2018. This move triggered a complete review of how many consents were outstanding and what practices and procedures were in place for monitoring them.

At the time, this revealed a backlog of approximately 1600 un-monitored Resource Consents. This backlog was caused by Resource Consents being issued whilst not having enough resources available to monitor them efficiently in the past. Consequently, an extra fixed term position was approved to assist in reducing the backlog. Great progress has been made to date reducing this figure to 527 as at October 2021.

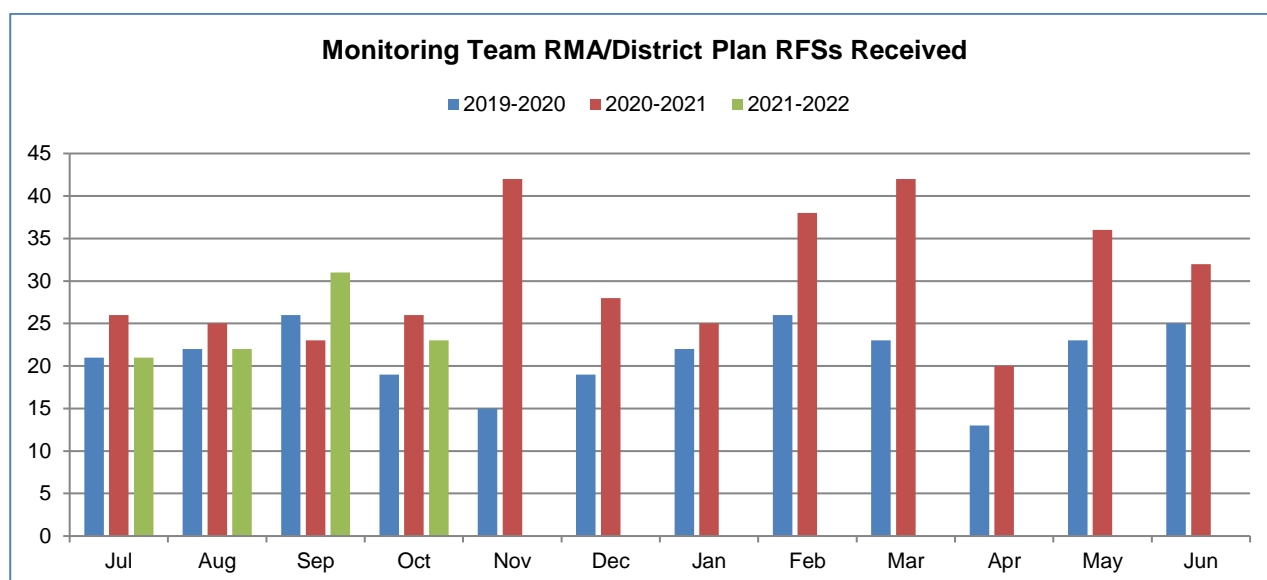
There have been several changes in both the full-time and fixed-term monitoring roles over the past two years. These changes, together with being unable to monitor during the Covid-19 period, have resulted in delays in reducing the backlog and in also addressing new Resource Consents.

The fixed term role currently is to 30 June 2022. However with the high volume of Resource Consent decisions being issued along with the current backlog, the continued workload would support this being a permanent arrangement.

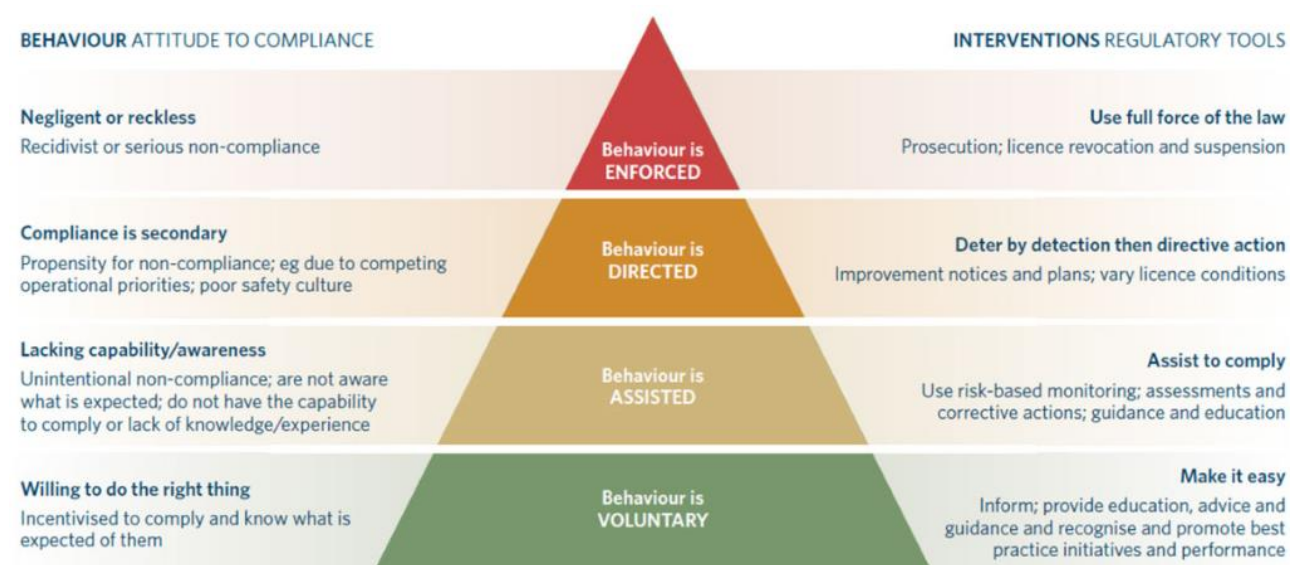
District Plan RFSs

The Monitoring and Compliance team investigates breaches of the District Plan.

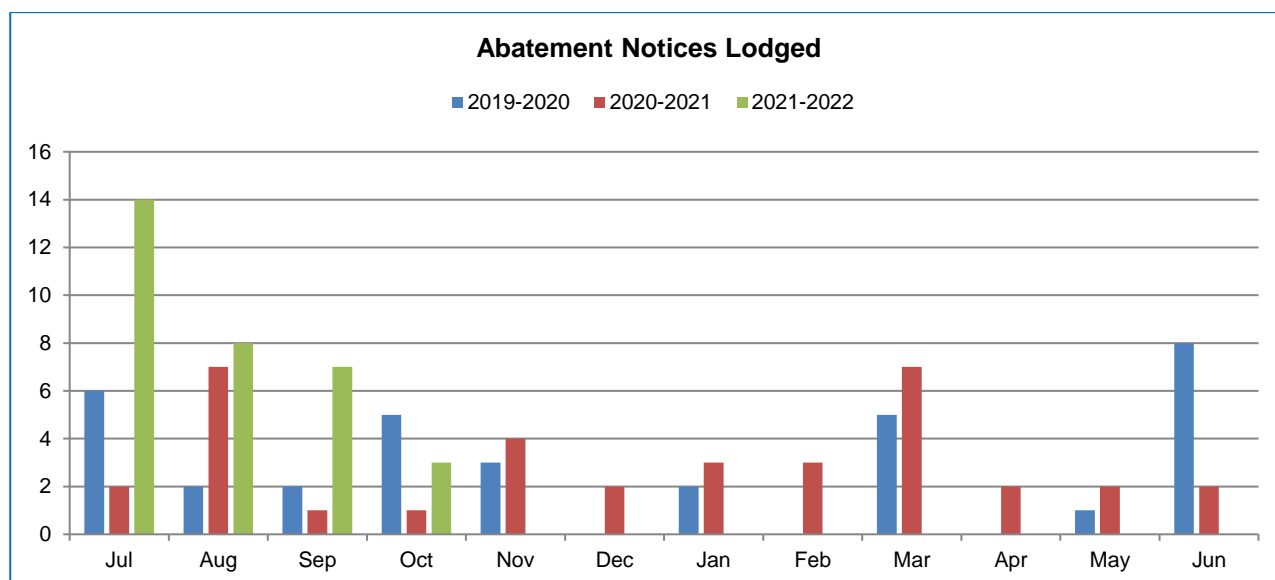
The graph below shows the number of RFSs received for potential District Plan breaches for the last two financial years and the current year. District Plan RFSs have increased, which may reflect the increasing population of the district.



A rule breach equates to a breach of section 9 of the RMA. Compliance can be gained through advice, letters, abatement notices, infringements, and prosecution. The Monitoring team's policy is to promote voluntary compliance with the District Plan, however, there have been times during an investigation where it becomes necessary to escalate our enforcement process, as directed by the VADE (Voluntary-Assisted-Directed-Enforced) model.

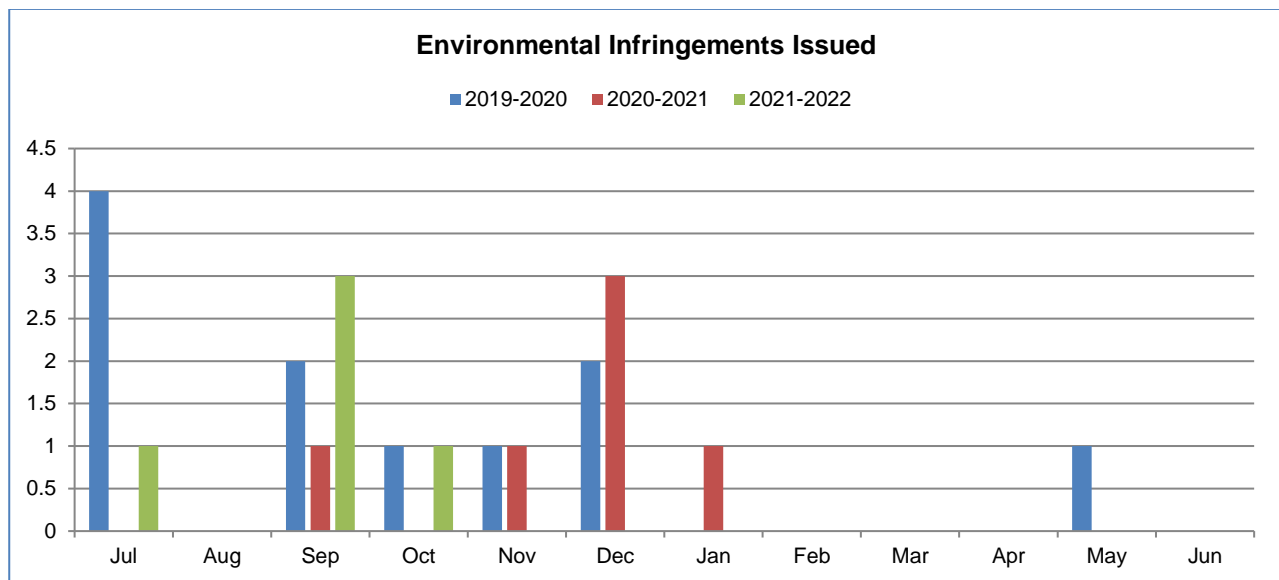


The RMA allows a warranted monitoring officer to issue an abatement notice to direct an offender to do something or cease something that is causing a breach of the RMA. Usually this means ceasing a breach of a rule in the District Plan. Abatement notices can also be issued for failing to comply with a condition in a resource consent. The graph below shows how many abatement notices have been issued by the Monitoring team from 2019 to present.



Abatement notices are issued with a specific date by which the offender must comply. If an offender has not complied with an abatement notice and is not showing a willingness to co-operate with Council, an Environmental Infringement Notice (EIN) of \$750 can be issued. The graph below shows how many EIN's have been issued by the monitoring team from 2018 to present.

If no EINs have been issued, this is partly due to the level of gaining compliance without having to infringe and in some cases due to Covid lockdown restrictions.



PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial or other resource implications regarding this report.

ĀPITIHINGA / ATTACHMENTS

Nil

5.4 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR OCTOBER 2021

File Number: A3480356

Author: Dean Myburgh, General Manager - District Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To present a summary of District Services activity and information items.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

This District Services Monthly Business Report provides a summary of progress and highlights for the month of October 2021.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for October 2021.

TĀHUHU KŌRERO / BACKGROUND

The District Services group provides many services for the benefit of our communities to make it a great place to work, live and visit. The group is made up of three departments:

- **Community & Customer Services:** This includes Customer Care – Service Centres and Contact Centre, Libraries and Museum, i-SITE Information Centres, Tenancy services for Housing for the Elderly and burial processing for Cemeteries.
- **Building Services:** This includes processing and inspecting Building Consents and Building Compliance related matters.
- **Environmental Services:** This includes Animal Management, Environmental Health (Food, Alcohol and Health licensing and monitoring), Compliance Monitoring (Legislation and Bylaw monitoring and enforcement) and Resource Consents processing.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The information is attached in the form of a report.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial or budgetary provision associated with this report.

ĀPITI HANGA / ATTACHMENTS

1. District Services Monthly Business Report - October 2021 - A3486642 [↓](#) 



**DISTRICT SERVICES
MONTHLY
BUSINESS REPORT**

October 2021

**HE ARA TĀMATA
CREATING GREAT PLACES**
Supporting our people

Performance in Brief

Introduction

The District Services group provides many services for the benefit of our communities to make it a great place to work, live and visit. The group is made up of three departments:

- **Community & Customer Services:** This includes Customer Care – Service Centres and Contact Centre, Libraries and Museum, i-SITE Information Centres, Tenancy services for Housing for the Elderly and burial processing for Cemeteries.
- **Building Services:** This includes processing and inspecting Building Consents and Building Compliance related matters.
- **Environmental Services:** This includes Animal Management, Environmental Health (Food, Alcohol and Health licensing and monitoring), Compliance Monitoring (Legislation and Bylaw monitoring and enforcement) and Resource Consents processing.



Our Customers

We have transitioned to a new measurement system for Customer Experience feedback. AskNicely is our new measurement tool, which is customer friendly, easy to use and simpler.

Our Finances

The District Services group activities are funded from rates or user charges, or a mix of both. The key objective is to fund these services in an affordable, transparent and accountable way. This ensures that payment for Council services is sourced from those who use them.

Funding Breakdown for the District Services Group

Rates 100% User Charges 0% Customer Services	Rates 90-99% User Charges 1-10% Building Compliance Monitoring and Enforcement Libraries	Rates 70-79% User Charges 21-30% i-SITEs
Rates 60-69% User Charges 31-40% Cemeteries Animal Control	Rates 50-59% User Charges 41-50% Parking Enforcement	Rates 40-49% User Charges 51-60% Resource Consents Environmental Health Building Consents Housing for the Elderly

Our Level of Service KPIs

The District Services group performance is measured using Key Performance Indicator (KPI) measures aligned with the Long Term Plan 2018 – 28 (LTP) and Annual Plan.

These measures demonstrate our commitment to our legislative obligations and contribution to community outcomes.

Contribution to community outcomes	
	Communities that are healthy, safe, connected and sustainable
	Connected and engaged communities prepared for the unexpected
	Proud, vibrant communities
	Prosperous communities supported by a sustainable economy
	A wisely managed and treasured environment that recognises the special role of tangata whenua as kaitiaki

Executive Summary

This District Services Monthly Business Report provides a summary of progress and highlights for the month of October 2021. The District Services Group achieved several successes and made good progress in the following areas:

Community and Customer Services

Libraries: Due to Covid Level 3 restrictions all the Libraries were closed for nine working days in October 2021. Library and Museum services have also been restricted in Level 2.

i-SITEs: Due to Covid Level 3 restrictions all the i-SITEs were closed for nine working days in October 2021. The Far North i-SITEs have been affected by Auckland being in lockdown with no-one able to get through to visit. After a very quiet period, the focus is on the possibility of the Auckland-Northland border being open through the summer holiday period.

Customer Care: All of the service centres were affected by the Covid Level 3 lockdown and focused on up-skilling themselves. Contact Centre staff have introduced a team Call Calibration session, where they listen in on calls, self-assess and 'grade' them as part of regular monthly improvement feedback sessions.

Housing for the Elderly: Visits to both Kawakawa and Kerikeri villages were undertaken to discuss the future for Housing for the Elderly after the decision was made to explore divestment options. Further visits to the remaining villages are planned.

Cemeteries: There has been an increase in the number of burials across the district this month including ash burials. Currently there are 21 ash burials on hold due to Covid 19 restrictions on gatherings at funerals and restrictions on local and overseas travel.

Events: Unfortunately, a number of events had to be cancelled due to Covid Alert Level 3 and uncertainty related to Covid restrictions. Some event organisers have submitted their applications for 2022.

Building Services

The Building Consent Authority (BCA) received 155 consents for the month of October, 11% higher than the 4-year average. Building consents, on average, are issued within 11 days with building consent compliance with 20-day statutory timeframes tracking at 99.63% year to date. Code compliance certificates were at 99.11% compliance in October and are tracking at 97.7% year to date, with code compliance certificates (CCCs) issued, on average, in 7 days. 112 code compliance certificates were issued in October.

Building Compliance / Swimming Pools: A total of 31 swimming pool inspections were carried out during the month of October. Obtaining access to pools remains a problem and 26% of inspections could not be completed. The number of inspections has been increased to address the issue of historic non-compliant pools.

Building Warrant of Fitness (BWOF): 8 BWOF audits were carried out during October as the team now focuses on delivering qualitative audits and establishing a work rhythm, supported by digital transformation and new dashboards to track performance.

Notices to Fix: 12 Statutory Notices were served during the month of October for breaches of the Building Act 2004.

Certificates of Acceptance: Council received 5 COA applications during the month of October. The number of COA applications received remains consistent month to month.

Infringements: Two infringements were issued during the month of October, one for non-compliance with a Notice to Fix and the other for a breach of Section 40 of the Building Act.

Environmental Services

Resource Consents: The Resource Consent (RC) team reached 93% compliance with statutory timeframes for October with three consents going over statutory timeframes. The RC Team issued 100 decisions under the RMA and LGA in October. Of the 100 decisions, 44 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE).

Monitoring and Compliance: The Monitoring and Compliance team received 111 Requests for Service (RFS) in October 2021, a decrease of 19 RFS on the previous month. There were 123 noise complaints RFS received and responded to in October. 32 parking infringements were issued during the month.

Environmental Health: 19 businesses had food verifications carried out by Environmental Health Officers during October 2021. The Ministry for Primary Industries (MPI) has granted an extension to verifications due to the impact of Covid alert levels and has allowed the Food Verification Authority (FVA) six months to complete the overdue verifications. Three Good Host Visits (GHVs) of licensed premises were conducted across the district in October.

Animal Management: 270 RFS were received for Animal Management in October 2021; 59 urgent and 211 non-urgent. This is 129 less RFS than the September figures. The team continues to meet response times with 98% for urgent and 97% for non-urgent RFS.

Community and Customer Services

This section contains performance information for the Community and Customer Services department.

Introduction

Community and Customer Services includes Customer Care – Service Centres and Contact Centre, Libraries and Museum, i-SITE Information Centres, Tenancy services for Housing for the Elderly and burial processing for Cemeteries.

Connecting with our communities and providing excellent customer service is important to Council. Our Customer Care team at service centres and the contact centre are the first point of contact for people in our district, providing vital services such as delivery of information, liaising with departments to progress requests from the community, helping people to solve Council-related issues, and receiving and processing payments. Customer services related to cemeteries and housing for elderly is also part of our remit.



Our libraries provide leisure and lifelong learning opportunities that strengthen our communities. They provide free and open access to knowledge and information services to all residents, and are a safe, neutral place where people can connect. We maintain and manage six public libraries located in Kaeo, Kaikohe, Kaitaia, Kawakawa, Kerikeri and Paihia and an outreach service.

Museum @Te Ahu's purpose is to illuminate the stories and histories of the Far North district of New Zealand. As the only museum in the area, they have an important role in explaining the specialness of the Far North.

Visitors to our District often seek advice about their travel arrangements, and for this reason we provide i-SITES where helpful local experts provide a key component of an excellent visitor experience to our District. Located in key visitor areas, our i-SITES are vitally important to the economic prosperity of our communities. We have three i-SITES in Kaitaia, Opononi and Paihia. i-SITES are not just for our visitors, they also act as the local service centre where residents and ratepayers can register their dog, pay their rates, and make general enquiries about council services.



Community and Customer Care Executive Summary - October 2021

Libraries and Museum

Library and Museum services have been restricted in Level 2 – **‘Wear a mask! Borrow a book! We love you, but now go home’**, has been the theme.

The library Collections team worked through Level 3 and have now cleared the new books backlog. Most books are now coming directly from our partner Wheelers, shelf ready.

The library RFID project tagging team also made great progress during Level 3, with books in five of the six libraries now tagged and are ready for self-check machines to be installed later this year.

Sabine Weber-Beard completed her secondment as Senior Librarian – Kaitia. Sabine did a great job with the team in the north and will now resume her regular role as Senior Librarian – Systems.

The museum team have made great progress on the digitization project, with high quality collection images being created.

i-SITES

The Far North i-SITES have been affected by Auckland being in lockdown with no one able to get through to visit. The whole region is very quiet, and people are hoping that Auckland will open up before Christmas. The i-SITES were closed between 9 October 2022 and 19 October 2021 due to a shift to Covid Level3.

While things are quieter, the i-SITE team are helping with back-office administration work, training and undertaking familiarisations where possible. There are also some new products being researched which look interesting for the future.

Customer Care

Service centres closed for seven working days in October due to a move in Northland COVID19 levels from Level 2 to Level 3.

Service Centre and Contact Centre staff are taking the opportunity while interactions have decreased, to complete training including processing After-Hours reports and Change of Addresses processed in Pathway. Online registrations have also been progressed. Call auditing sessions commenced, Contact Centre staff listen to some of their calls and ‘grade’ them and share feedback. This exercise has been well received with many positive comments and learnings and will continue on a monthly basis. Rates rebate applications are being received and processed, assisting the Rates Team.

To ensure proper distancing between staff in the office, the majority of contact centre staff continue to work from home.

Housing for the Elderly

October saw two new tenancies begin in Kaikohe. Sadly, we had two tenants pass away (age/health related) during October and the whanau of these tenants are currently working to get these units cleared.

Visits to both Kawakawa and Kerikeri villages were made in October to discuss the future for Housing for the Elderly after the decision was made to explore divestment options. Due to changing lockdown levels, visits to the remainder of the villages have not yet occurred, however some feedback has been received via phone and to date the majority of tenants appreciate council as a landlord and think we do a good job. There is some concern that any divestment could mean they need to vacate units or rents will go up considerably. Staff provide

reassurance that any changes that are made, will be done with their best interests in mind and that they will continue to be kept informed.

During October some units that were undergoing refurbishment became available for tenancing so the priority, along with debt management, will be interviewing for these units during November in the hope to have the majority of them tenanted before the Christmas break. We are currently exploring options for online interviews should there be further changes to lockdown levels.

Housing for Elderly debt is static. The debt is unpaid rent, main cause is tenants rent not coming through on time due to delays in setting up rent payments through WINZ (which most of the tenants do). There are others who simply skip rent payments, until recently these have not been actively pursued (some tenants have struggled during Covid). Staff are working to bring the debt levels back down by getting debt information sooner, then contacting tenants who are in arrears and working with them to get repayment plans in place.

Cemeteries

There was a large increase in the number of burials across the district this month including ash burials. There are currently 21 ash burials on hold until Covid 19 restrictions are lifted, and families can gather together from around New Zealand and from overseas.

Events

Unfortunately, the International Day of the Girl Child event had to be cancelled as we moved to Covid Alert Level 3, two days before the event. The organisers of the Mangonui Lions Fun Run and Walk, and the Russell Wonder Woman Race have postponed their events until next year. Sport Northland have cancelled the Kerikeri Half Marathon 2021. They have submitted their application for 2022.

