



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA


Regulatory Compliance Committee Meeting

Monday, 5 September 2022

Time: 10:30 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

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

	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.

Far North District Council
Regulatory Compliance Committee Meeting
will be held in the Council Chamber, Memorial Avenue, Kaikohe on:
Monday 5 September 2022 at 10:30 am

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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 NGĀ 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: A3859697

Author: Marlema Baker, Democracy Advisor

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 07 June 2022 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. **Regulatory Compliance Committee Minutes - 07 June 2022 - A3742894** [↓](#) 

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.

Regulatory Compliance Committee Meeting Minutes - **Unconfirmed**

7 June 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
REGULATORY COMPLIANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON TUESDAY, 7 JUNE 2022 AT 9:30AM**

PRESENT: Chairperson Kelly Stratford, Cr Dave Collard, Cr David Clendon, Deputy Cr Rachel Smith, Cr John Vujcich, Member Belinda Ward

IN ATTENDANCE: William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager Districts Services).

STAFF PRESENT: Rochelle Deane (Manager – Environmental Services), Trent Blakeman (Manager – Building Services), Ruben Garcia (Manager – Communications) Marlema Baker (Democracy Services Advisor).

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Kelly Stratford commenced the meeting and opened with a karakia.

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

APOLOGY

RESOLUTION 2022/7

Moved: Cr Rachel Smith

Seconded: Cr John Vujcich

That the apology received from His Worship the Mayor and Deputy Mayor Ann Court be accepted and leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

No deputations were received for this meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3713613, pages 14 - 18 refers

RESOLUTION 2022/8

Moved: Chairperson Kelly Stratford

Seconded: Cr Dave Collard

That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 26 April 2022 are a true and correct record.

CARRIED

5 INFORMATION REPORTS**5.1 ALCOHOL LICENSING UPDATE**

Agenda item 5.1 document number A3703685, pages 19 - 26 refers

RESOLUTION 2022/9

Moved: Cr Rachel Smith

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee receive the report Alcohol Licensing Update.**CARRIED****5.2 ENVIRONMENTAL HEALTH SERVICES: FOOD LICENSING UPDATE**

Agenda item 5.2 document number A3702183, pages 27 - 36 refers

RESOLUTION 2022/10

Moved: Cr Dave Collard

Seconded: Member Belinda Ward

That the Regulatory Compliance Committee receive the report Environmental Health Services: Food Licensing Update.**CARRIED****5.3 BUILDING SERVICES BCA UPDATE**

Agenda item 5.3 document number A3726946, pages 37 - 46 refers

RESOLUTION 2022/11

Moved: Cr Rachel Smith

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee receive the report Building Services BCA Update.**CARRIED****5.4 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR APRIL 2022**

Agenda item 5.4 document number A3727880, pages 47 - 100 refers

RESOLUTION 2022/12

Moved: Cr Rachel Smith

Seconded: Cr David Clendon

That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for April 2022.**CARRIED**

Regulatory Compliance Committee Meeting Minutes - **Unconfirmed**

7 June 2022

5.5 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE JUNE 2022

Agenda item 5.5 document number A3713621, pages 101 - 101 refers

RESOLUTION 2022/13

Moved: Cr Rachel Smith

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee receive the report Action Sheet Update June 2022.

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 10:54 am.

The minutes of this meeting will be confirmed at the Regulatory Compliance Committee Meeting held on 6 September 2022.

.....
CHAIRPERSON

5 REPORTS

5.1 PARKING ENFORCEMENT

File Number: A3809557

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval to continue the trial for the enforcement of stationary vehicle Warrant of Fitness (WoF) and Vehicle Registration offences across the Far North District.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- At the May 2021 Regulatory Compliance Committee Meeting it was approved to trial the enforcement of stationary vehicle Warrant of Fitness (WoF) and Vehicle Registrations offences across the Far North District for a period of 12 months. This trial commenced 1 July 2021.
- Due to the covid lockdowns in 2021 and Waka Kotahi suspending WoF and Rego till the end of November 2021, the Parking Warden did not start issuing infringement notices until December 2021.
- The Parking Warden noted a significant decrease of vehicles in the Central Business District over 2021/22 due to Covid with more people working from home or just not coming into town up until April 2022.
- To get a clear indication for the requirement of WoF and Vehicle Registration enforcement across the district, it is recommended to extend the trial for a further year to 30 June 2023.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee recommend that Council continue the trial period of enforcing stationary vehicle Warrants of Fitness and Registration offences across the district for a further 12 months to 30 June 2023.