Staff at our customer service centres, libraries and i-SITES do an amazing job. Jill Coyle and Richard Edmondson visited them this week to thank them. Here are some of our frontline heroes whose dedication to their work is inspiring.



Customer Care

Customer Care consists of 2 teams: Contact Centre and Service Centre staff. As well as receiving calls from customers, the Contact Centre staff are also responsible for responding to emails from customers (AskUs Emails), managing online customer registrations and actioning change of address requests for customers. Both teams are also responsible for booking building inspections for the whole region.

Comparison of October 2021 with October 2020.

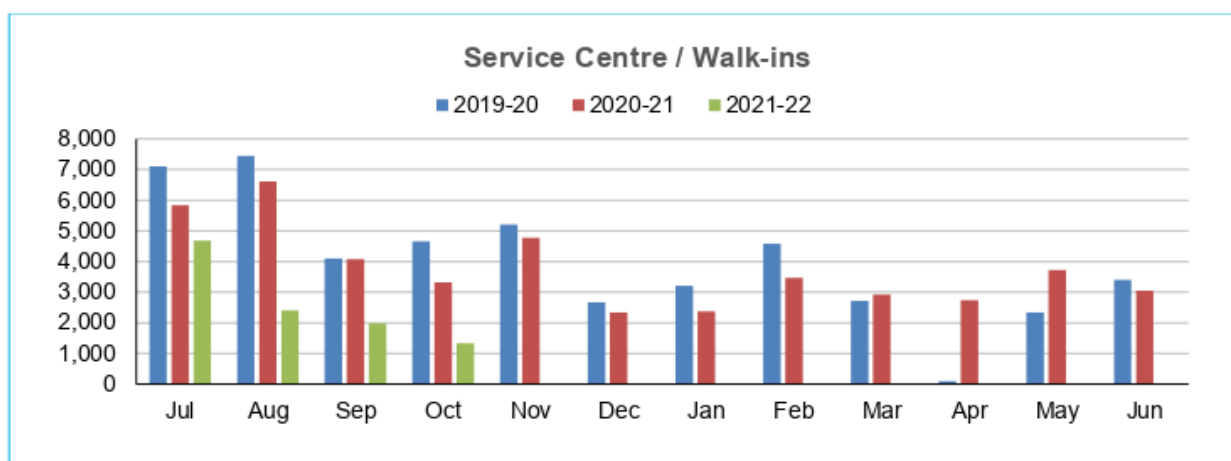
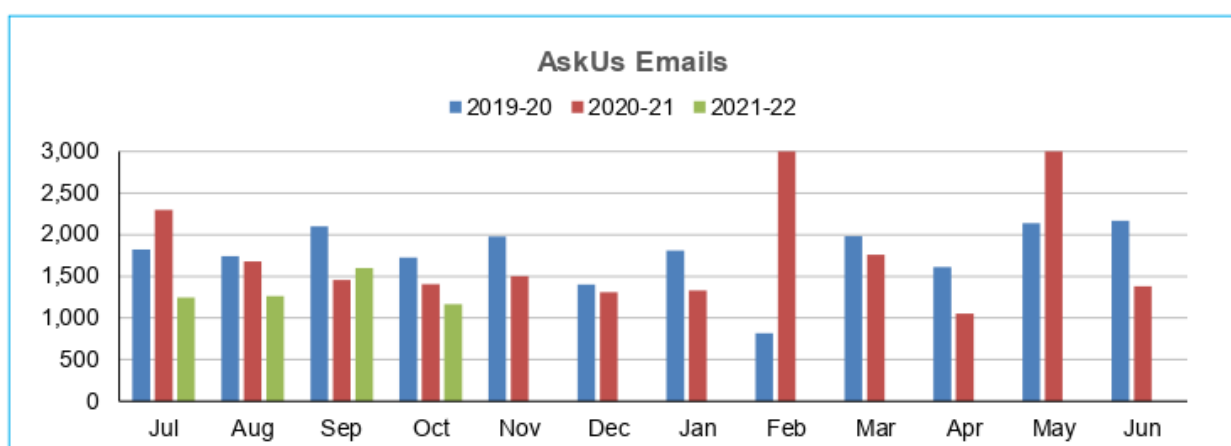
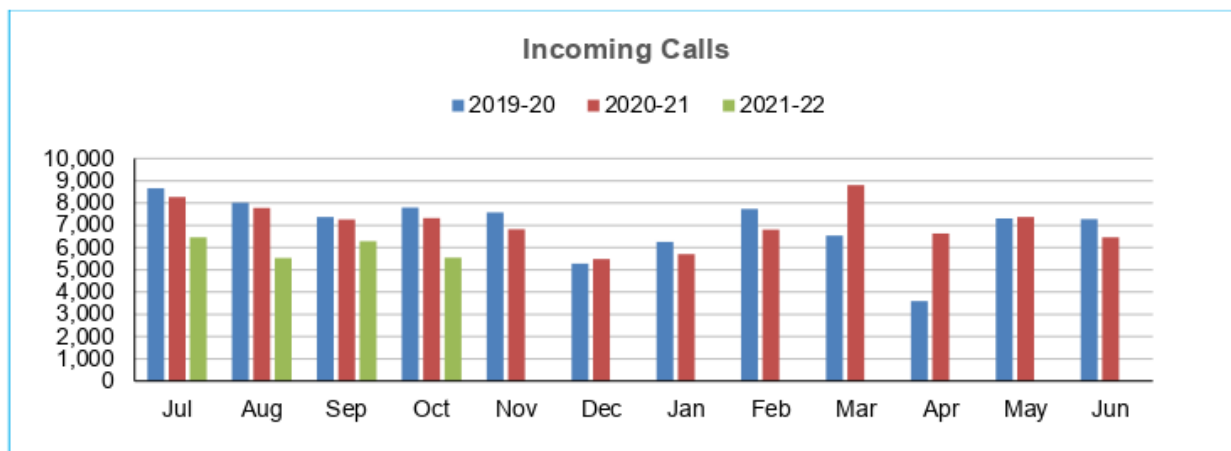
N.B. Due to Covid Level 3 restrictions all of the services centres were closed for seven working days in October.

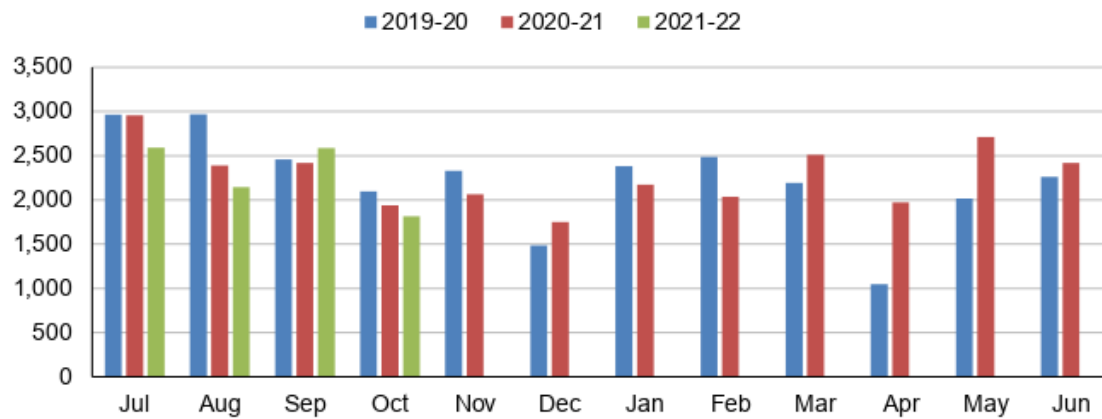
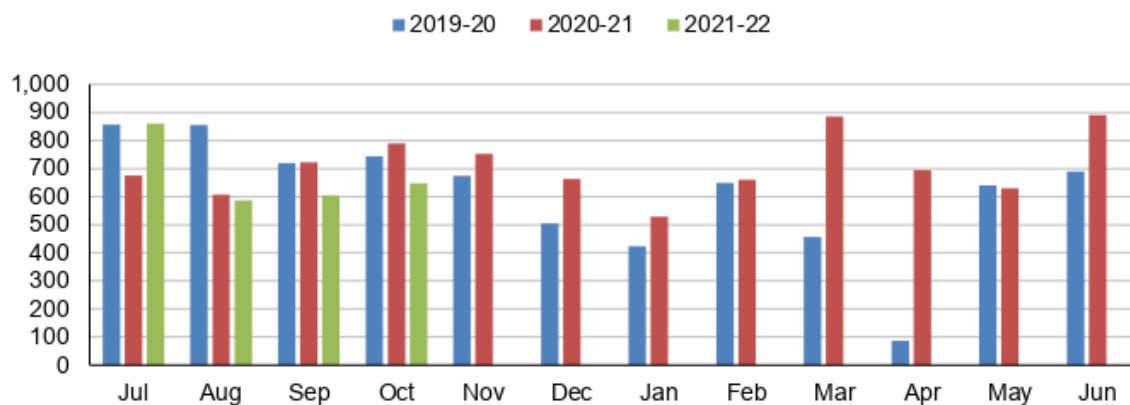
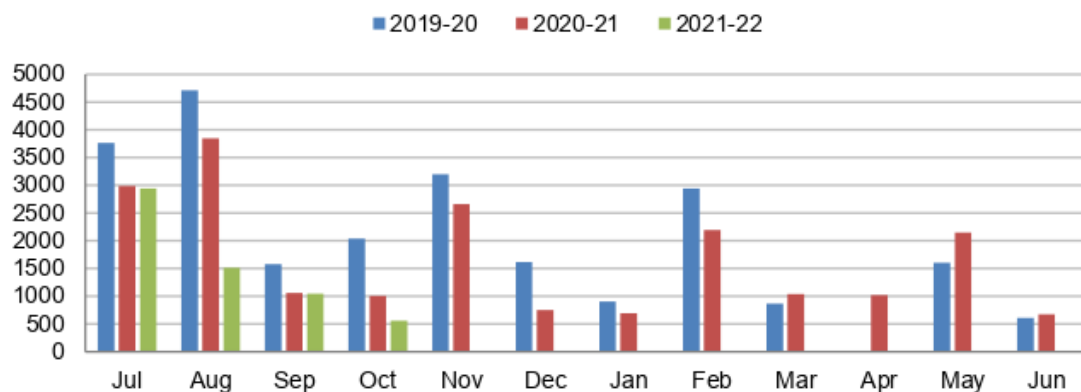
- 44.81% decrease in financial interactions at Service Centres (558 down from 1,011)
- 24.29% decrease in calls to the Contact Centre (5,541 down from 7,319)

16.93% decrease in AskUs emails received (1,168 down from 1,406)

14.07% decrease in building inspections booked (647 down from 753)

59.86% decrease in visits to Service Centres (1,333 down from 3,321)



Request for Service Created**Building Inspections Booked****Financial Interactions - All Centres**

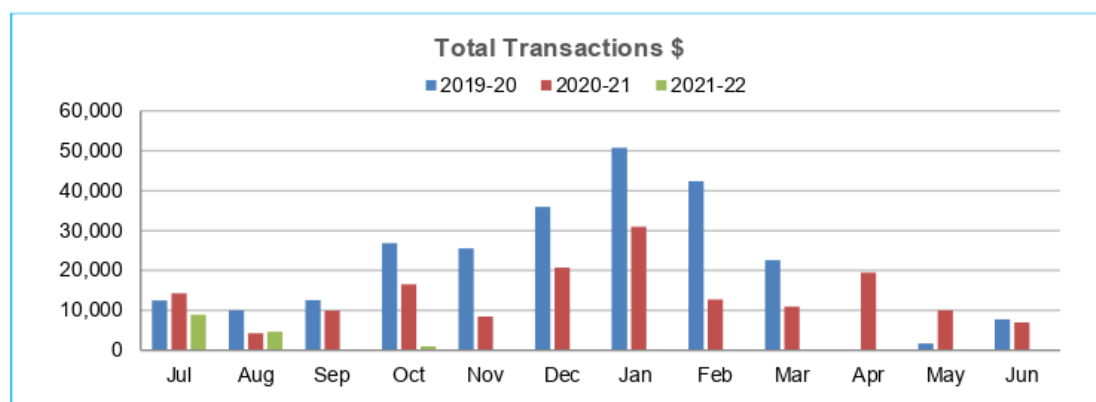
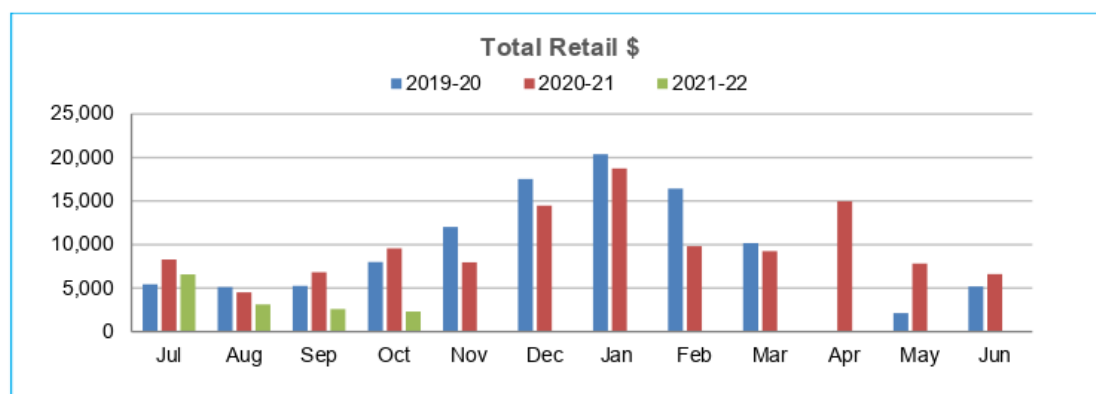
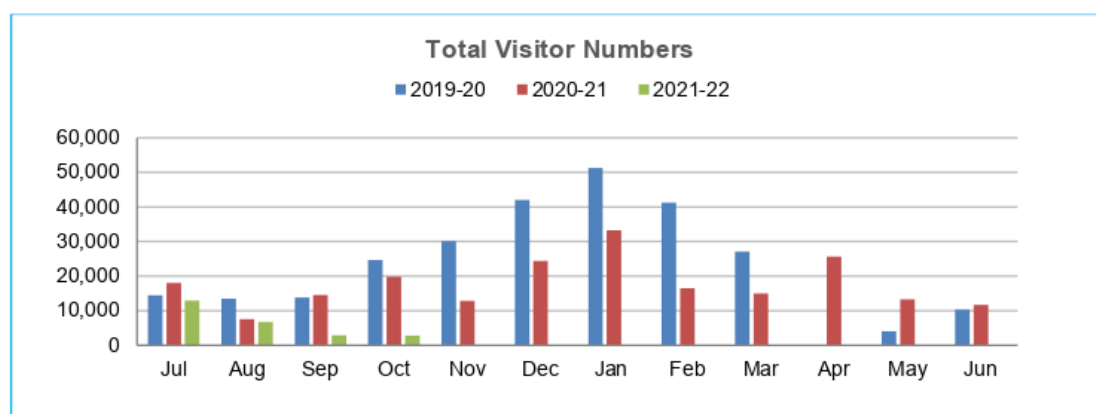
i-SITES

Our three i-SITES are located in Kaitia, Opononi and Paihia. As well as servicing our visitors the i-SITES function as local service centres where residents and ratepayers can register dogs, pay their rates, and make general enquiries about council services.

Comparison of October 2021 with October 2020.

N.B. Due to Covid Level 3 restrictions all the i-SITES were closed for nine working days in October 2021.

- 86% decrease in visitor numbers (2,761 down from 19,802)
- 93% decrease in retail revenue (\$1,038 down from \$16,536)
- 75% decrease in transaction spend (\$2,302 down from \$9,571)
- 91% decrease in transaction numbers (422 down from 5,104)



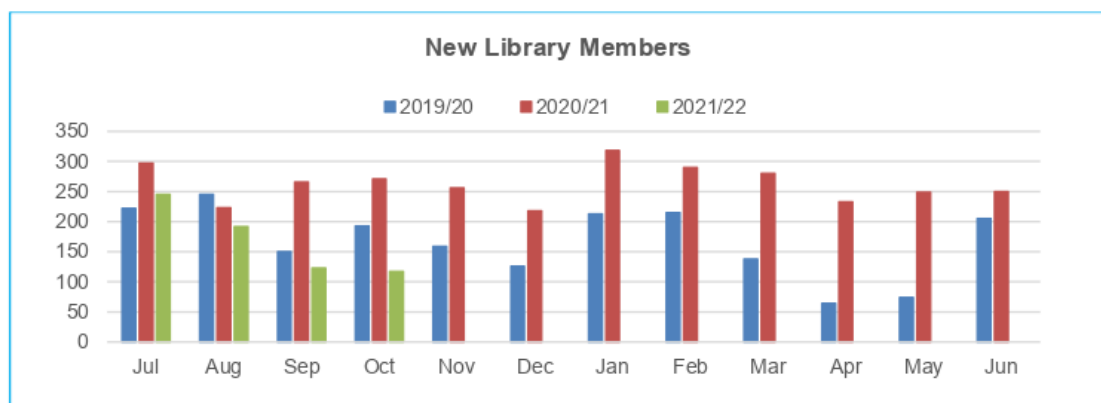
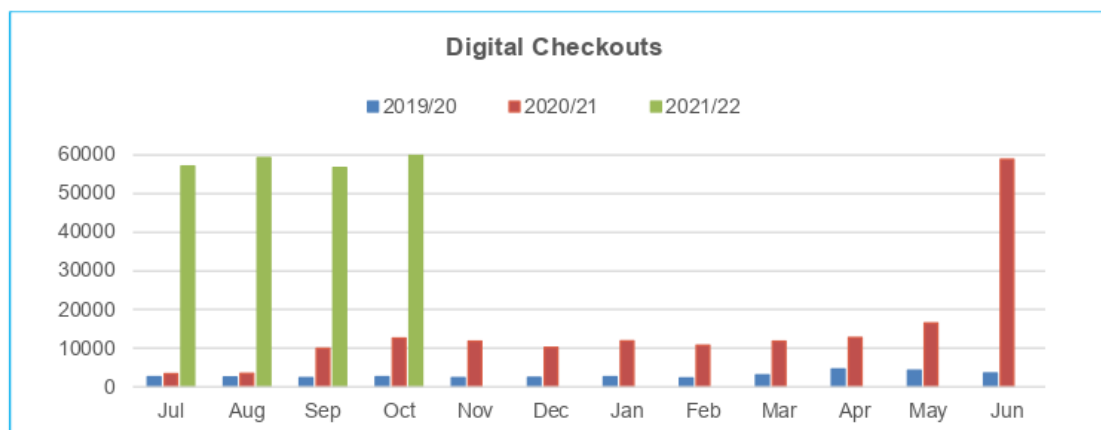
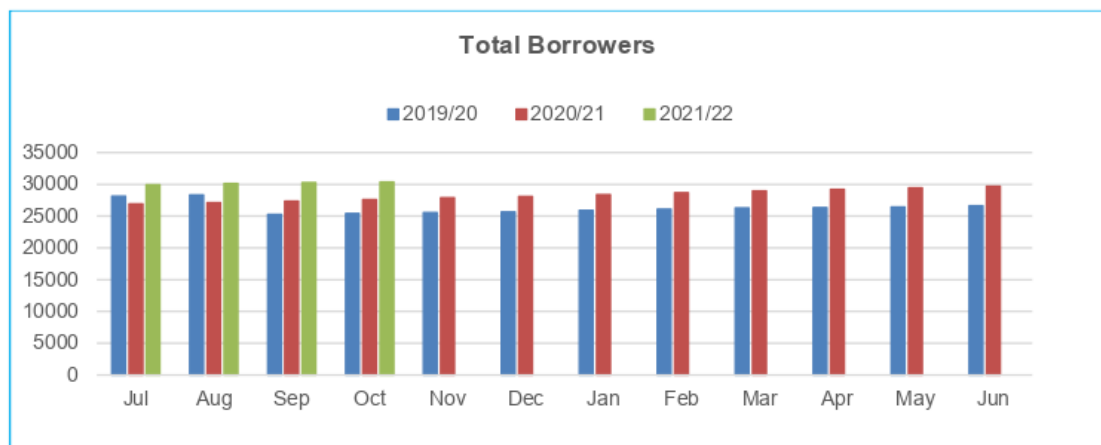
Libraries

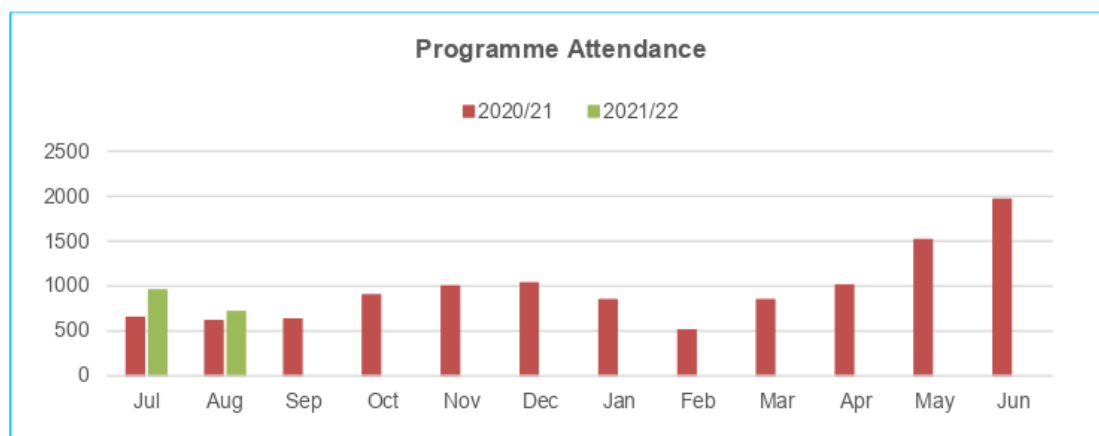
Six public libraries and an outreach service (mobile library) provide access to a large selection of material such as books for all ages, magazines, newspapers and DVD's. The libraries also provide access to online collections including eBooks, eMagazines, movies and newspapers, computers / internet access, free internet modems (Skinny Jump programme), printing, copying, scanning, meeting rooms, study space and JP services.

Comparison of October 2021 with October 2020.

N.B. Due to Covid Level 3 restrictions all the Libraries were closed for nine working days in October 2020

- 453.7% increase in ebook and audio downloads (69,561 up from 12,564)
- 7% decrease in library website sessions (28,814 down from 30,992)
- 108.4% increase in digital checkouts (110,352 up from 52,947)



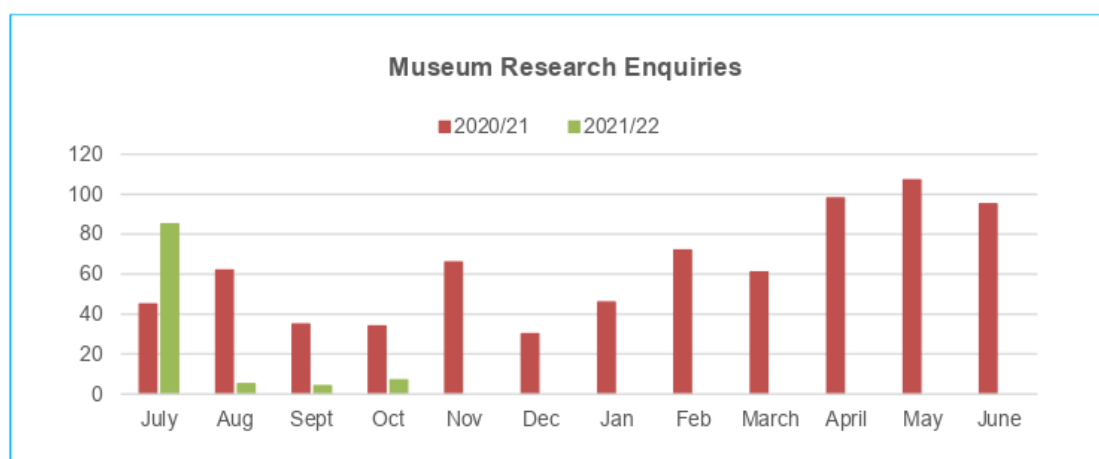


There were no programmes run during October due to Level 2 restrictions.