1) TĀHUHU KŌRERO / BACKGROUND

It is illegal to operate a vehicle without a valid and visible WoF and Registration unless driving directly to a place where repairs will be conducted. Council Parking Wardens are authorised to enforce these provisions on stationary vehicles.

Government makes the regulations that prescribe the fees for these offences. Council does not have the ability to change the amount. The fine amount is \$200 for not displaying or having an outdated WoF/Registration.

Waka Kotahi's 'Road to Zero – NZ's road safety strategy, sets a target to reduce deaths and serious injuries on New Zealand roads, streets, cycleways and footpaths by 40 percent over 10 years.

One key focus area under 'Road to Zero' is vehicle safety.

It is important that a vehicle always remains safe to drive and can prevent a crash or protect its occupants to reduce the numbers of deaths and injuries on our roads. A warrant of fitness (WoF) is a regular check to ensure that a vehicle meets required safety standards.

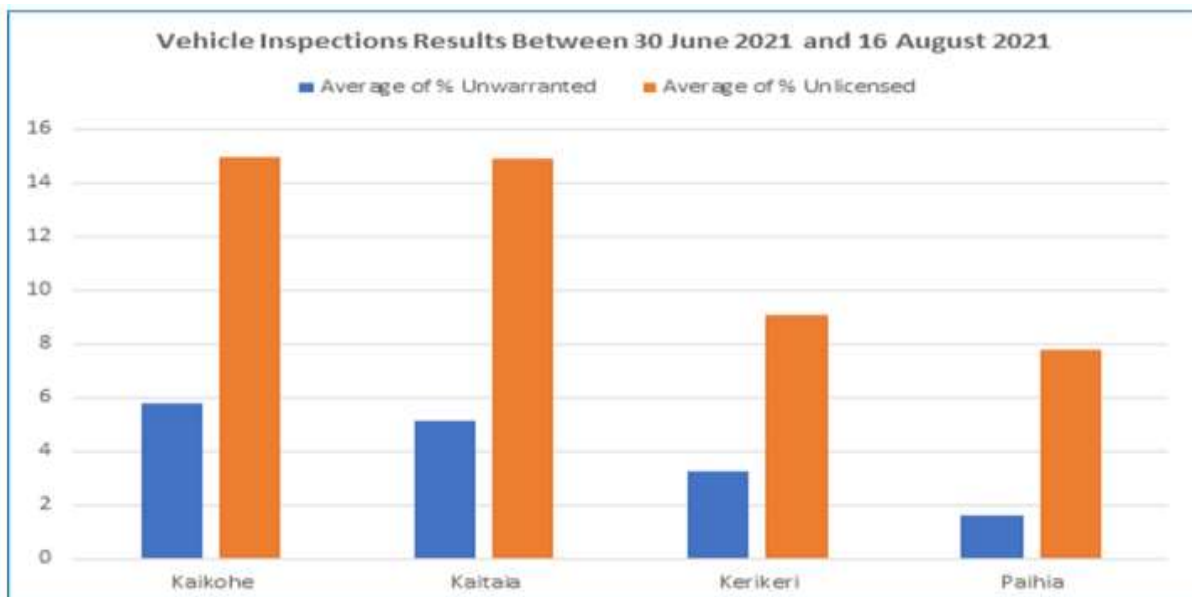
Council Parking Wardens can play an important role to ensure that there are fewer unsafe and unregistered vehicles on our roads across the district. Prior to the trial commencing in July 2021 FNDC wardens did not enforce this requirement across the district.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

From 1 July 2021 to 16 August 2021 (Alert Level 4 commencement) flyers advertising that FNDC had begun to monitor vehicles not displaying a current warrant of fitness and/or current license were distributed in the main towns in the Far North – Kaitiāia, Kerikeri, Paihia and Kaikohe.



During normal patrols, the Parking Officer, kept a record of how many vehicles were not displaying a current warrant of fitness and/or license from the total number sighted. Unlicensed vehicles were more common than unwarranted in all areas. Kaitiāia and Kaikohe had the highest number of non-compliant vehicles with 15% unlicensed and 5% to 6% unwarranted.



During the flyer period, the public gave mixed feedback to the trial, with some being outraged believing FNDC were on a revenue gathering exercise in areas of low income, whilst others have thanked Council for the reminder that their vehicles license had expired. It was decided to extend the education (flyer) period from one to two months prior to enforcement giving the community further time to become compliant.

Due to the COVID-19 lockdowns in 2021 and Waka Kotahi suspending WoF and Registration compliance until the end of November 2021, the Parking Warden could not start issuing infringement notices until December 2021. From then, the focus has been on vehicles that are not displaying a current warrant for six months or more. If an infringement is issued, all offenders are given opportunity to obtain a warrant within 56 days. Evidence of a new warrant is grounds for the infringement to be waived.

Between 1 December 2021 and 30 June 2022 there have been 121 infringement notices issued for having no evidence of a current WoF for six months or more. These have been issued on the current circuit of the sole Parking Warden and have not included recent State Highway Delegation areas, e.g., Kaikohe. The majority of these infringements (88) have been issued in Kerikeri.

There has been a noticeable increase in unwarranted vehicles in urban areas since the COVID-19 restrictions eased and 90 of these notices were issued in May and June 2021.

Of the 121 Infringements issued as of 30 June 2021:

- 19 notices have been waived due to the owner complying with updating their WoF.
- 10 infringements have been paid.
- 6 notices have been waived due to unconfirmed ownership in MOTOCHK.
- 7 waived due to an administration error.
- 2 notices returned mail.

The balance (77) was still in the system as either being recently issued or still at the reminder stage.

The options are as follows:

Option 1: Continue with the trial for a further 12-month period to 30 June 2023 and phase in enforcement for all vehicles having no current WoF and/or registration.

Option 2: Discontinue the trial and include WoF and vehicle registration enforcement in business as usual immediately.

Option 3: Discontinue the trial and discontinue enforcement of WoF and vehicle registration.

Take Tūtohunga / Reason for the recommendation

Option 1 is the preferred option because:

Due to covid restrictions in 2021/22 there were less vehicles seen in the CBD's and periods where the Parking Warden was unable work due to lockdown. Extending the trial will give a clearer indication of the extent of illegal vehicles in the district and the communities reaction to voluntary compliance.

The current focus has only been on vehicles not showing a current WoF for six months or more. By extending the trial there can be a phase in of enforcement for all vehicles not showing current WoF and/or Registration.

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

No financial implications involved in recommendation. Potential increase in revenue from increase infringements capability from delegations and extra regulation, which may require additional in-house resources for processing in the longer term.

ĀPITIHINGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / 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.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / 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	Low Significance – this matter does not meet the criteria/threshold for a matter of significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Local Government Act 2002 FNDC Parking and Traffic Control Bylaw 2010 Land Transport Act 1998 Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011 Land Transport (Offences and Penalties) Regulations 1999 LTP Community Outcomes: Communities that are healthy, safe, connected and sustainable.
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.	District wide significance
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. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	No specific implications
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 (for example – youth, the aged and those with disabilities).	District wide

State the financial implications and where budgetary provisions have been made to support this decision.	No financial budgetary implications regarding decisions. Potential revenue increase from infringements which may require additional council resources to process.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

5.2 EXPRESSIONS OF INTEREST FOR INDEPENDENT HEARINGS COMMISSIONERS

File Number: A3858589

Author: Greg Wilson, Manager - District Planning

Authoriser: Roger Ackers, Manager - Strategy Development

TAKE PŪRONGO / PURPOSE OF THE REPORT

To ensure that council has an appropriate pool of independent commissioners to meet its functions, powers and duties under the Resource Management Act 1991 (the Act).