Programmes currently on offer are Tamariki Tune Time, Robotics, Lego club, Minecraft, Virtual Reality, and Storytime.

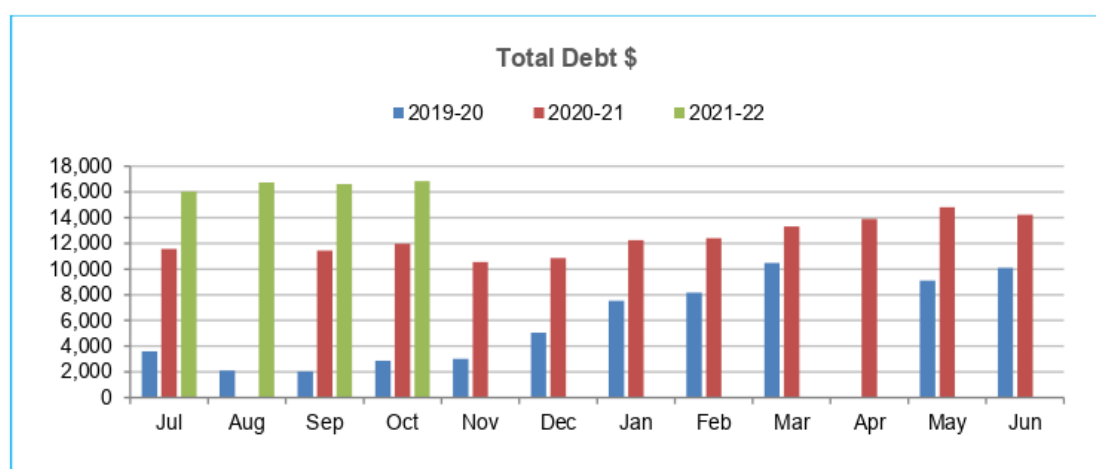
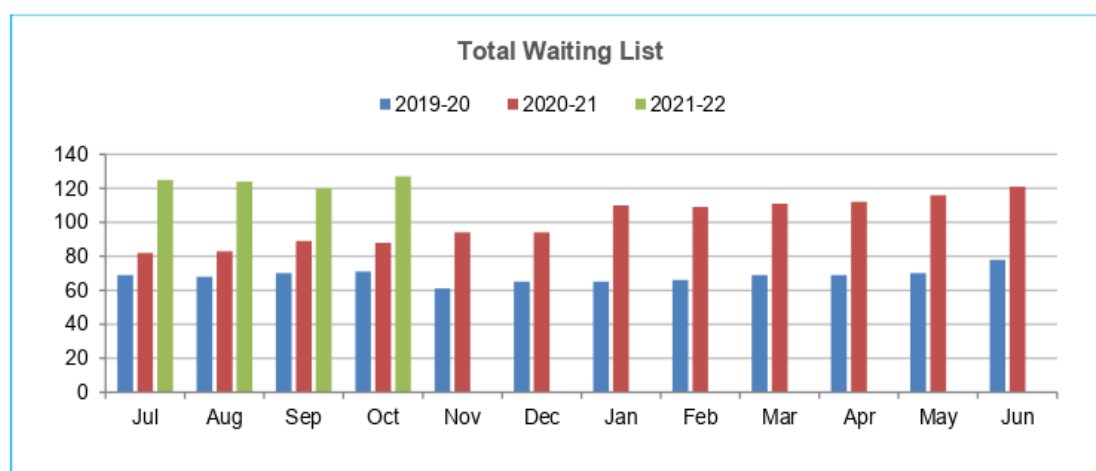
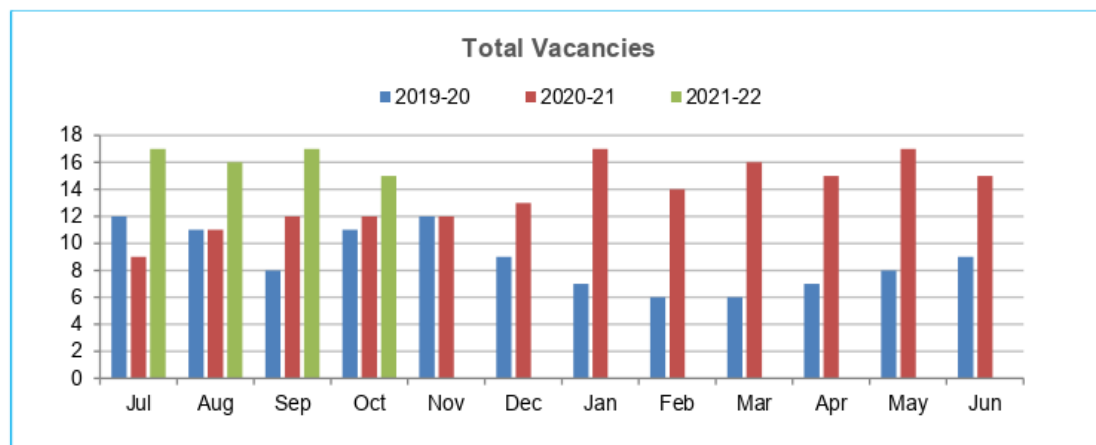
Museum

The Museum @ Te Ahu (formerly known as the Far North Regional Museum) was established in 1969 with the purpose of collecting and preserving treasures and taonga relating to the history of the Far North. It is located in the Te Ahu complex in Kaitiāia.



Housing for the Elderly

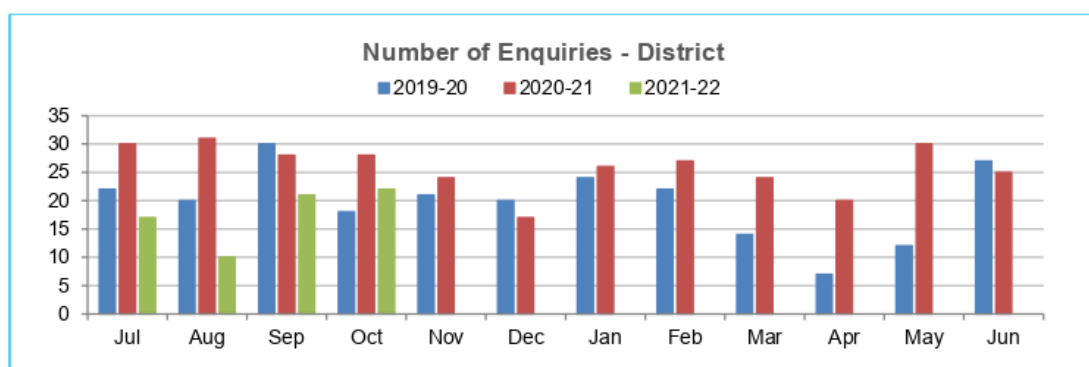
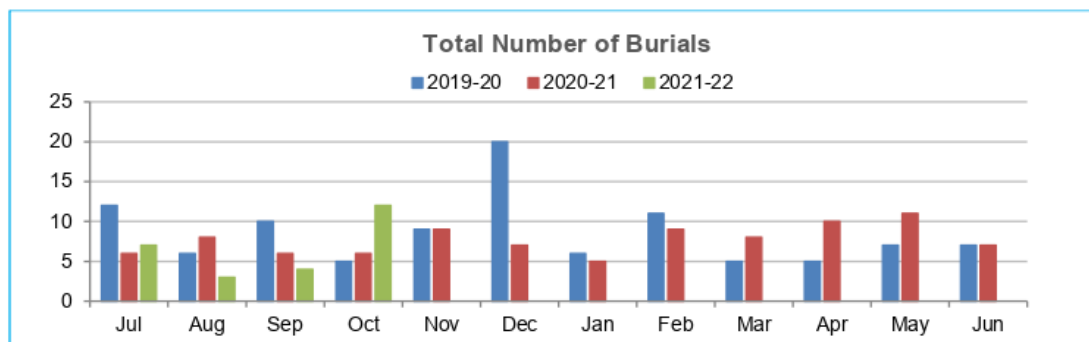
Council offers Housing for the Elderly (HFE) units in 12 complexes (147 units) across the district to eligible tenants over the age of 60 and who are on a benefit. Vacancies are generally due to refurbishment and wait lists continue to be high due to the lack of housing in the district and an ageing population.



*The Total Debt shows rent arrears (see comments on p. CS 3)

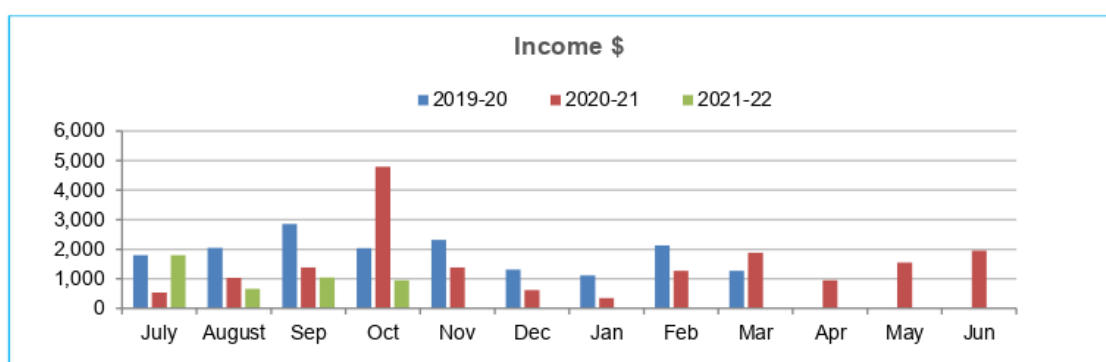
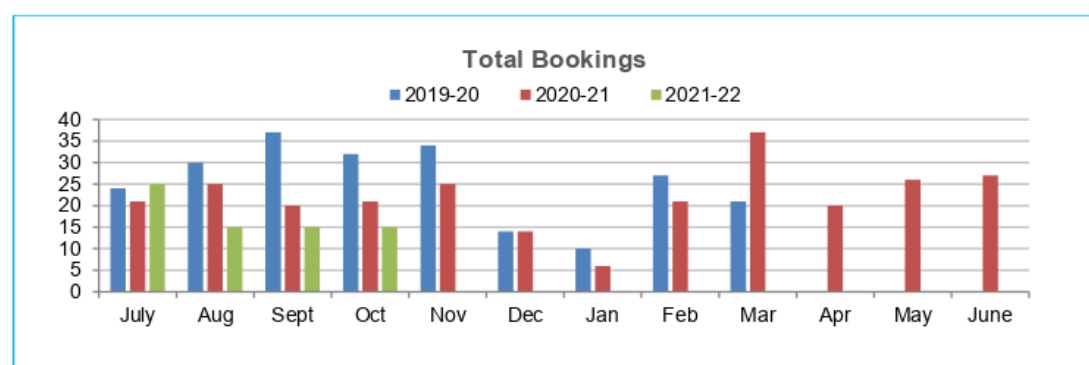
Cemeteries

There is a range of services and facilities for burials and memorials in the district. Council manages and maintains 11 of the 26 cemeteries. Genealogy (whakapapa) can be searched using an online cemetery database to find records by family name.



Memorial Hall

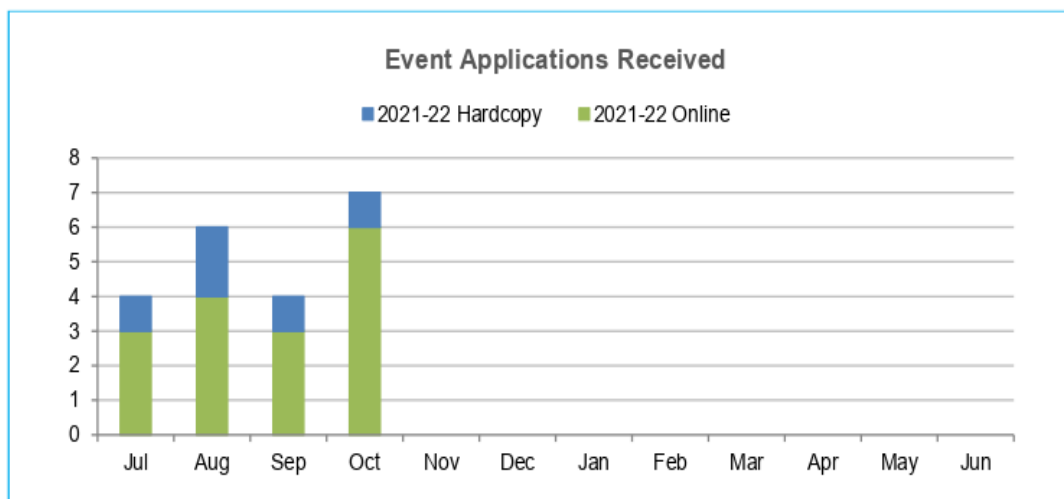
The Memorial Hall is located in Kaikohe and is the only Council-owned hall managed by Council. It is regularly used for youth martial arts, fundraising and other private events.



Events

Booking events with FNDC is now available online. Permits are issued to applicants for the use of Council's open spaces for many kinds of activities such as weddings and other family events, sporting events, circuses, fairs, and large community events.

Six online event applications and one hard copy application were received in October.



Date of Event	Place of Event	Name of Event
Wednesdays between 3 - 24 November 2021	Library Square Kaikohe	Kai on the Go. A test run every Wednesday in November
5 - 6 November 2021	Russell Village Green	Russell Flower Show 2021
3 December 2021	Memorial Park Kaikohe	Kaikohe Christmas in the Village
26 February 2022	Russell Waterfront Reserve	Wedding Ceremony
1 May 2022	Paihia/Waitangi Waterfront reserves and footpaths	Hotprintz Fun Run Walk Festival
11-12 November 2022	Kerikeri Domain	Kerikeri Half Marathon
10 October 2021	Memorial Park Kaikohe	<i>Event Cancelled</i> International Day of the Girl Child
31 October 2021	Coopers Beach Reserve	<i>Event Postponed</i> Mangonui Lions Fun Run and Walk
12-13 November 2021	Kerikeri Domain	<i>Event Cancelled</i> Kerikeri Half Marathon
13 November 2021	Russell Village Green and Long Beach Reserve	<i>Event Postponed</i> Russell Wonder Woman Race

Building Services

This section contains performance information for the Building Services department.

Introduction

The Building Services Department consists of two teams, the building consent authority (BCA) and the territorial authority (TA). A territorial authority must perform the functions of a BCA for its own city or district. In addition to these responsibilities, a territorial authority performs the following functions, including any functions that are incidental and related to, or consequential upon these.

The BCA perform the following functions:

- issue building consents
- inspect building work for which it has granted a building consent
- issue notices to fix
- issue code compliance certificates
- issue compliance schedules



A territorial authority issue:

- project information memoranda
- certificates of acceptance
- certificates for public use
- compliance schedules (and amends compliance schedules)



A territorial authority also:

- follows up and resolves notices to fix
- enforces the provisions relating to annual building warrants of fitness
- performs functions relating to dangerous or insanitary buildings
- determines whether building work is exempt under Schedule 1 from requiring a building consent



Power to inspect and enter land

- Sections 222 to 228 provide details of the powers of entry to undertake an inspection

Building Services Executive Summary – October 2021

The BCA has received 155 consents for the month of October of which 32 were returned as incomplete. The number of consents received in October was 11% higher than the 4-year average. Building consents, on average, are issued within 11 days with 111 issued in October. Building consent compliance with 20-day statutory timeframes is tracking at 99.63% year to date. Code compliance certificates are tracking at 97.7% year to date, with code compliance certificates (CCCs) issued, on average, in 7 days. 112 code compliance certificates were issued in October.

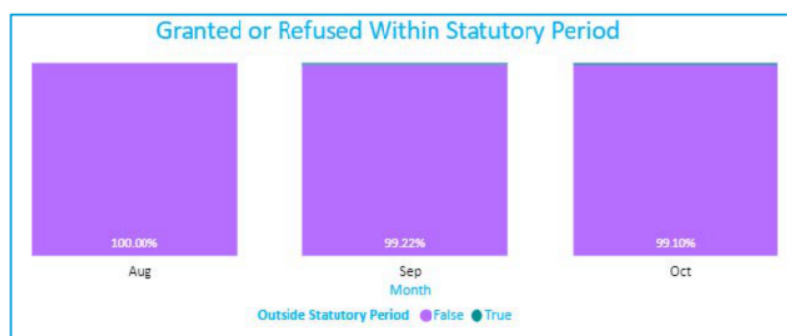
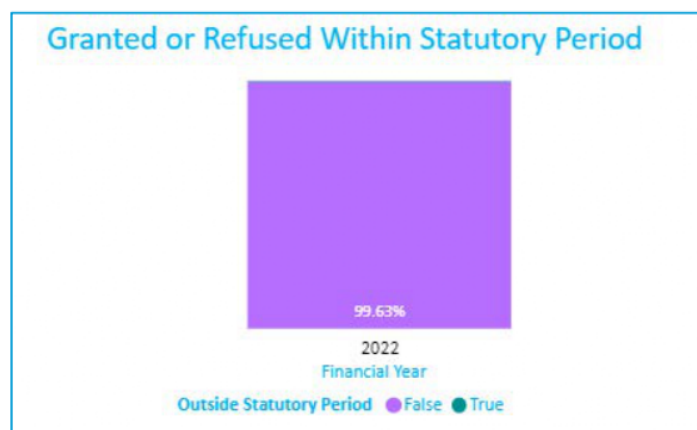
The BCA has completed a recent IANZ special assessment and has maintained accreditation status. IANZ have issued a draft report which shows 4 General Non-Compliances (GNCs) which were raised during the assessment. All of these GNCs were cleared during the assessment. Due to the change of Quality Manager, this audit focused on the quality management system with no technical services being assessed.

Our in-house Manager of Quality, Katie Waiti-Dennis, completed the required quality services for the BCA without any external assistance and the IANZ auditor asked if she could share the quality update method used by Katie with other BCAs as an exemplar. IANZ will be back in October of 2022 to complete a full Audit.

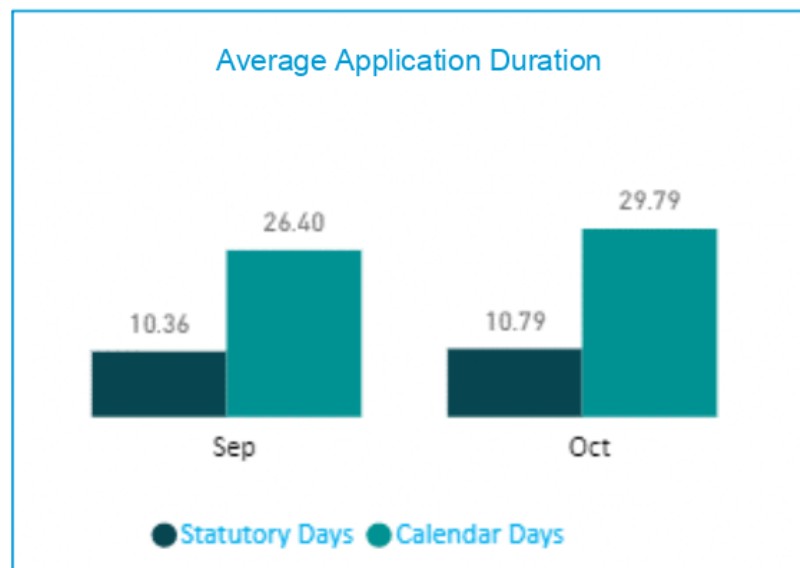
We are currently waiting for the final report and accreditation certificate.

Levels of Service

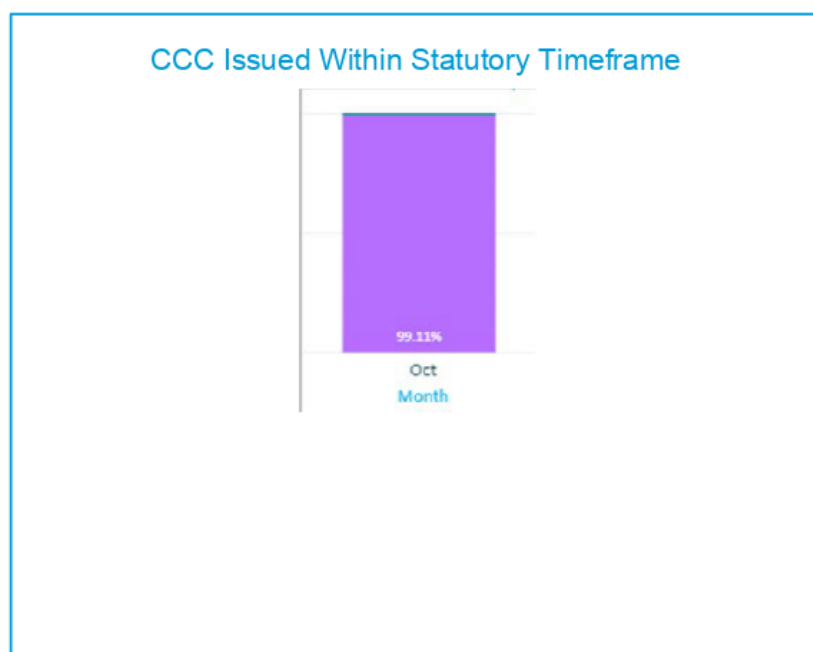
Building consent processing has achieved 99.10% compliance for the month of October (and at 99.63% for the Financial Year as shown below). One application was accidentally deleted by a lodgement officer and, on discovery, was already over the 20-day statutory timeframe. This oversight was due to human error and could not have been foreseen. A total of 111 consents were granted in October.



The average calendar days to issue a consent increased by 3.4 days in October. This is largely beyond the BCA's control as designers and their associated consultants are experiencing high workloads. The average statutory days to issue a consent increased marginally to 10.79 days. Consent numbers remain steady and all processing resources are working to capacity to hold this average.

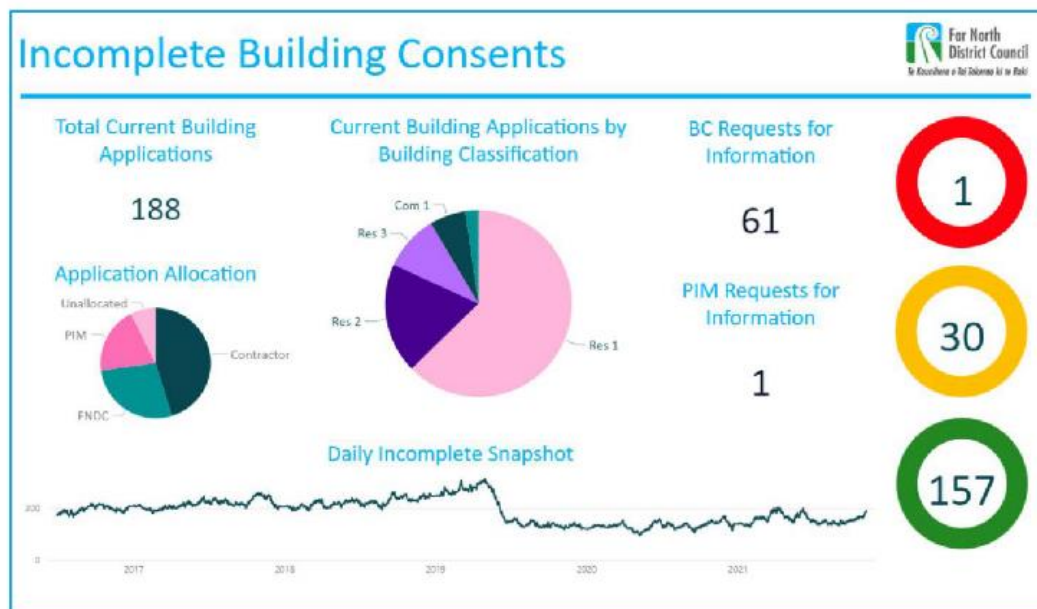


The BCA has, for the month of October, achieved a 99.11% compliance rate for issuing code compliance certificates. One CCC was issued outside of the statutory timeframe. A total of 112 certificates have been issued.



Building Consent Authority

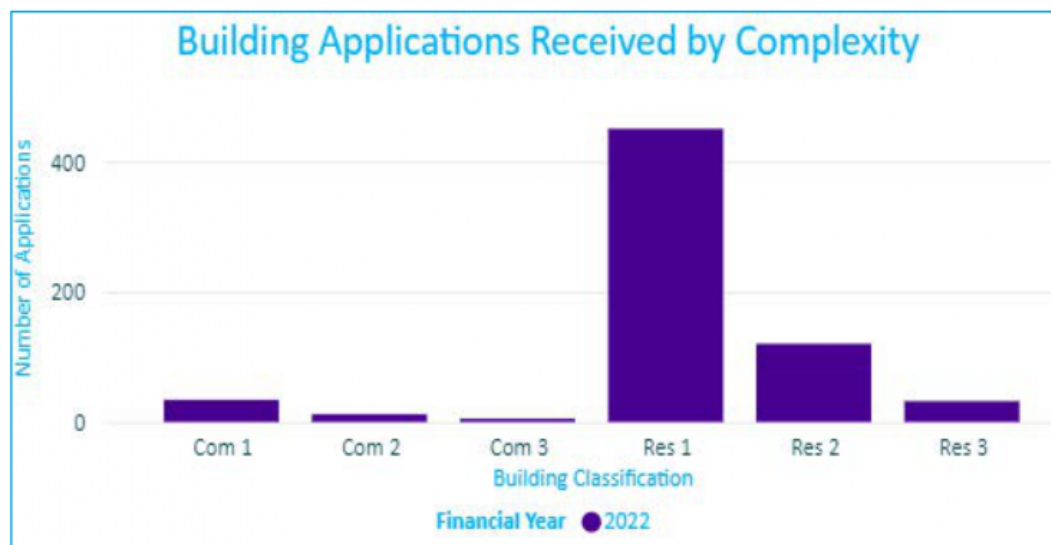
The dashboard below shows the consents currently being processed by the BCA. There are 111 Residential 1 (Res1), 34 Residential 2 (Res2), 17 Residential 3 (Res3), 11 Commercial 1 (Com 1), 4 Commercial 2 (Com 2) and 0 Commercial 3 (Com 3) applications. Use of contractors (building consultants) has decreased marginally to 45% of all live consent applications. The consent showing in the red is the consent mentioned previously that has now been granted and is awaiting issuing.



The number of consent applications received, decreased from 167 in September to 155 in October. This is 2 more applications than October last year and 19 applications higher than the 4-year average.



The dashboard below shows the building consent applications received by category. Res 1 applications continue to dominate the current workload of the BCA with a total of 450 Res 1 applications received for the 2022 financial year. The commercial sector remains strong with a total of 51 commercial applications received for the current financial year.



Building Compliance

The Building Compliance Team (part of the Territorial Authority) are regulators operating under the Building Act 2004 (the Act). The Act sets out the rules for the construction, alteration, demolition, and maintenance of new and existing buildings in New Zealand.

The purpose of the Act is to ensure that people can use buildings safely and without endangering the health or the property of others. The team manages the spheres of Building Compliance, Building Warrant of Fitness, swimming pools, Certificates of Acceptance and Exemptions.

Building compliance issues are not always Council's responsibility. Other agencies such as the NZ Police or other government agencies may be responsible, or certain matters may be civil matters to be decided either through legal processes or through mediation.

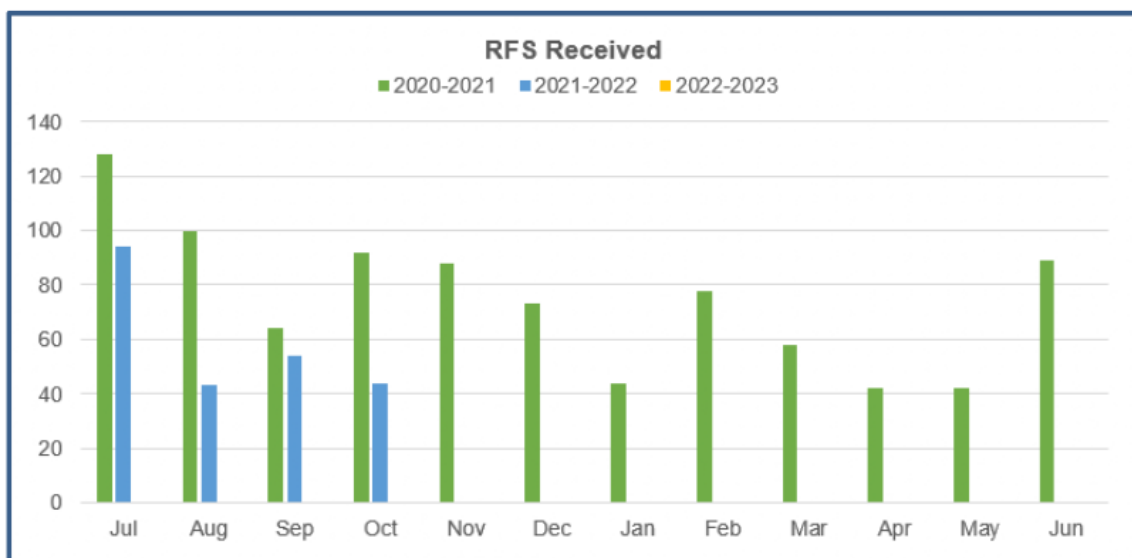
Council ensures compliance by inspecting or monitoring sites to ensure they comply with legislation. Depending on the level of non-compliance, there is a range of enforcement options Council can take, from education to formal enforcement such as notices and prosecution.

Formal enforcement is not taken lightly. It is based on thorough investigation and considers the impact as well as any other steps that may have been taken to address the non-compliance.

Requests for Service (RFS)

Requests for service range from general requests about legislation and owner obligations, through to requests to investigate suspected breaches of the Building Act 2004.

Incoming RFSs for the month of October were manageable, with a number of complaints related to stormwater, given the amount of rainfall during the month. The Building Compliance team continues to deal with a range of Building Act 2004 non-compliances and, as summer approaches, there is the usual increase in the number of complaints about illegal buildings.



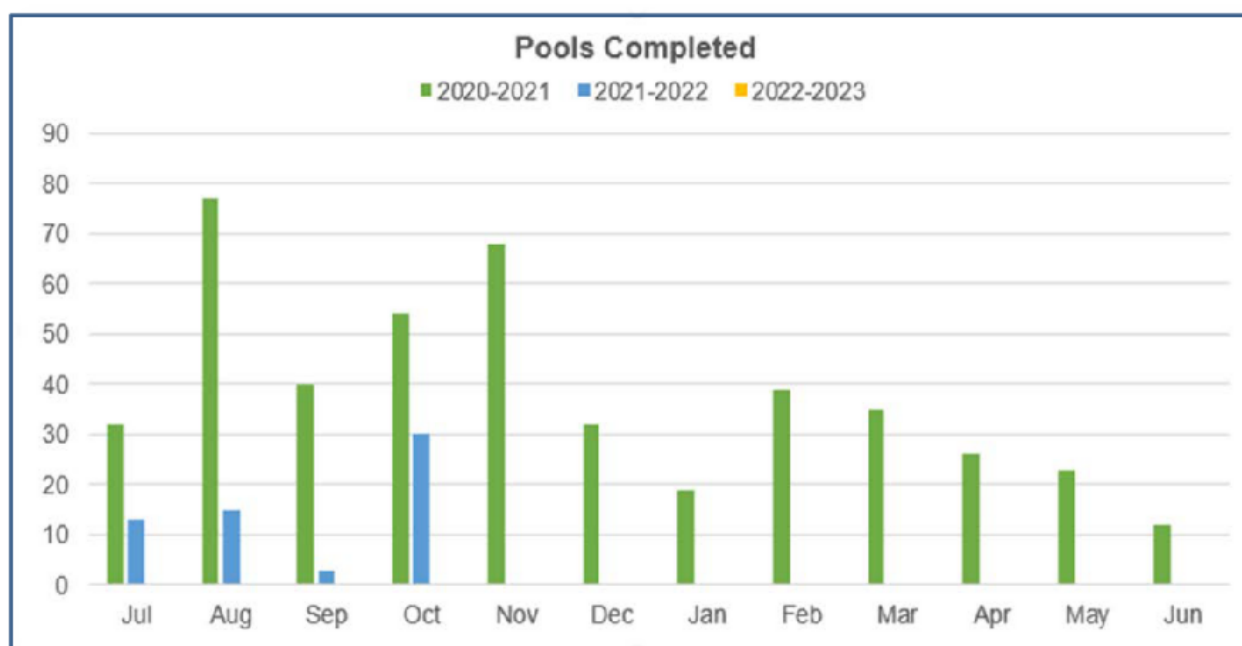
Swimming Pools

From 1 January 2017, the provisions of the Fencing of Swimming Pools Act 1987 were incorporated into and form part of the Building Act 2004. The Act applies to all residential pools and small heated pools with a depth of 400mm or more.

Pools that are filled (or partly filled) with water must have a physical barrier that restricts access to the pool by unsupervised children under the age of 6 years of age. Residential pools, including indoor swimming pools are subject to an inspection every 3 years.

A total of 31 swimming pool inspections were carried out during the month of October. Obtaining access to pools remains a problem and 26% of inspections could not be completed. The number of inspections has been increased to address the issue of historic non-compliant pools.

The swimming pool fail rate was still 26% for this period. Information is being sent out with reminder letters to highlight the areas that owners can check before triennial inspections are carried out; this action should assist in addressing the high rate of failed inspections.



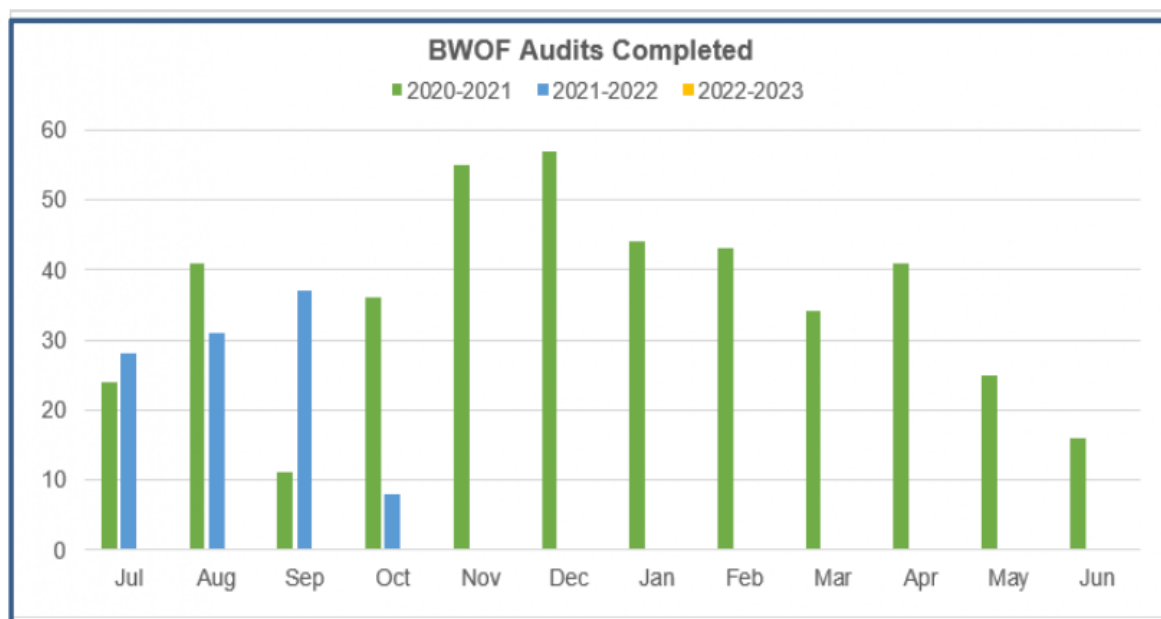
Building Warrant of Fitness (BWOF)

A building warrant of fitness (BWOF) is an annual certificate that confirms that specified systems in a building have been inspected and maintained and that requirements of the compliance schedule have been met.

Building owners are required to engage an independent qualified person (IQP) to inspect and certify the specified systems, display a copy of the BWOF certificate within the public area of the building and to provide the Council with a copy of the BWOF and IQP certificates of compliance.

The Council undertake BWOF audits of commercial buildings following a risk-based approach. Audits are carried out on a 1, 3, or 5-year cycle, but can also include any requests for service where there are concerns about a building owner's on-going compliance with the regulations.

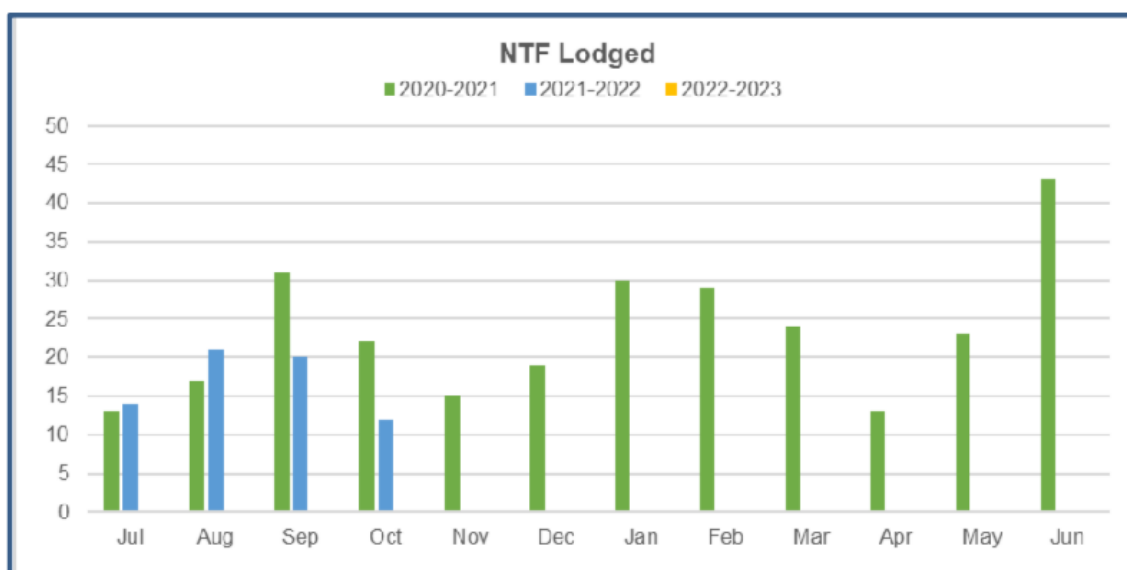
8 BWOF audits were carried out during October as the team now focuses on delivering qualitative audits and establishing a work rhythm, supported by digital transformation and new dashboards to track performance.



Notices to Fix

A Notice to Fix (NTF) is a statutory notice requiring a person to remedy a breach of the Building Act 2004 or regulations under that Act. A NTF can be issued for all breaches of the Act, not just for building work.

12 Statutory Notices were served during the month of October for breaches of the Building Act 2004.

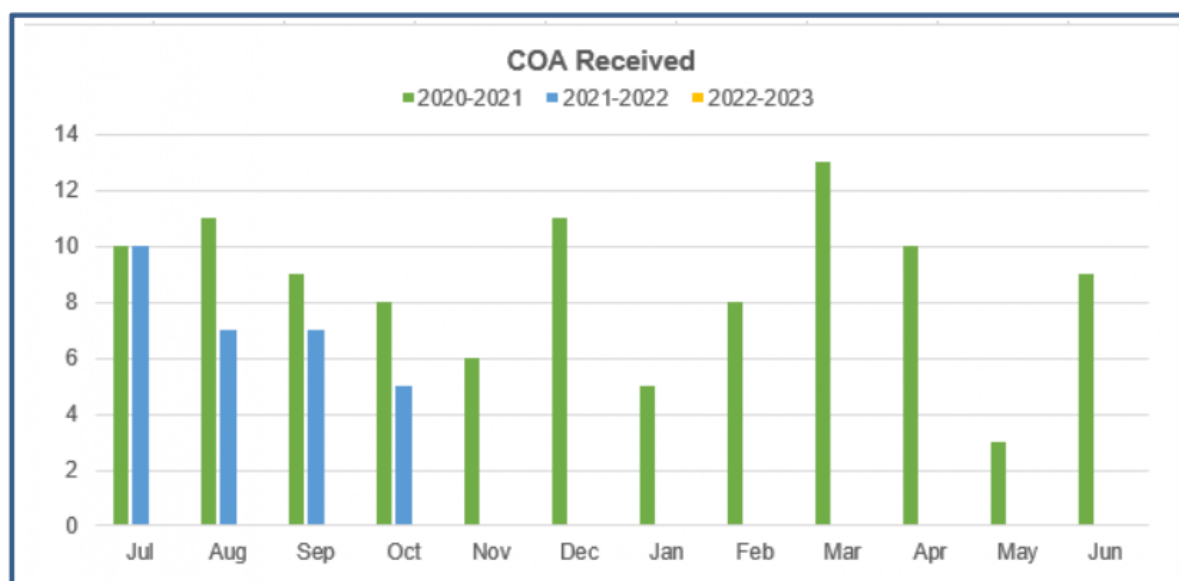


Certificates of Acceptance

A certificate of acceptance (COA) provides building code certification on work that can be inspected. It excludes work that cannot be inspected, so is not as comprehensive as a Code of Compliance Certificate (CCC). A certificate of acceptance applies where:

- work that required a building consent was completed without such a consent
- urgent work is carried out under section 42 of the Building Act
- another building consent authority or building certifier refuses to or cannot issue a CCC

Council received 5 COA applications during the month of October. The number of COA applications received remains consistent month to month.



Infringements

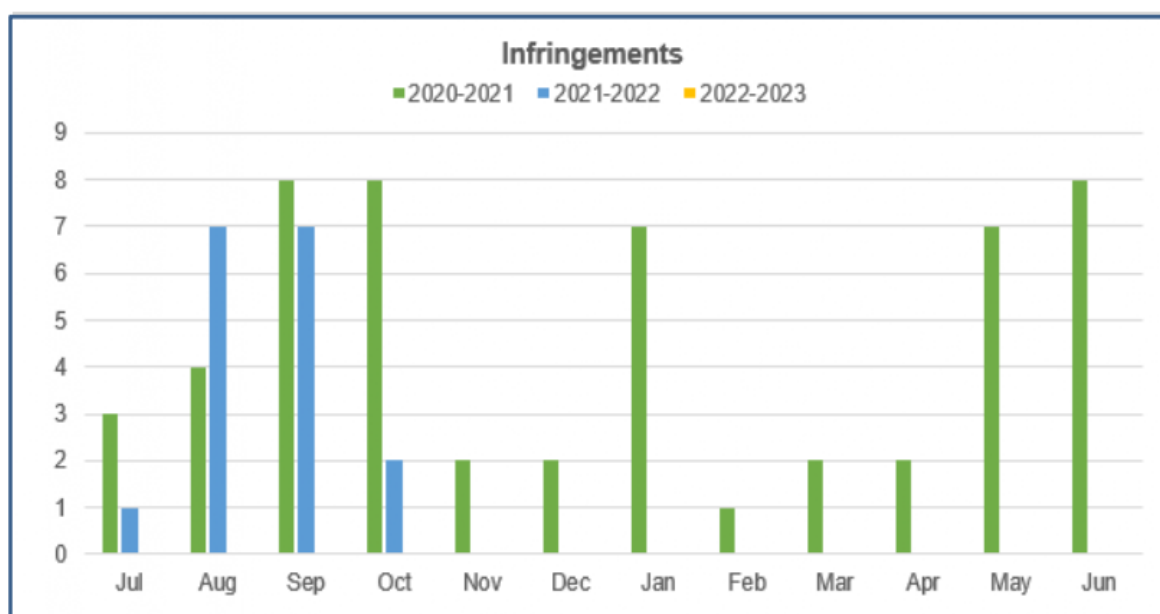
Under Section 372 of the Building Act, an infringement notice may be served on a person if an enforcement officer observes the person committing an infringeable offence or has reasonable cause to believe an infringeable offence is being or has been committed by that person.

The Building Infringement Regulations contain a clear and unambiguous list of infringeable offences. These infringeable offences are based on specific existing building offences. The fees are prescribed by regulations, following consultation with territorial and regional authorities and building sector representatives, with the following principles in mind:

- Higher fees would reflect direct risks to health and safety
- There should be consistency between offences that are similar in nature

Fees range from \$250 (for procedural offences) to \$2,000 (for more serious breaches), with the level of fee reflecting a smaller percentage of the maximum fine already specified in the Building Act.

Two infringements were issued during the month of October, one for non-compliance with a NTF and the other for a breach of Section 40 of the Building Act.



Environmental Services

This section contains performance information for the Environmental Services department.

Introduction

Environmental Services cover the regulatory and licensing activities and responsibilities for council. The department is directed by primary legislation and FNDC policies and bylaws.

This team is made up of Resource Consent Management, Monitoring and Compliance, Animal Management and Environmental Health (Food and Liquor) and associated Administration support.

Activities and services undertaken include:

- the processing and monitoring of resource consent applications and related consents
- promotion of responsible ownership of dogs, including the care and control around people, protected wildlife, other animals, property, and natural habitats
- responsibilities for the sale, supply, and consumption of alcohol, to minimise alcohol-related harm in our District
- providing verification services for food control plans ensuring that food prepared and sold is safe.
- Investigation, monitoring and enforcement of bylaws, District Plan breaches and parking.



The team provides advice and guidance while delivering compliance, monitoring and enforcement across the region. By applying a risk-based approach this enables monitoring efforts to be focussed on the biggest risks to the community and target areas where businesses and people are less likely to comply.

Council has responsibilities under legislation to safeguard public health, safety, and welfare. Regulatory activities and responsibilities, such as the issue of consents, the enforcement of bylaws, and the provision of liquor licenses are undertaken for the benefit of our communities and to ensure that everyone can live in and enjoy our district.

Environmental Services Executive Summary – October 2021

Resource Consents

The Resource Consent (RC) team reached 93% compliance with statutory timeframes for October with three consents going over statutory timeframes.

The RC Team issued 100 decisions under the RMA and LGA in October. Of the 100 decisions, 44 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE).

136 applications were received in October 2021; 89 of these applications were under the Resource Management Act 1991 (RMA), reported as part of statutory timeframes and the remaining 47 were applications under the RMA (not counted) and the Local Government Act (LGA) and the Liquor Licence Act (LLA).

The Resource Consents team now has Business Intelligence for reporting, which has enabled more accurate updates to previous graphs. As a result, there may be some variations from previous monthly graphs and reports.

Monitoring and Compliance

The Monitoring and Compliance team received 111 RFS in October 2021, a decrease of 19 RFS on the previous month.

There were 123 noise complaints RFS received and responded to in October. This resulted in 25 Excessive Noise Direction (END) notices being issued, four seizures and 27 verbal warnings.

32 parking infringements were issued during the month. The Parking Warden did not operate in alert level 3 (8th – 19th October 2021) and returned to work on 20 October 2021.

Environmental Health

19 businesses had food verifications carried out by Environmental Health Officers during October 2021.

The Ministry for Primary Industries' (MPI) preferred option is for Food Act verification activities to be done remotely. This is to minimise and take precautions to reduce the spread of Coronavirus. However, there is some flexibility at Level 2, provided that safe practice measures are in place and on-site activity is kept to a minimum. Many food businesses are unable to schedule a "remote check" due to inadequate technology to undergo a "remote check", or language barriers.

MPI has granted an extension to verifications due to the impact of Covid alert levels and has allowed the Food Verification Authority (FVA) six months to complete the overdue verifications.

Three Good Host Visits (GHVs) of licensed premises were conducted across the district in October.

Animal Management

270 RFS were received for Animal Management in October 2021; 59 urgent and 211 non-urgent. This is 129 less RFS than the September figures. The team continues to meet response times with 98% for urgent and 97% for non-urgent RFS.

34 dogs were impounded in October with nine being claimed by their owners. One dog was taken by a Rescue Group and one was adopted out to a new home. A total of 10 dogs were euthanised in October. These animals were not claimed by an owner and did not meet the criteria to be rehomed.

Resource Consents

Introduction

What we do and why

A critical function of Council is enabling the sustainable use, development and protection of the natural and physical resources in our district. This is underpinned by the obligations imposed by the Resource Management Act 1991.

Activities and services undertaken include the processing of resource consent applications and related consents, such as earthworks permits.

Levels of Service

The level of service for resource consents was amended as part of the 2018 – 2028 LTP process to better express council's commitment to the community. The previous satisfaction measures have been replaced with two new ones to assess the response to compliance incidents and processing of applications. These are more appropriate indicators of performance.

Resource Consents Summary

Due to having Business Intelligence released for the Resource Consents (RC) Team, the previous graphs have been updated. This does mean there will be some variations from previous monthly graphs and reports.

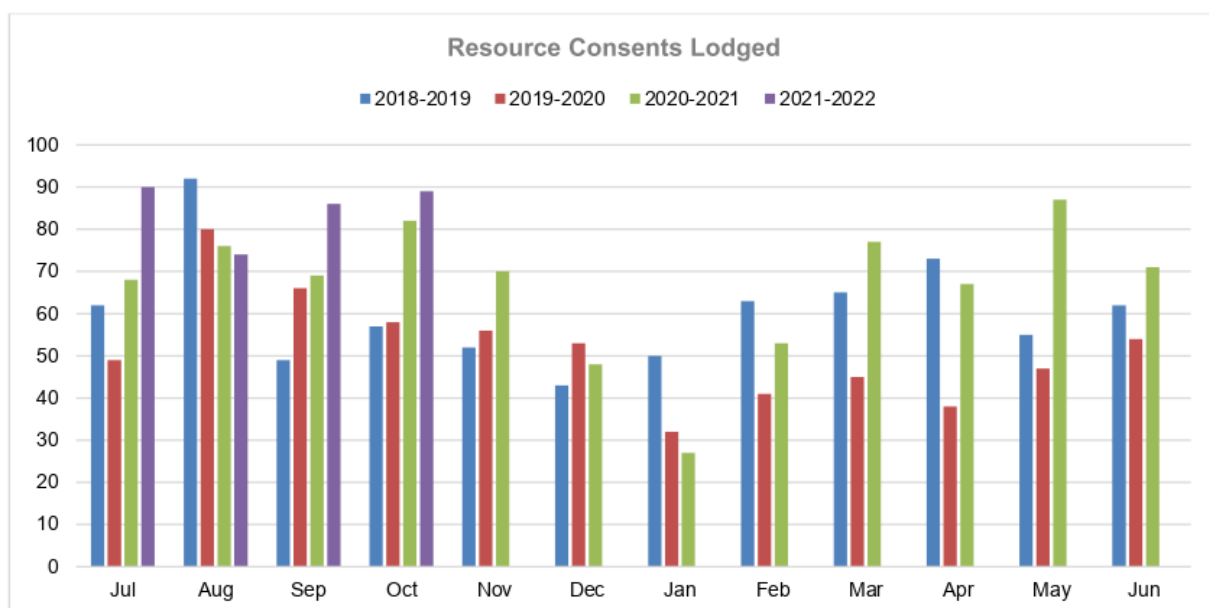
136 applications were received in October. In total, 89 of those were applications under the Resource Management Act 1991 (RMA) that form part of reporting on statutory timeframes to the Ministry for the Environment. The remaining 47 were applications under the RMA, Local Government Act (LGA), the Liquor Licence Act (LLA) that do not form part of statutory timeframes reporting.

The RC Team issued 100 decisions under the RMA and LGA in October. Of the 100 decisions, 44 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE). Three consents went over statutory timeframes, giving the resource consents team a 93% performance against statutory timeframes.

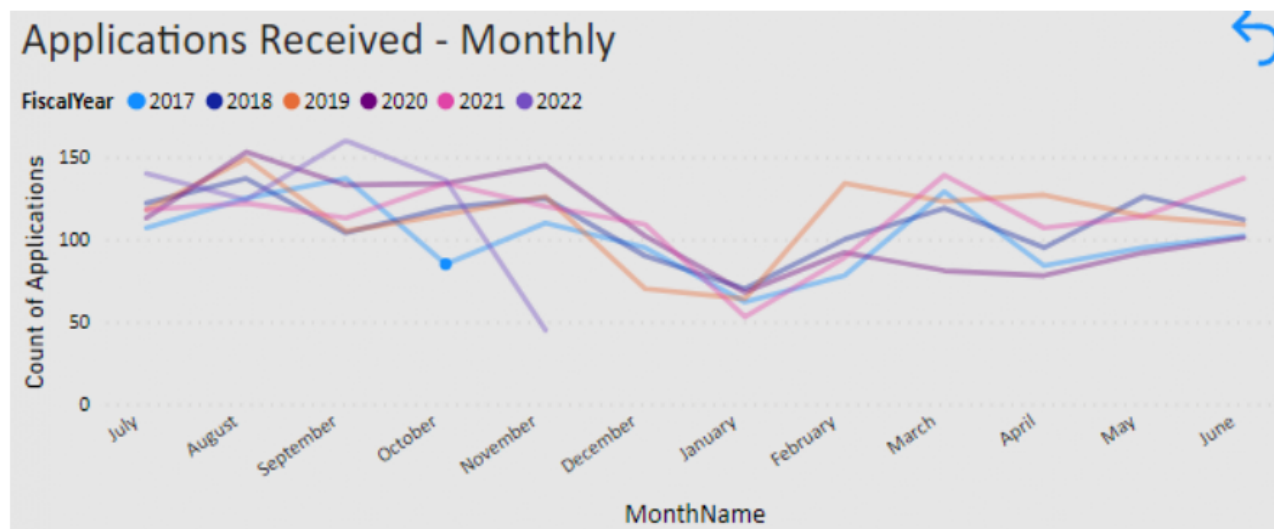
Applications lodged

The graph below shows the RMA* applications received by month over the last 3 years. The planning support team lodged 89 RMA applications in October 2021 compared to 82 in the previous financial year and 58 in the 2019/2020 financial year. This represents an increase in the number of RMA applications received in October for the last three financial years.

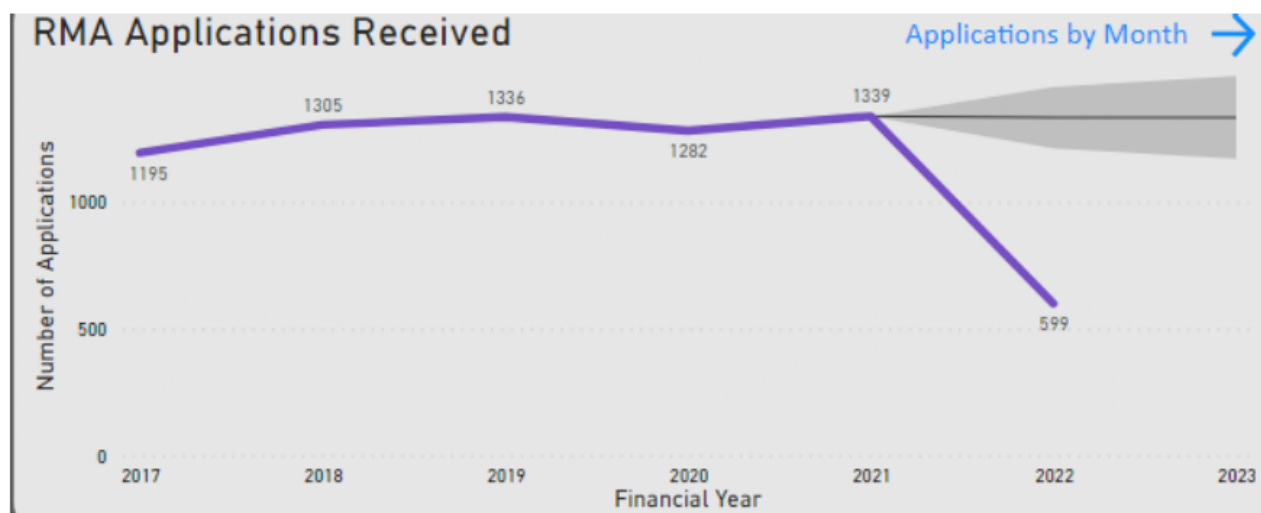
*Refers to applications lodged that require statutory timeframes reporting.



The graph below is one of the new graphs from the recently-released Business Intelligence reporting capability. This graph shows the total number of applications received each month since 2017. A total of 136 applications were received by the Resource Consents Team in October 2021.

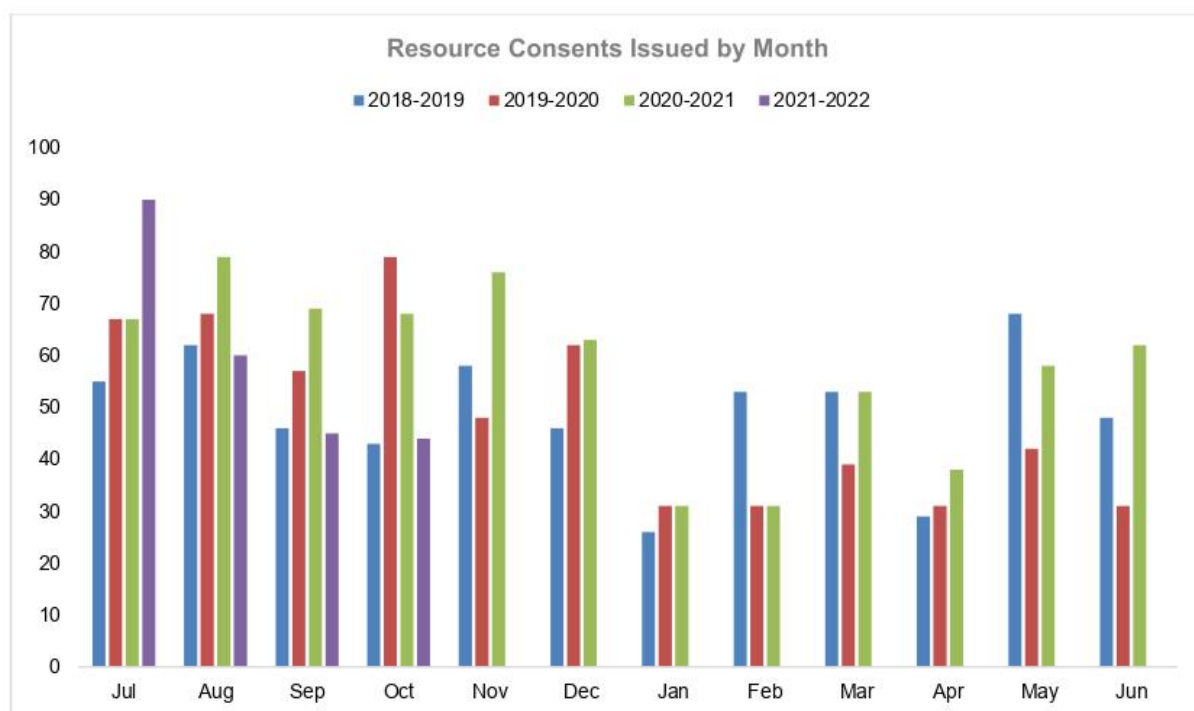


The following graph shows the total number of applications received by year since 2016. This number includes applications received under the Resource Management Act and the Local Government Act (LGA). This shows the volume of applications received showing an upwards trend since 2016 with a slight decrease in 2020 due to the pandemic and nationwide lockdown. The number of applications received for the current Financial Year to end of October totals 599.

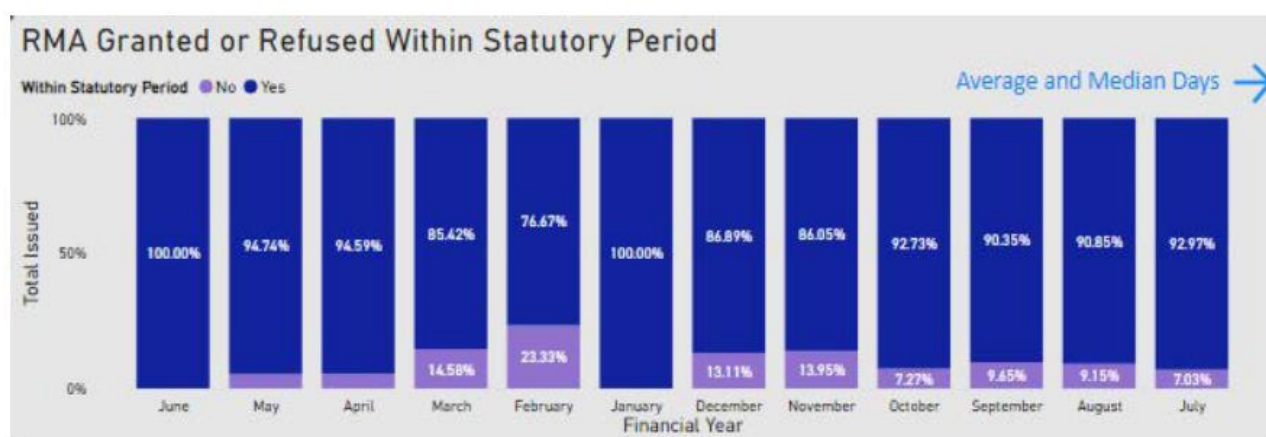


Decisions issued

The RC Team issued 100 various decisions under the RMA and LGA in October 2021. Of the 100 decisions, 44 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE). As stated above in the summary, 3 applications out of 44 were outside statutory timeframes for October, leading to a drop (to 93%) in compliance with statutory timeframes. Maintaining 90% plus compliance (for the past 5 months) remains an unprecedented milestone in the history of processing consents by the Far North District Council.



The Resource Consents Performance graph below shows compliance for the previous twelve months. Unfortunately, October 2021 has dropped to a 93% compliance rate of decisions being within timeframes following a 4-month achievement of between 98% and 100% compliance.



Types of Applications Received

The two tables on the next page separate out the RMA applications from the rest of the applications received.

The first table is the count by application type of all the applications received. Each Council is obliged to account for statutory timeframes under the RMA 1991 and report to the MFE.

Type of Resource Consent	Number Received									
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Land use consent	8	16	29	14	32	41	28	34	40	45
Subdivision	8	6	19	9	15	18	26	18	21	22
Variation	2	5	8	5	6	12	10	3	7	7
Permitted Boundary Activity	1	1	7	4	7	3	9	7	5	6
Extension of Time	0	1	1	0	1	0	2	0	0	0
Certificate of Compliance	0	0	1	0	0	2	0	0	0	0
RMA Discharge	0	0	0	0	1	1	0	1	2	0
RMA NES CS	0	0	0	0	0	0	0	1	0	0
RMA COM Combined land use and subdivision	2	4	5	3	6	6	8	6	10	5
Outline Plan	0	0	0	0	0	0	2	2	1	2
Outline waiver	0	0	3	1		3	2	2	0	2
Total RMA	21	33	73	37	67	90	90	74	86	89

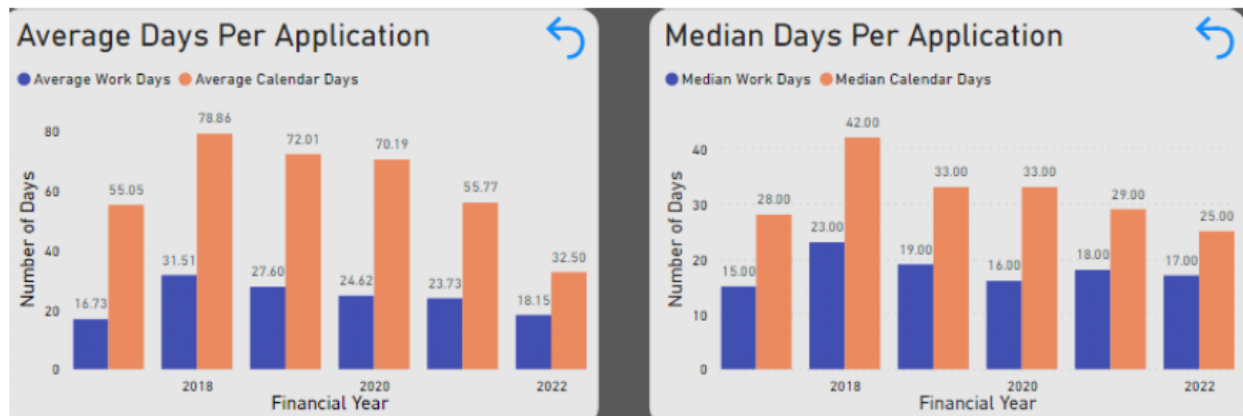
Certificate Applications Received

The table below details the number of certificates and other applications received for October 2021. This table shows that 47 various certificates and Local Government Act (LGA) applications were received in October. This table excludes 14 section 221 consent notices which are not counted as they are incorporated inside a S22 application; this on top of the 136 total applications received.

Type of Certificate & LGA & other work	Number Received									
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
RMA OTH	0	0	0		1	0	2	0	0	1
RMA OBJ	0	0	0	0	0	2	1	2	2	4
CER221	0	0	0	0	0	1	0	2	2	0
CER223	16	20	22	18	19	14	20	13	25	16
CER224	4	10	4	14	24	9	14	10	17	14
CER348	0	0	0	0	0	2	0	2	0	0
CERBND	0	0	6	1	0	0	0	0	0	0
CEROTH	0	0	4	1	0	0	0	0	0	0
LGA348	0	2	2	2	2	4	2	3	3	1
LGAEWK	0	8	15	16	6	14	11	16	19	11
LIQCOC	0	1	0	1	2	7	2	3	6	0
Total	20	41	53	52	53	51	49	49	74	47

Trends, News and Success Stories

The graph below shows the average number of days it takes the planners and engineers to process an application. The trend is consistently moving down from an average number of 31.15 working days in the 2018-2019 financial year to 18.15 working days in the 2021-2022 financial year, showing increased efficiency in processing consents and an improved customer experience. The average number of calendar days has dropped from the highest number in the 2018/2019 financial year of 79 calendar days to 32 calendar days in the 2021/2022 financial year. Last month the average was 29 calendar days. Covid Level 3 Alert Levels and staff movements played their part in this change.



In total, the Resource Consents Team, along with the Planning Support Team, worked on 89 new RMA applications, 47 various LGA applications, certificates, licences and permits and issued 100 various decisions. In addition, the Resource Consents Team attended over 20 concept development meetings (CDM's) and pre-lodgement application (PAM's) meetings in October 2021. The Resource Consent Engineers also worked on 9 Engineering Plan approvals (RMAEPA's) to assist a more streamlined process for building consents being issued.

Hearings

There were no hearings in October 2021.

Processing Timeframes

Over recent years, the number of applications for resource consents received by Council has continued to increase to the point where what was thought of as high numbers in 2018, is now considered the new normal. Over the past months, it has not been unusual to receive up to 45 applications in a single week.

Furthermore, the team has been impacted by turnover of staff (for a variety of reasons) and is busily recruiting new planners and engineers. The team has managed to meet 100% statutory timeframes by relying heavily on consultant planners. However, due to the significant amount of private work available, Consultancies are choosing to undertake private work which pays higher than processing for Council.

As at close of business on 8 November 2021, allocations are four weeks behind with 100 applications unallocated, dating back to September. While the Team Leaders are applying s37 to extend processing timeframes where possible, it is certain that applications will go over statutory timeframes. This will also result in significant discounts being paid.

This situation is not expected to change in the near future due to the review of the current District Plan. Once this plan is notified as proposed, applications will take up to twice as long to process and will result in planners taking half the volume of consents they are currently processing.

The team's efforts to reach virtually four months at 100% statutory timeframes is to be commended. Current volumes of applications that cannot be allocated either externally or internally remain a challenge.

Customer and Relationships

The Resource Consents Team had 56 surveys sent out in October 2021 with 18 responses received, giving the team a response rate of 30.4%. There were 12 satisfied customers, 3 neutral and 3 customers were dissatisfied. The Resource Consents team, being part of the regulatory arm of the council, often receives a negative comment due to the perceived high cost of obtaining a resource consent and / or frustration with the District Plan rules and legislation.

Monitoring

Introduction

Council is responsible for safeguarding public safety, minimising environmental risk, and protecting social and cultural interests as directed by primary legislation and our policies and bylaws. The monitoring and enforcement team are responsible for the administration and enforcement of these obligations.

The Monitoring Team is responsible for:

<ul style="list-style-type: none"> • Resource Management Act breaches • Local Government Act breaches • Reserves Act breaches • Litter Act breaches 	<ul style="list-style-type: none"> • Land Transport Act • District Plan breaches • Bylaw breaches • Parking enforcement 	<ul style="list-style-type: none"> • Resource consent monitoring • Noise complaints • Removal of abandoned vehicles
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Staffing

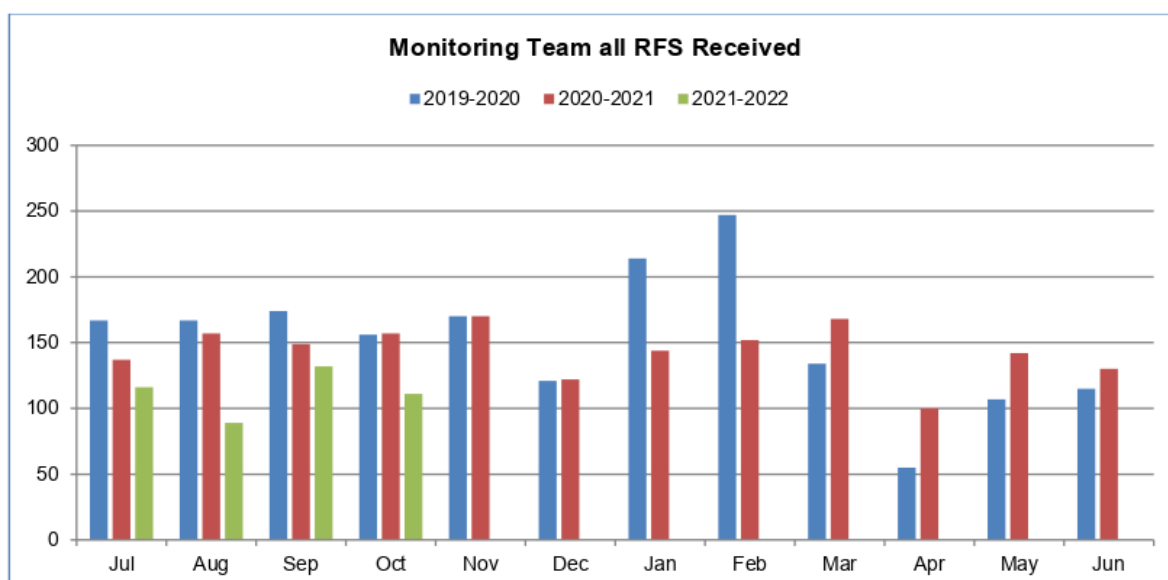
The team is comprised of a team leader, five monitoring officers, two resource consent monitoring officers (one of which is a fixed-term position) and a parking enforcement officer. There are currently no vacancies in the team.

Levels of Service

1. Respond to noise complaints within the following timeframes:
In urban areas: 1 hour.
In rural areas: 2 hours – 2021-2022 target 95%.
2. Respond to compliance incidents within 3 working days – 2021-2022 target 93%

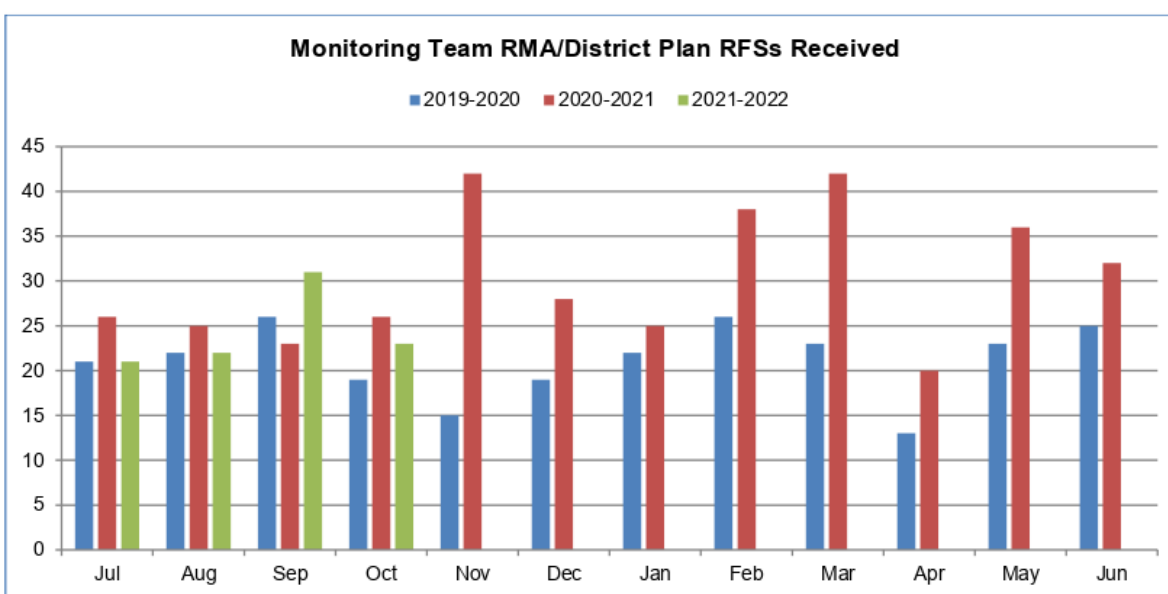
Requests for Service

The following graph shows all requests for service (RFS) received monthly over the last three financial years by the Monitoring team. These RFS reflect all the responsibilities held by the Monitoring team. The following sections break down those requests into areas of legislation.



Resource Management Act 1991

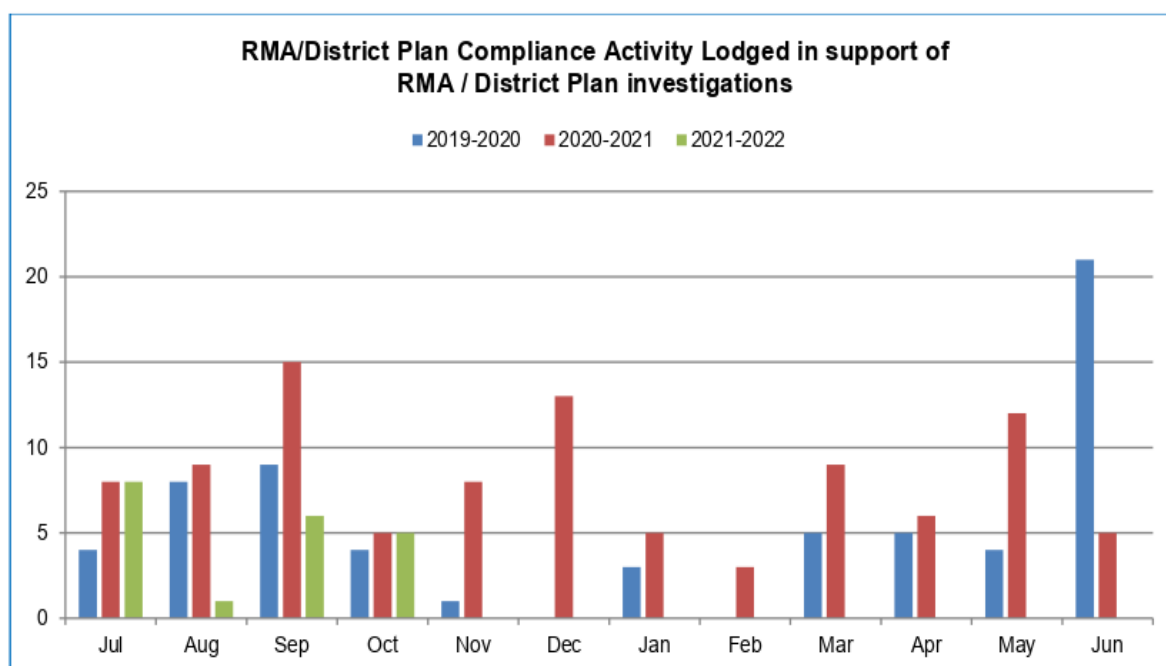
A large amount of the work conducted by the Monitoring team falls under the Resource Management Act 1991 (RMA). This section reports of those responsibilities. The LTP level of service for responding to RMA incidents is 93% of customers acknowledged within three working days.



If an RMA/District Plan RFS results in further investigation a new application is created in the Council system and research and evidence is recorded with case notes in support of any legal notices such as abatement notices and environmental infringement notices that are created and issued.

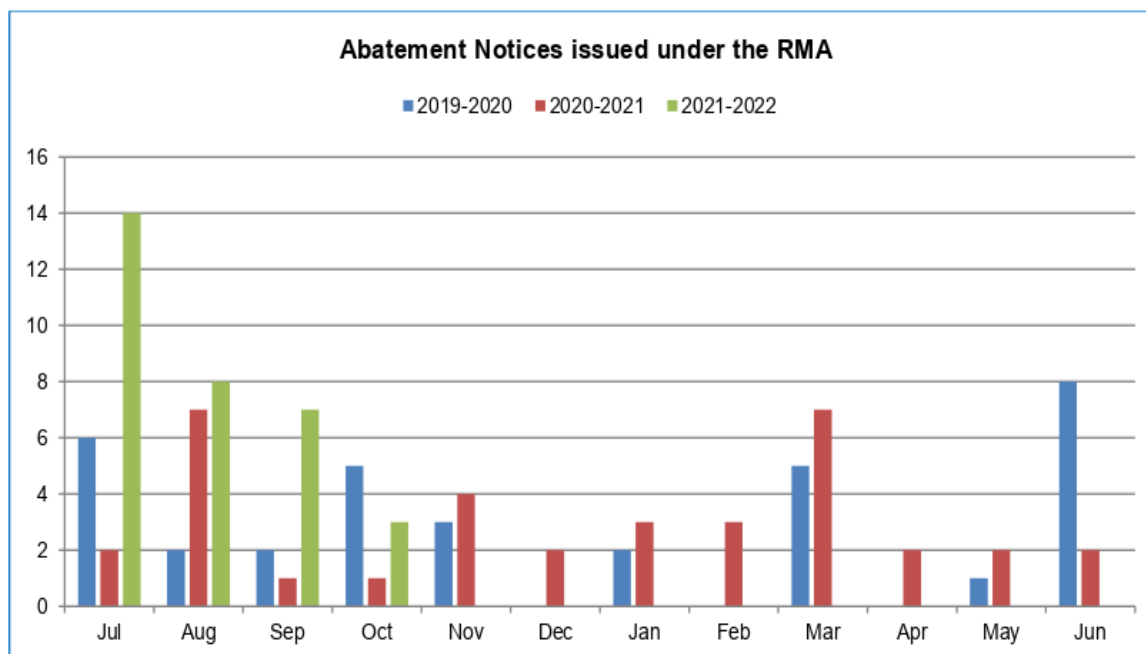
	July	Aug	Sept	Oct
RFS's received	21	22	31	24
On time	14	13	24	14
Over time	6	9	5	7
Unresponded	1	0	2	3
LOS %	67	59	77	58

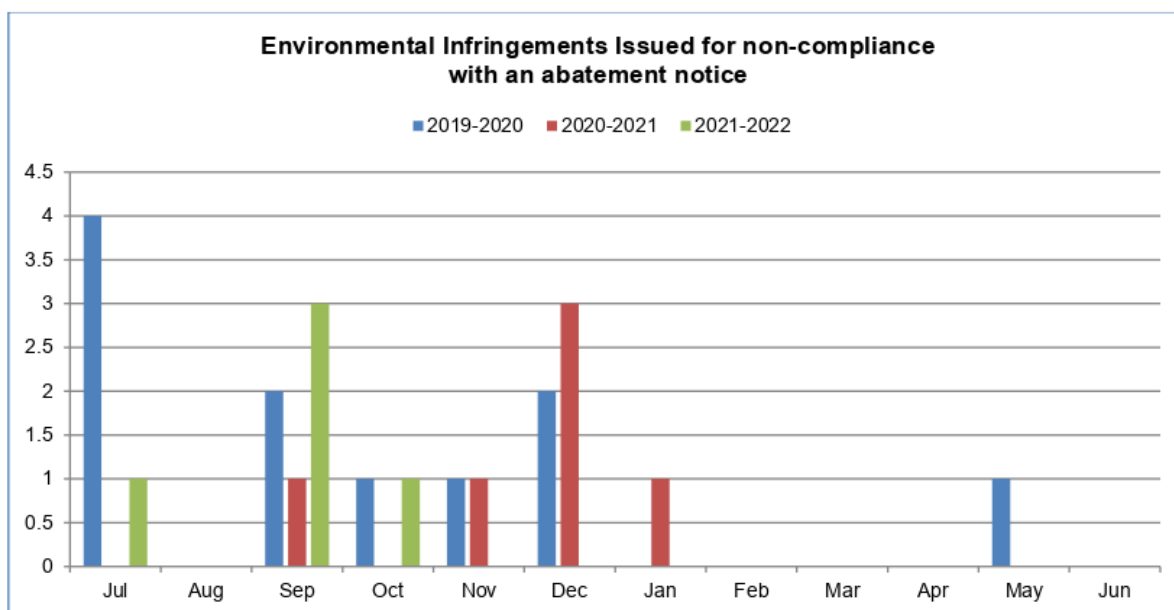
Table above show LOS results for RMA RFS 2021-2022



Although the Monitoring team's policy is to promote voluntary compliance with the District Plan, there comes a point in an investigation where it becomes necessary to escalate the enforcement process. The RMA allows a warranted monitoring officer to issue an abatement notice to direct an offender to do something or cease something that is causing a breach of the RMA. Usually this means ceasing a breach of a rule in the District Plan. Abatement notices can also be issued for failing to comply with a condition in a resource consent or consent notice, or for creating excessive noise.

Abatement notices are issued with a specific date by which the offender must comply. If an offender has not complied with an abatement notice and is not showing a willingness to cooperate with Council, an environmental infringement notice (EIN) of \$750 can be issued, or prosecution commenced.



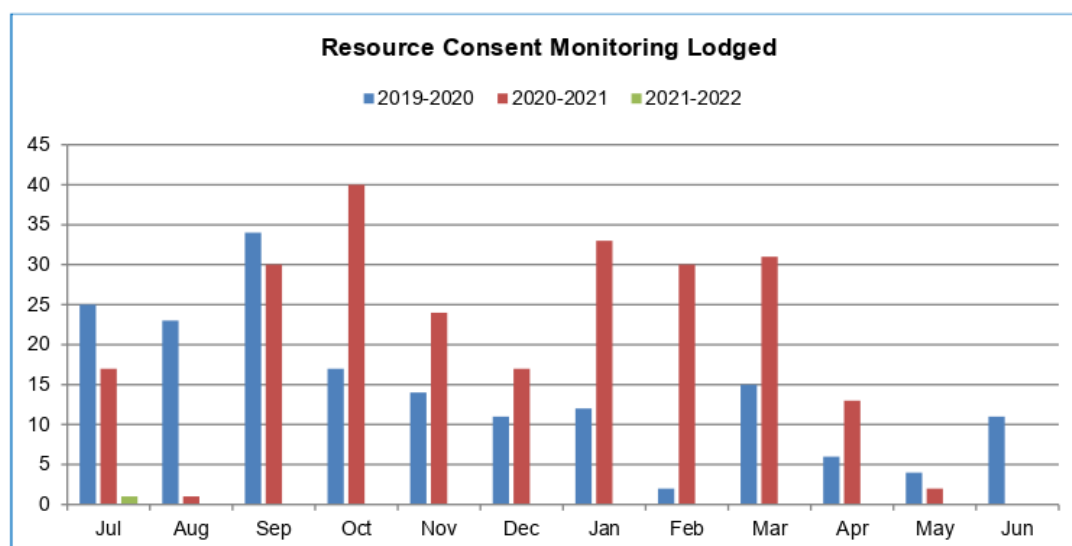


Resource Consent Monitoring

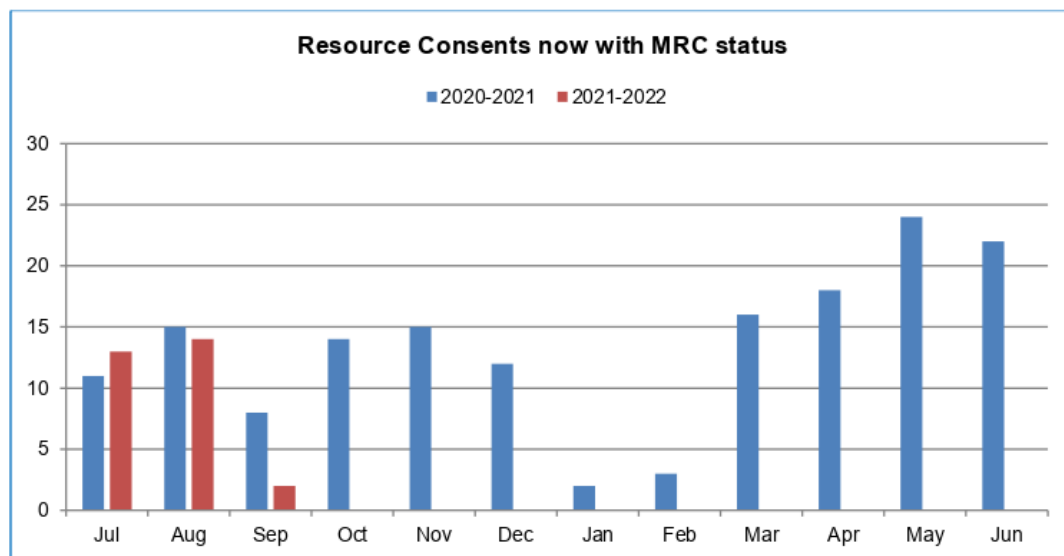
The resource consent monitoring role remains extremely busy with a number of areas being addressed. Current workflow includes:

- Historic bond investigation
- Historic back log of un-monitored Monitoring Resource Consent (MRC) applications
- Review of legacy consents that do not have an associated MRC application
- Business improvements
- Responding to RFS

The graph below shows MRC applications lodged once a decision had been issued for a consent. A business improvement in July 2021 removed the requirement to create a new MRC application for each resource consent (RC) decision issued. As a result, this graph no longer reflects current work. The historic backlog of unmonitored MRC applications is recorded within Council's system. The current backlog stands at 527 outstanding RC's, down from 629 in October 2021.



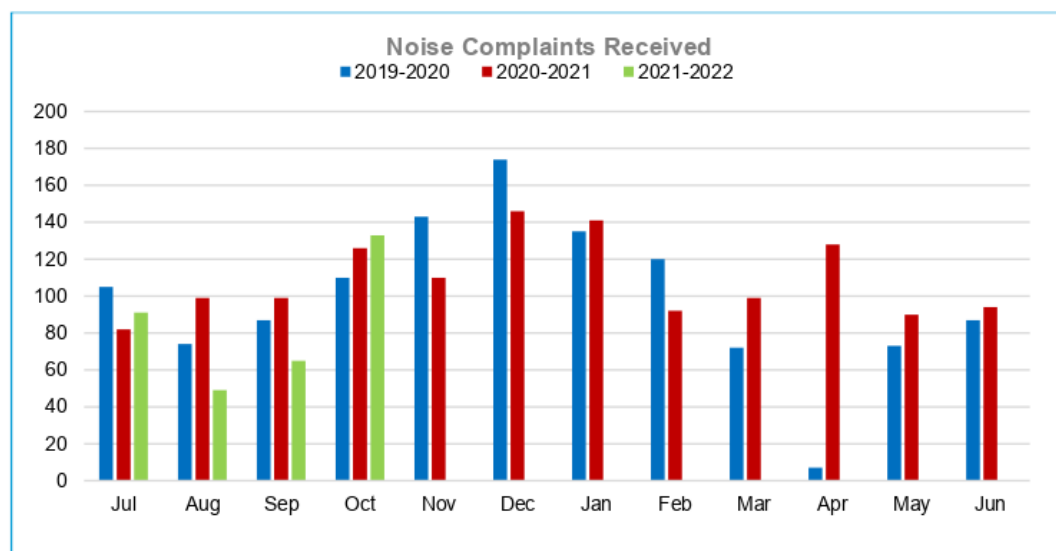
The graph below reflects the new way of working created by the business improvement started in July 2021. Now when RC's have a decision issued the resource consent monitors are automatically notified and, rather than creating a new application, the status of the RC application is updated to "MRC Lodged". This process saves considerable administration time and, although there have been some teething problems, is proving to be an effective change.



In the graph above it can be seen that September and October data are low. There will always be a lag in the data due to the statutory fifteen-day appeal period once a decision is issued. Resource consent monitoring does not commence until at least twenty working days from the date of issue to allow for the appeal period and any administration time required to lodge an appeal.

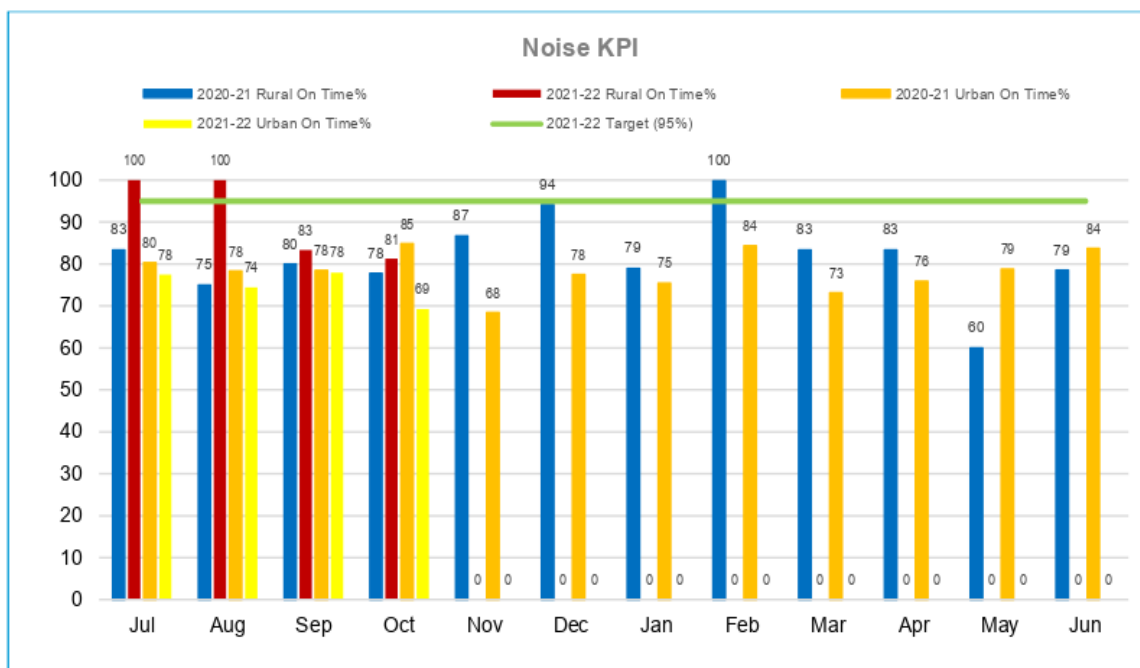
Noise

The control of noise pollution also falls under the RMA and is included in the Long-Term Plan (LTP) as a level of service (LOS). First Security are contracted by Council to attend noise incidents. As warranted officers they are authorised to enter land, issue excessive noise directives (END's) and seize sound making equipment (when accompanied by a constable).



Graph above shows the number of noise complaints attended by First Security

As per the Long-term Plan, LOS First Security have a key performance indicator (KPI) of 95% of calls in the urban area attended within one hours and 95% of calls in the rural area within two hours. This is a challenging KPI due to the size and remoteness of the district.



Graph above shows attendance times in relation to the LTP LOS KPI for First Security noise call outs

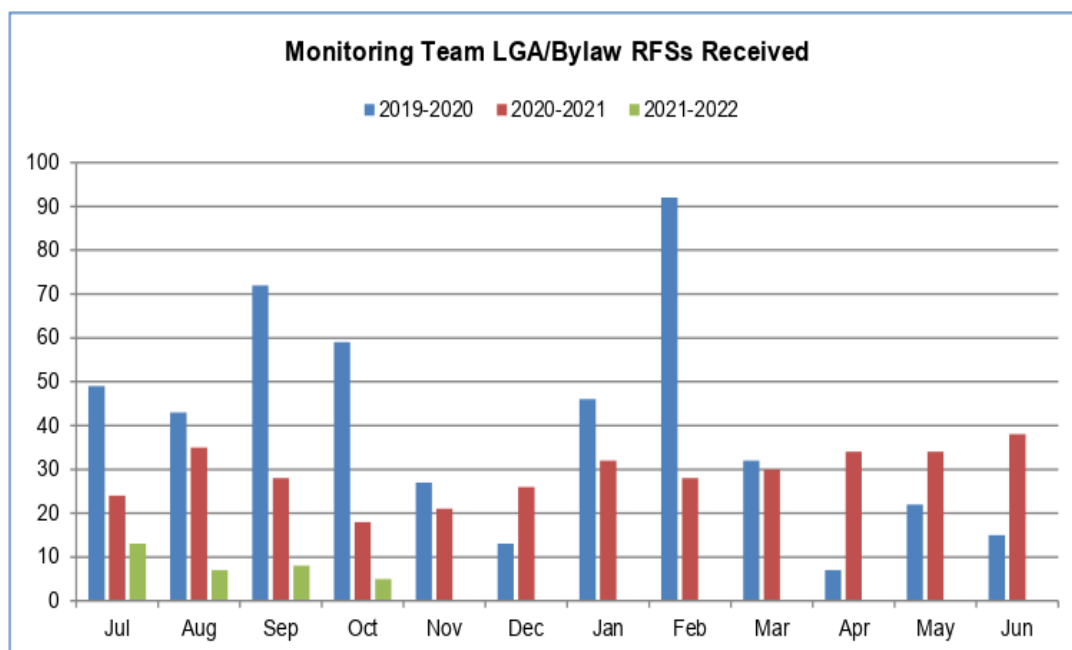
In the RMA, the term excessive noise means any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted). Noise assessment by First Security is subjective, rather than with measuring devices as the RMA only requires the noise to be deemed unreasonable. The action taken by First Security's officers vary depending on their assessment at the time.

Action Taken 2021-2022	Jul	Aug	Sep	Oct
Abatement Notice Issued	0	0	1	0
Excessive Noise Directive Issued	7	6	13	25
No Action Taken	65	38	34	77
Seizure Performed		1		4
Verbal Warning Issued	19	4	17	27
Grand Total	91	49	65	133

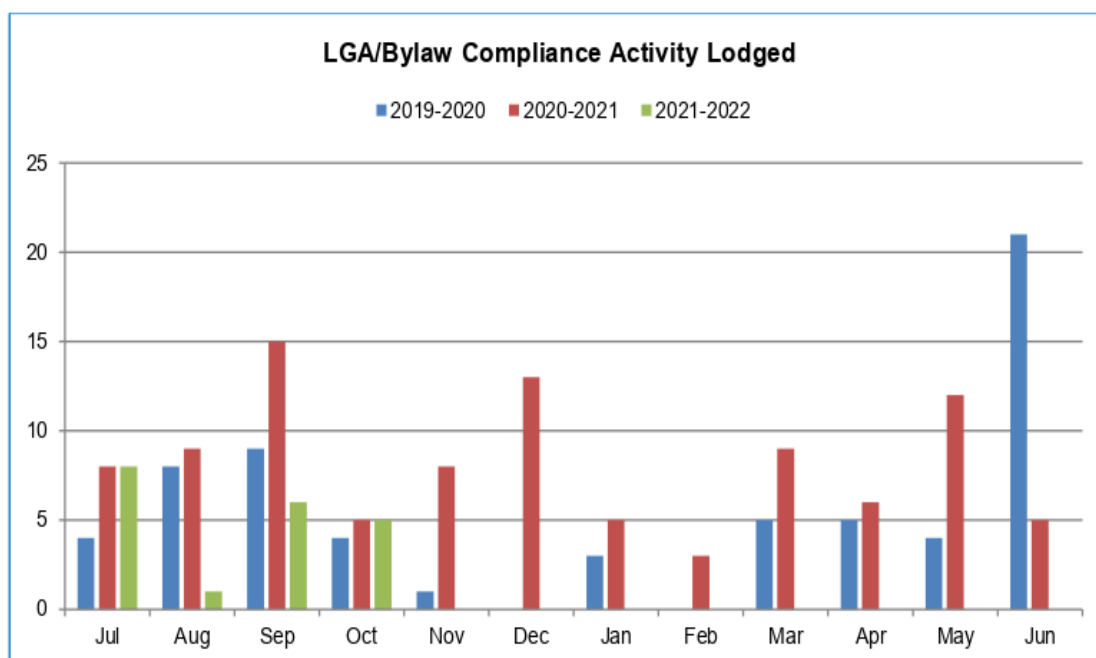
Table above shows First Security officers action taken this financial year

Local Government Act 1974/2002

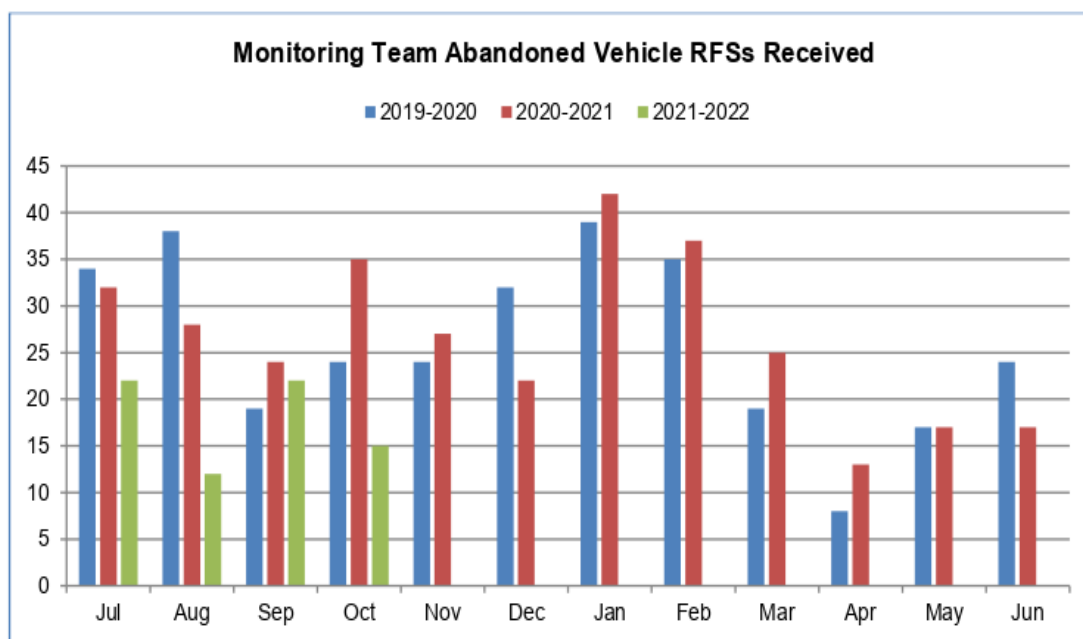
The Local Government Act (LGA) is the legislation behind most of the bylaws administered by the Monitoring team. The LGA can also be used for issues such as encroachments onto public places and roads.



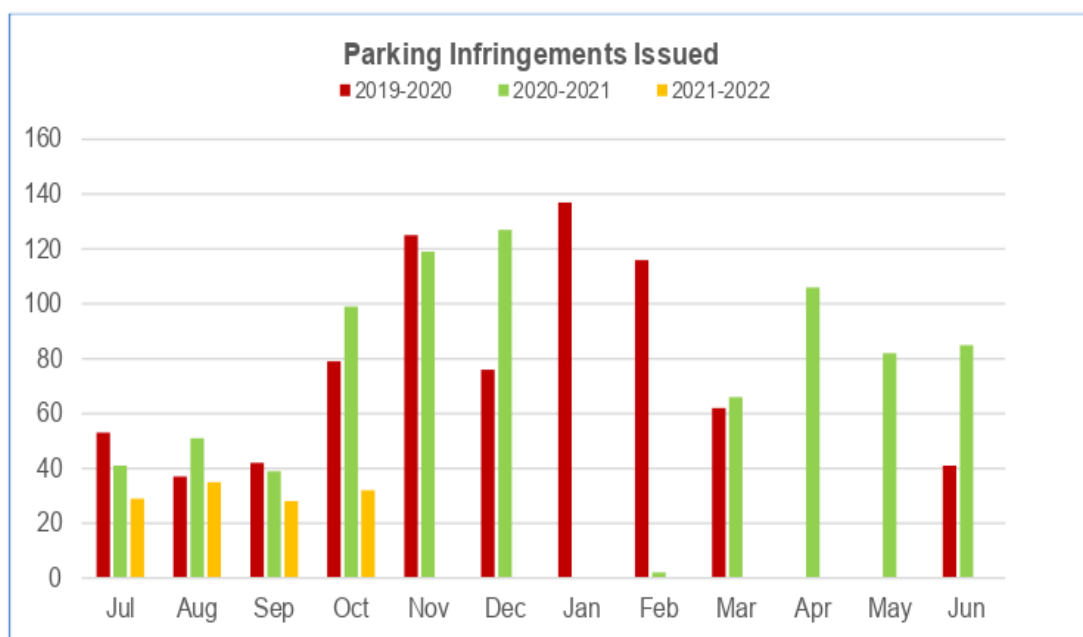
As with the RMA and all other legislation used by the Monitoring team escalated investigations prompt the creation of an application in the Council system, which allows for the recording of research, evidence etc.

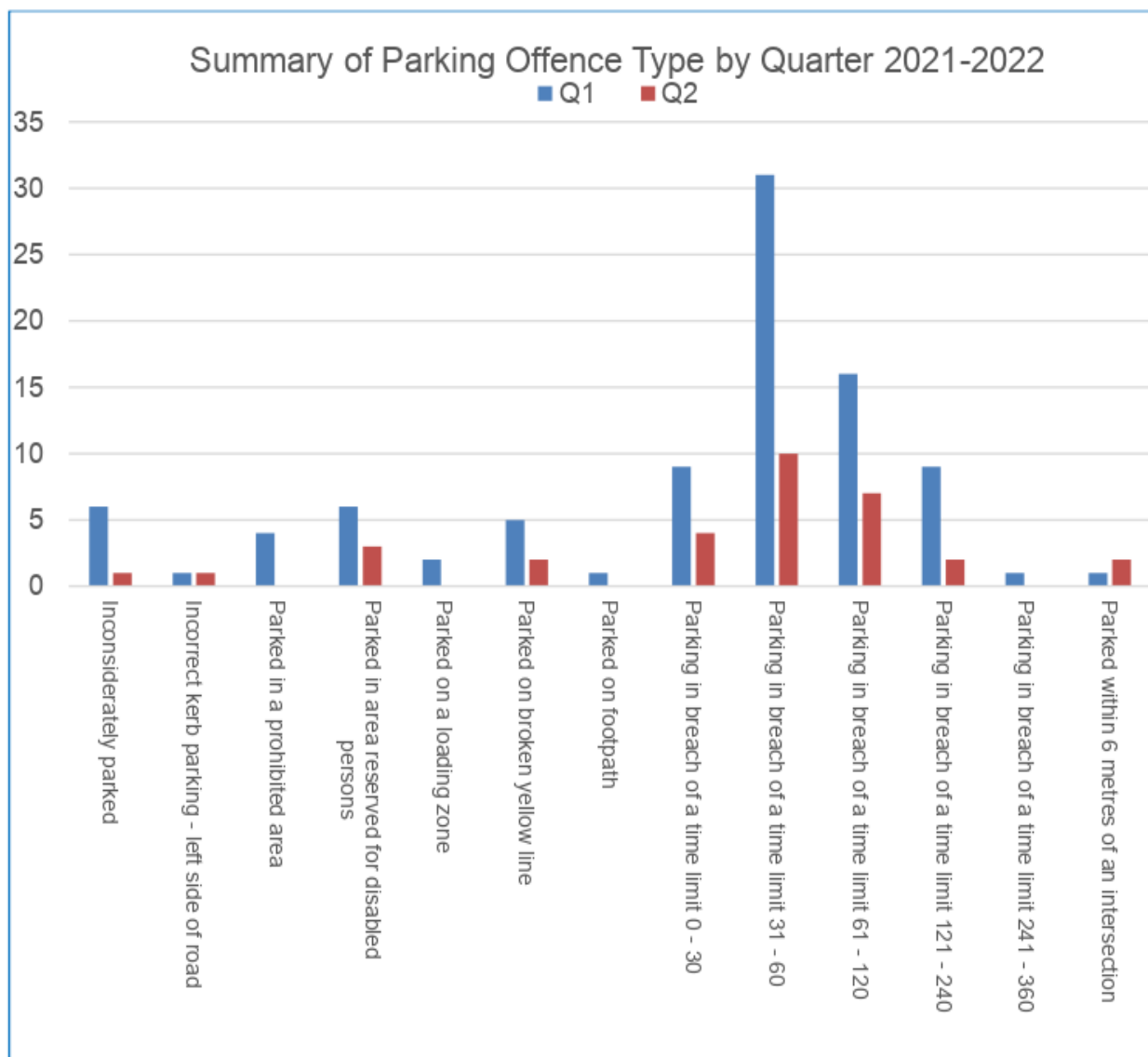
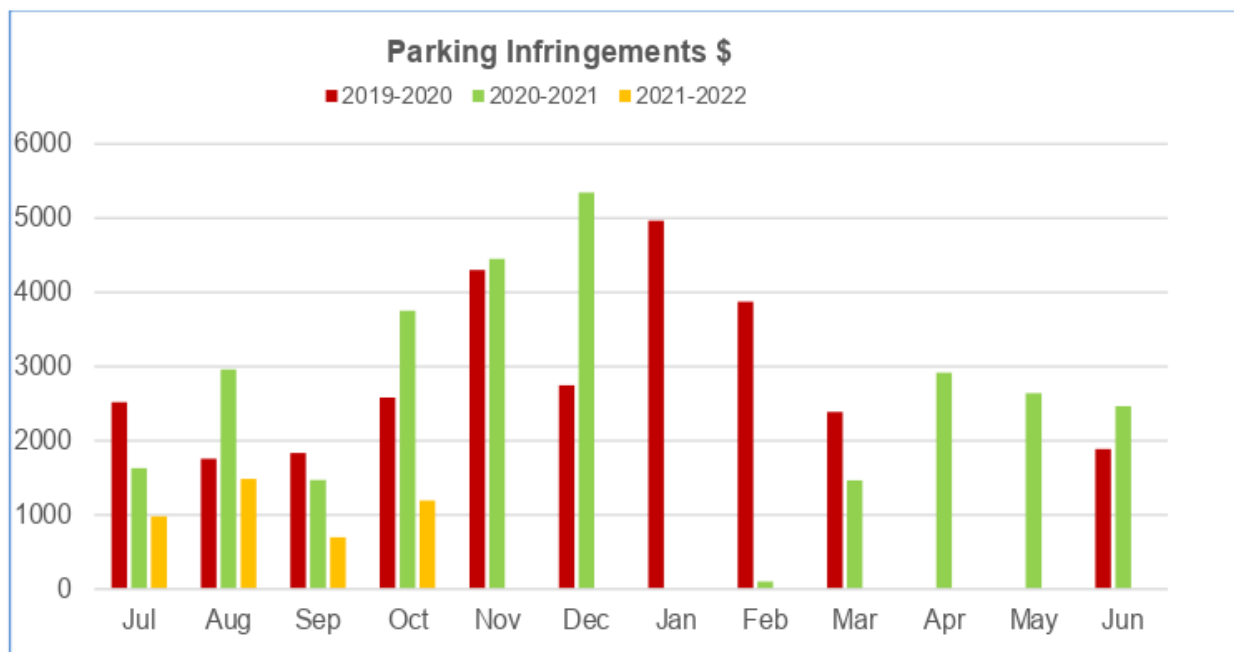


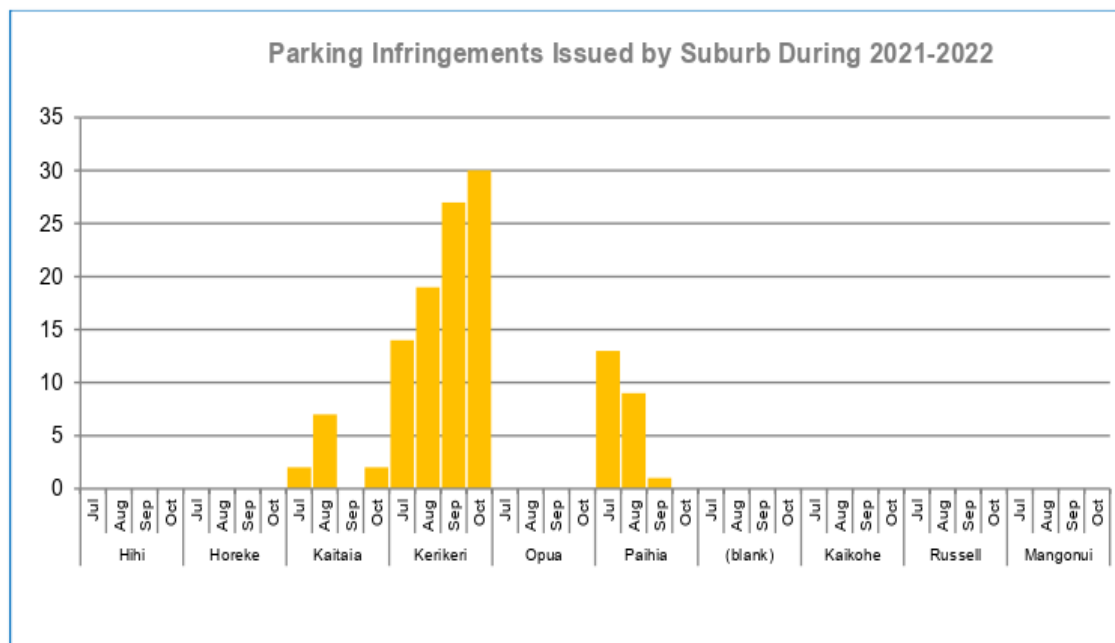
The following graph shows RFSs received for the removal of abandoned vehicles. Section 356 of the Local Government Act 1974 authorises a territorial authority to remove abandoned vehicles under certain circumstances.



Parking

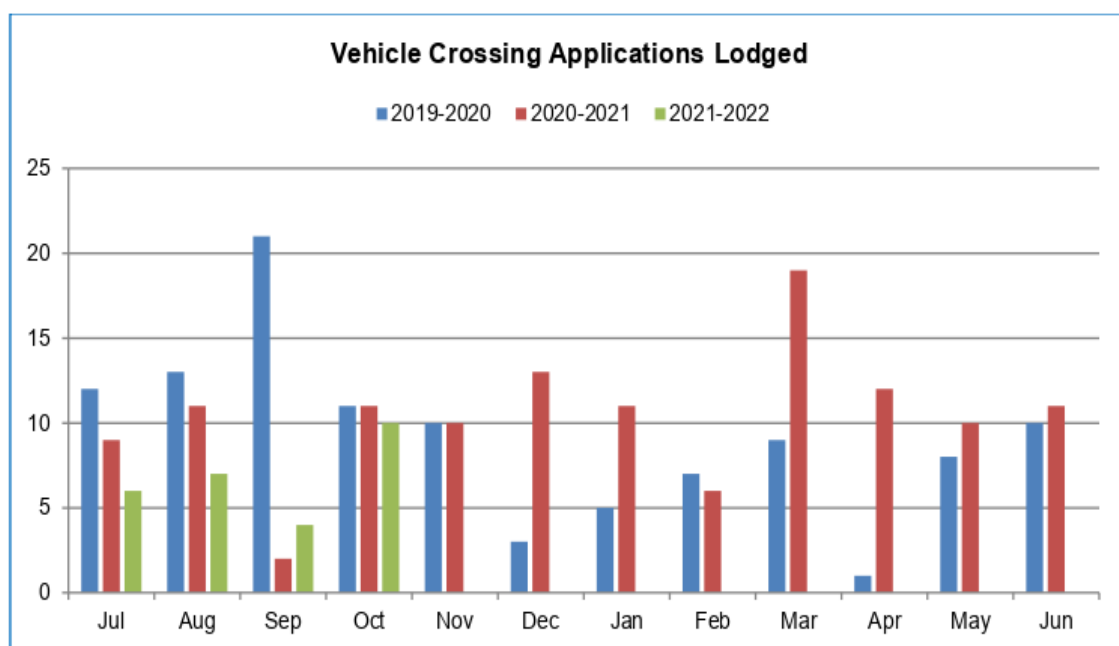






Vehicle Crossing Applications

The Monitoring team has contracted out the management of vehicle crossing applications to Haigh Workman.

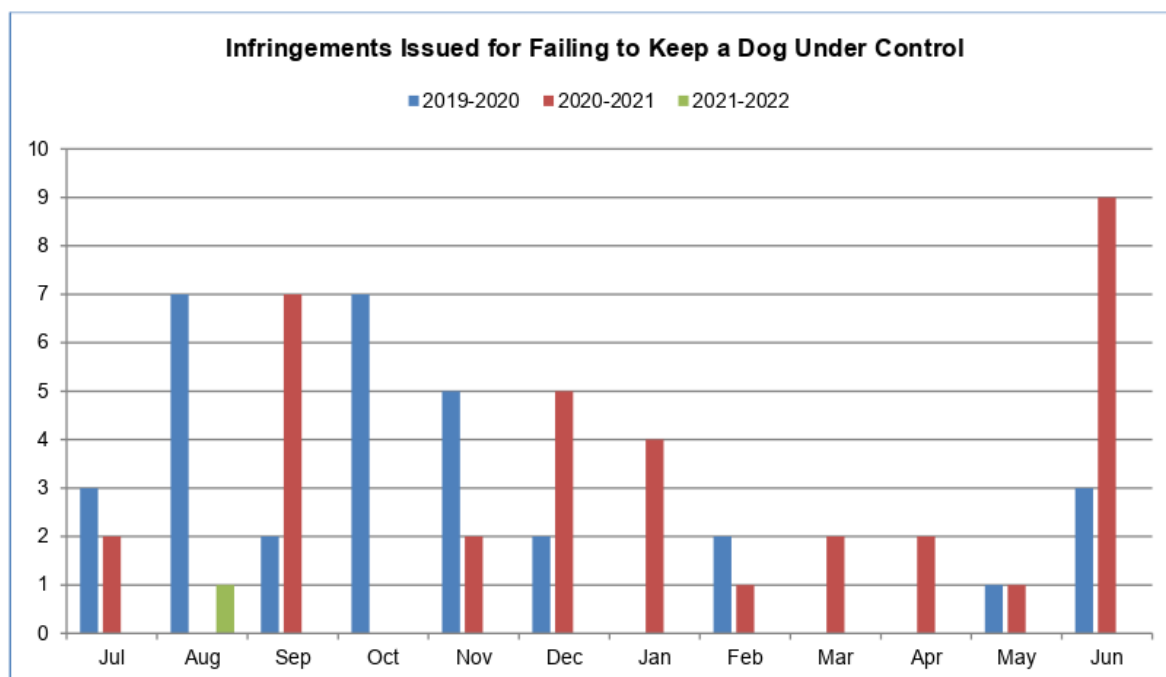
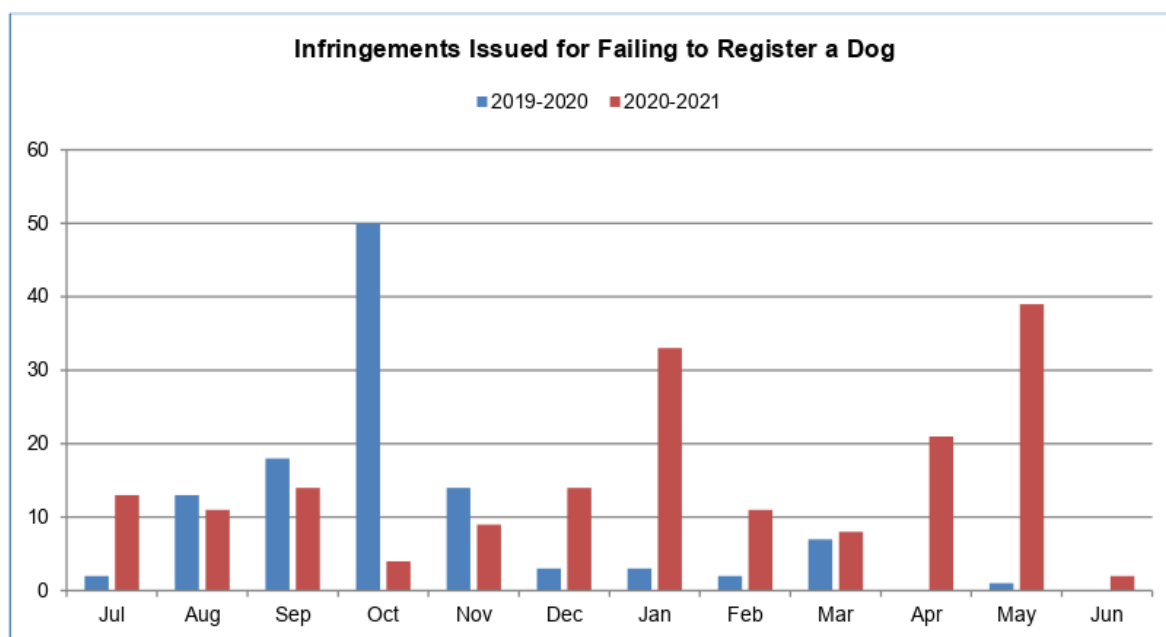


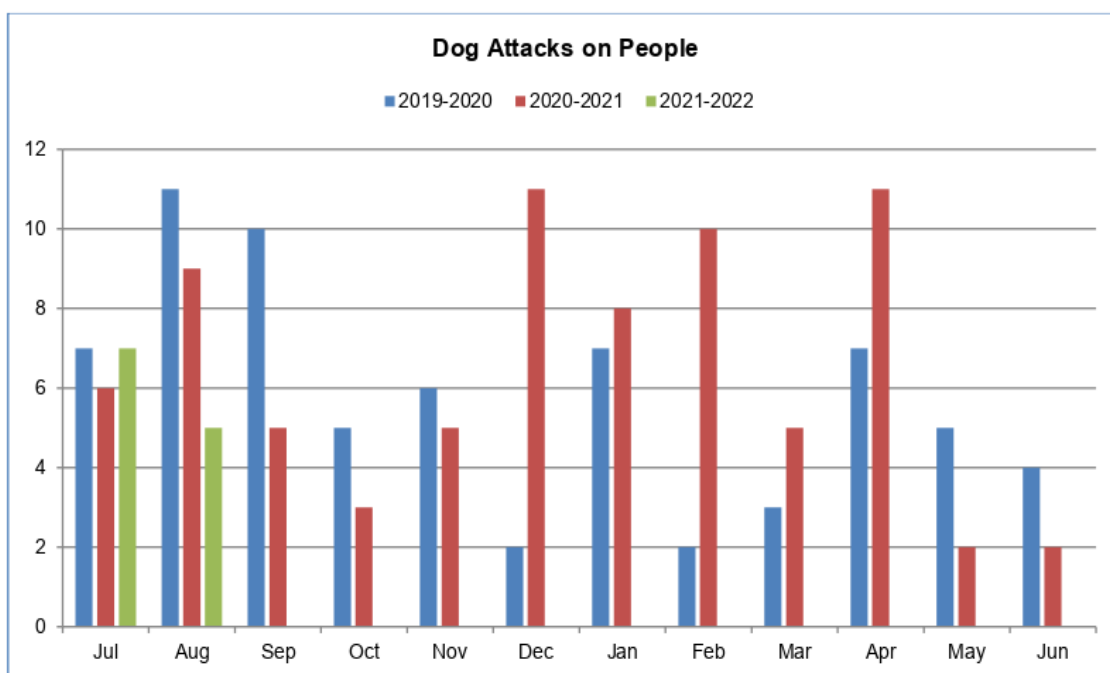
Animal Management

Introduction

Animals, in particular livestock and dogs, play a significant role in the Far North lifestyle. Council understands the economic and social benefits of animals, but Council has a duty to contribute to the safety of our communities and the welfare of those animals. The goal of the animal management team is to reduce the risk of potential negative impacts by encouraging responsible dog ownership and working with farmers to minimise wandering stock.

Levels of Service





RFS Responses

270 RFS were received for Animal Management in October 2021; 59 urgent and 211 non-urgent. This is 129 fewer RFSs than September. The team continues to meet response times with 98% for urgent and 97% for non-urgent RFS.

Registration Follow Ups

Dog registration follow-up work commenced in October with a total of 3772 dogs on our system that remained unregistered at the end of September.

The first phase of that follow-up work involved contacting dog owners to enquire as to the status of the dog/s we had on record.

As at the end of October this has resulted in 530 dogs being removed from the system due to having left the district, the dog had died or there had been a change of ownership.

Of the remaining 3,242 dogs, 1,323 dog owners contacted have said they would register their dogs (confirmation pending) leaving 1,919 dog's owners still to be contacted during Phase One of the process.

Impounded Dogs

34 dogs were impounded in October with 9 being claimed by their owners, 1 dog taken by a Rescue Group and 1 being adopted out to new homes. There were 10 dogs euthanised in October due to not being claimed by an owner and not meeting criteria to be rehomed.

Dog Adoptions

One dog was successfully adopted to a new home outside of the Far North District (Christchurch).

Environmental Health Services

Introduction

The safety and well-being of our communities, visitors and our environment is one of the primary functions and responsibilities of Council. We are accountable to our communities and have several obligations under primary legislation. The Environmental Health Services team are responsible for the administration and enforcement of these obligations.

The Environmental Health Services (EHS) team is responsible for:

- Food business registrations and health licensing
- Providing food verification services
- Inspections of licensed premises
- Investigating health nuisances
- Carrying out host responsibility inspections of licensed premises and
- Processing alcohol applications

Levels of Service

Level of service 8.2.1. Food Control Plan and National Programme audits were completed as scheduled.

The level of service for environmental health was amended to better express Council's commitment to the community. The target for food control plan audits was adjusted across the 10 years of the LTP to transition from relatively poor results to the desired level by 2021.

Target: ≥95% **This Month:** 100% **Last Month:** 100% **Last Year:** 92%

During October 2021, 19 verifications were scheduled, and all 19 verifications were completed.

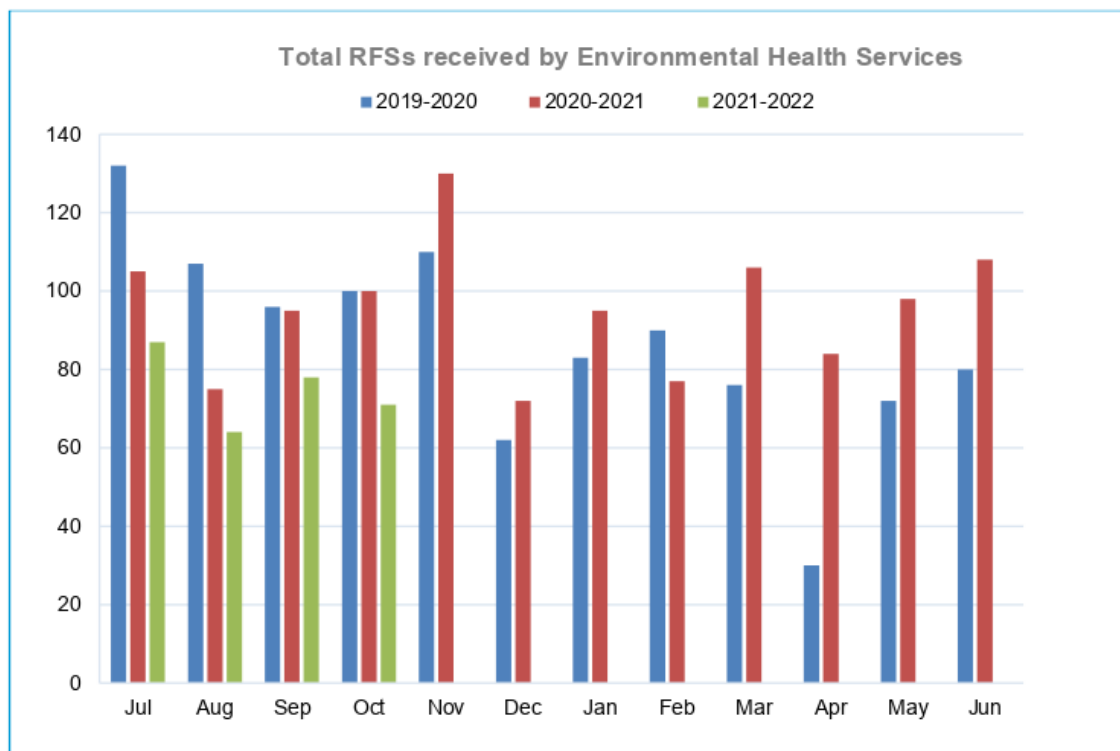
Level of service 8.4.1. All licensed premises are visited for Host Responsibility inspections at least once every four years.

Target: ≥25% **This Month:** 18% **Last Month:** 16.7% **Last Year:** 100%

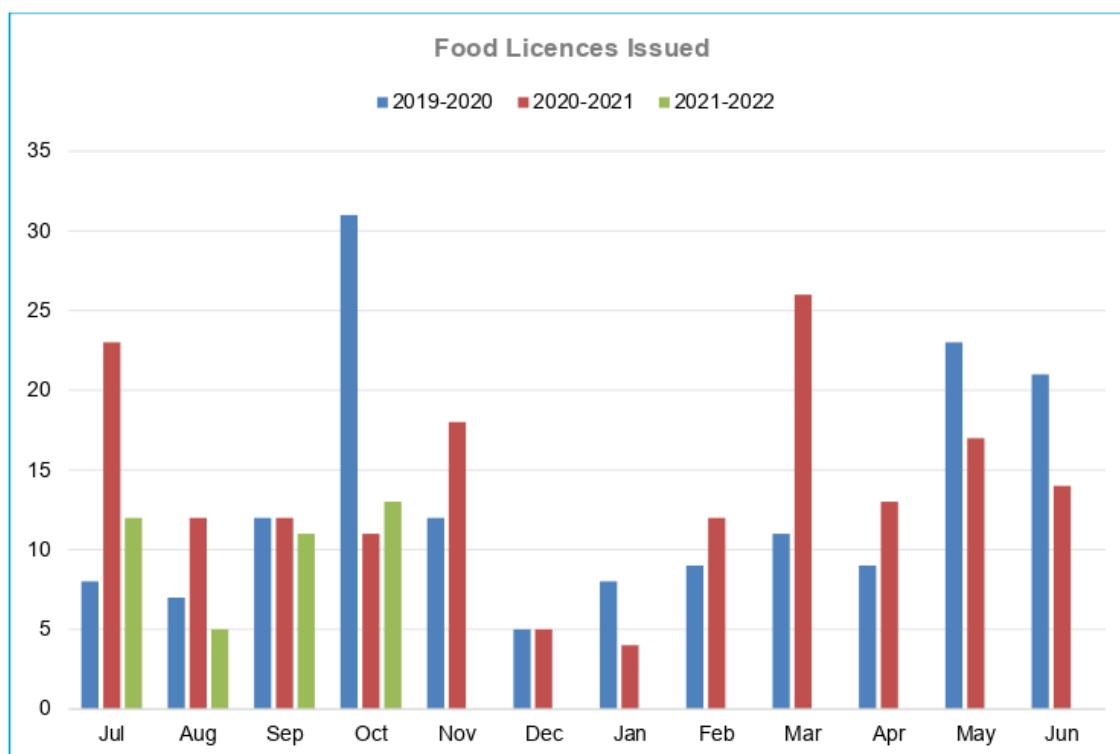
At present there are 258 licensed premises in the Far North district. 25 of these premises hold more than one alcohol licence and therefore will be visited on one occasion rather than separate visits, which will mean that the EHS team will complete 233 visits during 2021-2022.

During October 2021, 3 visits were completed by the EHS team. For the remainder of this reporting year there is a total of 191 visits to complete.

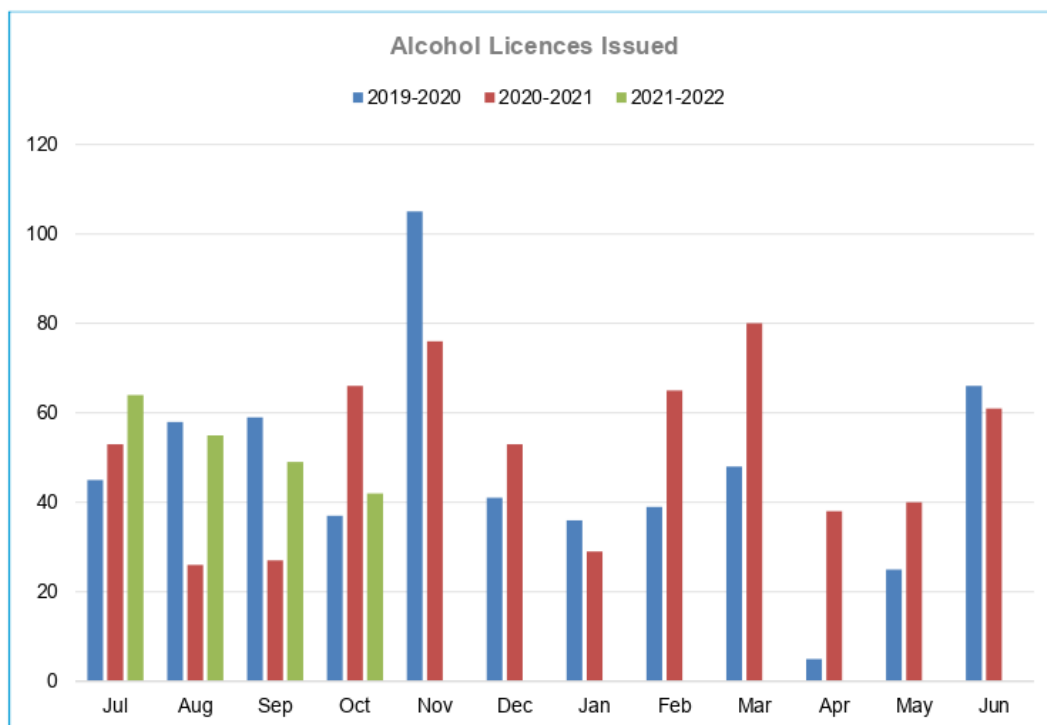
Requests for Service



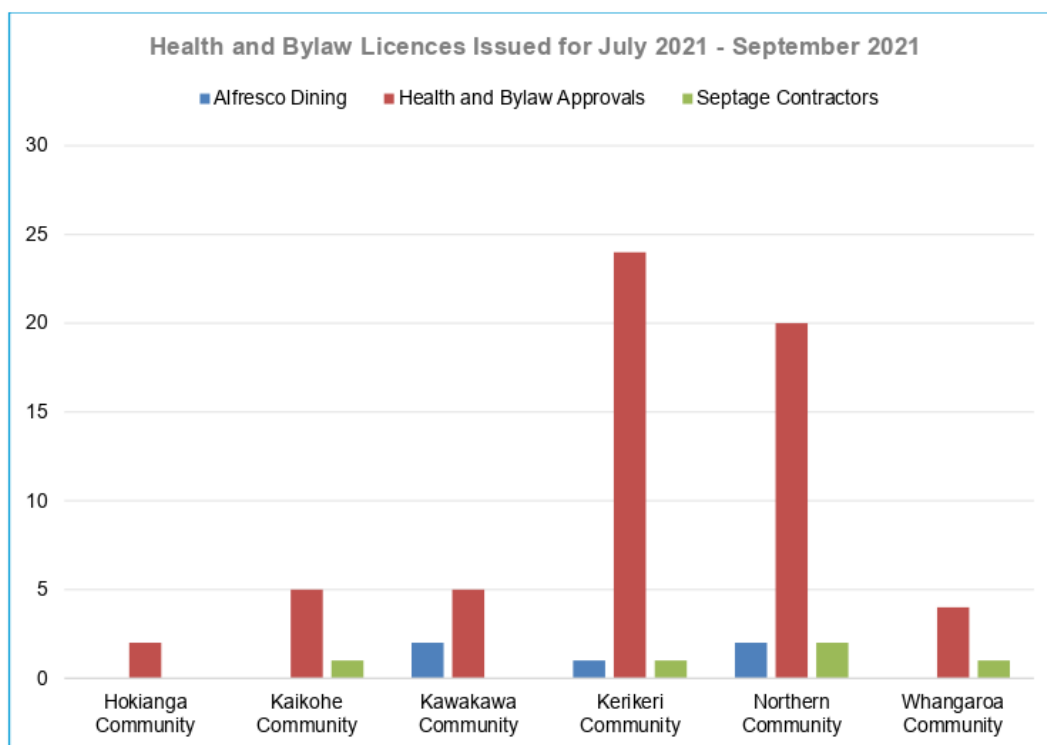
Food Registrations Issued



Alcohol Licences Issued



Health Licensing and Bylaw Approvals



The Environmental Health Services (EHS) team processes approvals for alfresco dining, street stalls, hawker, site permits and mobile shops.

In order to occupy or trade from a public place, a person must obtain Council's approval to do so.

- A **mobile shop** operates for short periods in one location before moving on, e.g. an ice cream van.

- A **hawker** offers goods for sale, sometimes on foot, without prior invitation to visit that private or public place.
- A street **stall** is a specific location where a business is set up for more than 30 minutes, e.g. on the roadside.
- **Alfresco dining** enables the private use of public space for outdoor dining
- A **site permit** allows an operator to trade from a specific site on a daily basis for the duration of the permit

Mobile shop, hawker and site permit approval applications are seasonal or annual approvals.

Street stall approval applications are specific to a certain date or series of dates.

Alfresco dining approval applications are renewable 1 July each year. The holder of an alfresco dining approval will be inspected on an annual basis.

Health licences are renewable 1 July each year. The holder of a current health licence will be inspected on an annual basis.

The EHS team will commence foot patrols across the district between 1 October 2021 – 1 December 2021 to identify businesses who may be operating without the necessary approval. Those that are identified will be required to obtain approval from Council.

No inspections of alfresco dining or health premises have been carried out at present due to workload demands.

Lifting our Gaze

The EHS team were extremely proud to publish its first “food licensing” newsletter. This was published on Friday 29 October 2021. A copy can be found on the Council’s website at the following link [Summer Newsletter](#). The team hopes to deliver key messages and information to food businesses and the public in quarterly newsletters. An alcohol newsletter is currently being finalised before it is published in November 2021.

On Thursday 7 October 2021 the EHS team collaborated with internal staff and external partners to present a webinar to “Event Organisers”. The purpose of this workshop was to deliver important information to event organisers that educated them on the Council’s processes for holding an event in our District. The webinar was well received.

5.5 BUILDING SERVICES UPDATE

File Number: A3481456

Author: Trent Blakeman, Manager - Building Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide the Regulatory Compliance Committee with an update on the current state of the Building Services department which includes the statutory compliance of the Building Consents Authority (BCA) with the Building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations) and that of the Building Compliance Function (Territorial Authority (TA)).

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Within the 2022 financial year to the end of October, the BCA has received 639 building consent applications, returned 83 of these as incomplete and issued 534 building consents. 455 Code compliance certificates were received and 434 were issued. Building consent compliance sits at 99.28% for the year to date, with building consents being issued on average at 11 days. Code compliance certificates are issued on average in 7 days and the compliance rate is 99.56%. To date, the building consents being received are 91.4% residential and 8.6% commercial.
- The BCA have just completed their International Accreditation New Zealand (IANZ) Special Assessment and the Auditors were very satisfied with what they found. Only 4 general non-compliances were raised, and all were cleared before the end of the 2-day Special Assessment. The BCA have retained their accreditation and currently await receipt of the final audit report and accreditation certificate. This Assessment focused on quality management and the full audit next October will again look at quality management, but also include a full technical assessment.
- The building compliance team have fielded around 232 RFSs to the end of October, inspected 68 swimming pools with a pass rate of 78%, conducted 111 Building Warrant of Fitness (BWF) audits, issued 67 notices to fix, assessed and issued 29 certificate of acceptances and issued 17 infringements. Considering the disruptions of lockdowns and Covid protocols, the team is operating well. Currently a work plan is being implemented to update all processes and procedures to ensure ongoing compliance of the function.
- Inspection wait times are consistently at around 3-4 days in all areas. Cancellations due to the current Covid implications within the industry have played a part in the longer timeframes. To combat this, a standby list for inspections has been introduced and a review of inspections from processing through to final inspection will be undertaken next year in the aim of achieving a 24 to 48 hour wait time.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Building Services update.

TĀHUHU KŌRERO / BACKGROUND

International Accreditation New Zealand (IANZ) has been appointed by the Ministry for Business, Innovation and Employment (MBIE) as the accreditation body that undertakes accreditation assessments against the requirements of the Building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations). These requirements are further detailed in MBIE's regulatory guidance for Building Consent Authorities (BCA), and Accredited Organisations (AO) accredited under the Regulations.

One of the metrics used to measure the performance of the BCA function is its ability to perform certain tasks within a statutory time frame (20 days). This is one of the few metrics that can be measured without the need for audit. The timeframes for processing of Building Consents (BCs) and

issuing Code Compliance Certificates (CCC's) are tracked using the Business Intelligence system (BI).

The Territorial Authority issues: project information memoranda, building consents where the consent is subject to a waiver or modification of the Building Code, certificates of acceptance, certificates for public use, compliance schedules (and amends compliance schedules).

A territorial authority also: Follows up and resolves notices to fix, administers annual building warrants of fitness, enforces the provisions relating to annual building warrants of fitness, enforces provisions relating to residential pools, decides the extent to which buildings must comply with the Building Code when they are altered, the use is changed, or their specified intended life changes, performs functions relating to dangerous or insanitary buildings, performs functions relating to earthquake-prone buildings, performs building safety evaluations following an earthquake or other emergency, determines whether building work is exempt under Schedule 1 from requiring a building consent, carries out any other functions and duties specified in the Building Act 2004.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The BCA will continue to train and grow its competence and capability to regain full processing ability inhouse, while remaining diligent not to slide in the compliance rates. Early next year we will be reviewing the inspectorate to look for further efficiencies and ensure levels of service for the district. This will also aid preparation for the upcoming audit in October 2022.

The building compliance team will receive in-house training from the BCA to further the competence of the building compliance function and continue to update and refine all procedures. The department is still waiting on the outcome of the online audit conducted by MBIE. The ongoing process review and audit will facilitate making further improvements.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications attached to this report

ĀPITIHINGA / ATTACHMENTS

Nil

5.6 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE NOVEMBER 2021

File Number: A3479035

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TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide the Regulatory Compliance Committee with an overview of outstanding decisions from 1 January 2020.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council staff have reintroduced action sheets as a mechanism to communicate progress against decisions/resolutions and confirm when decisions have been implemented.
- The focus of this paper is on decisions made by the Infrastructure Committee.
- Action sheets are also in place for Council and Community Boards.
- There are no outstanding or overdue actions for the Infrastructure Committee.
- All actions for the Regulatory Compliance Committee from 1 January 2020 have been completed.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Action Sheet Update November 2021.

1) TĀHUHU KŌRERO / BACKGROUND

The Democracy Services Team have been working on a solution to ensure that elected members can receive regular updates on progress against decisions made at meetings, in alignment with a Chief Executive Officer key performance indicator.

Action sheets have been designed as a way to close the loop and communicate with elected members on the decisions made by way of resolution at formal meetings. Action sheets are not intended to be public information but will provide updates to elected members, who, when appropriate can report back to their communities and constituents.

There are no outstanding or overdue actions for the Regulatory Compliance Committee. All actions for the Regulatory Compliance Committee from 1 January 2020 have been completed.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The outstanding tasks are multi-facet projects that take longer to fully complete. The Democracy Services staff are working with staff to ensure that the project completion times are updated so that action sheets provided to members differentiate between work outstanding and work in progress.

Take Tūtohunga / Reason for the recommendation

To provide the Regulatory Compliance Committee with an overview of outstanding committee decisions from 1 January 2020. There are no outstanding or overdue actions for the Regulatory Compliance Committee.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provision in receiving this report.

ĀPITIHANGA / ATTACHMENTS

Nil

6 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

7 TE KAPINGA HUI / MEETING CLOSE