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The purpose of this report is to provide a list of suitable candidates for council's appointment and delegation to act as independent commissioners for District Services, and Strategic Planning and Policy for a five-year term starting 5 September 2022.

TŪTOHUNGA / RECOMMENDATION

That pursuant section 34A(1) of the Resource Management Act 1991 Council delegates the following powers to the persons listed in the attached schedule of '*Commissioners with 'Making good decisions' certification*' (Appendix 1). The powers to:

- a) hear and determine resource consent applications (including but not limited to a change or cancellation of a condition/s; determinations for the requirement for a hearing, and extending or waiving compliance with a time limit up to the maximum period specified in the Act; the power to decline processing of an application or the consideration of a submission; determining that the Environment Court decide an application for resource consent; and directing an applicant or submitter to provide briefs of evidence/further information prior to hearing); notices of requirement; and objections under sections 357, 357A and 357B of the Act;
- b) extend or confirm existing use rights;
- c) determine that an activity is permitted,
- d) make recommendations on public and private plan changes, and
- e) make recommendations to amend a plan or proposed plan to remove duplication or conflict with a national environmental standard.

1) TĀHUHU KŌRERO / BACKGROUND

The Act provides that Council may delegate its functions, powers or duties to independent commissioners appointed by Council.

The Act requires Council to engage independent commissioners under the following circumstances:

- *Notified resource consents*

An applicant and/or submitter/s to a notified resource consent application may request that council appoint at least one independent commissioner to hear and decide on the application. This also applies to notified notices of requirement for a designation and heritage. If such a request is received, council must delegate its functions, powers, and duties to hear and decide the application to one or more independent commissioners.

- *Objections to a decision of council officer on resource consent*

An applicant who is objecting to a decision by a council officer has the ability to request that their objection be heard by an independent commissioner. If such a request is received,

council must delegate its functions, powers, and duties to consider and decide on the objection to one or more independent commissioners.

Council may also choose to use independent commissioners for:

- making decisions on –
 - proposed policy statements, proposed plans, variations, or plan changes (other than approval)
 - resource consent applications and recommendations on notices of requirement
 - notification or non-notification of resource consents
 - servicing of an application
 - plan changes or variations and on submissions to plan changes (other than declaring a plan change operative)
- reviewing resource consent conditions

Independent commissioner roles extend to:

- providing advice on technical or procedural matters to make decisions on particular applications
- for perceived or actual conflicts of interest or perceptions of bias,
- where issues are complex or of a highly technical nature and there is a need for specialist expertise that is not available within council,
- where an application has substantive implications for council policy,
- assisting council when councillors are not available or following local body elections, and/or
- covering lengthy hearings.

Councils have the discretion to decide who they employ as independent commissioners provided they meet the Act's accreditation requirements and they are not a member (including elected representatives) of council. It is essential that council's delegation include at least one independent commissioner who can demonstrate a particular knowledge, understanding and empathy with Māoritanga, the principles of the Treaty of Waitangi and other Māori aspects of the Act.

Council's current list of certified independent commissioners is outdated and requires review, with the most recent list understood to be approved in 2011 (as per a registration of delegations from council, with delegate job titles updated in 2016). Council has therefore advertised¹ for expressions of interest from independent commissioners with '*Making good decisions*²' accreditation, seeking to update its pool of independent commissioners with knowledge, skills and experience in one of more of the following areas:

- Planning, resource management and heritage protection;
- Law, local government and local affairs;
- Matters relating to the Treaty of Waitangi and kaupapa Māori;
- Environmental Science, including the physical and social sciences;
- Architecture, engineering, surveying and traffic;
- Landscape and urban design;
- Hearing Processes;
- Alternative Dispute Resolution;
- Knowledge of the consent authorities function under the Resource Management Act 1991.

In total, 22 applications have been received from accredited commissioners with a range of skills and experience, as summarised in Appendix 1. One application was from a commissioner who did not have accreditation and therefore could not be accepted as it did not meet the Act's mandatory requirements for specific circumstances (as outlined previously) and Council's sole criteria for eligibility as identified in the request for expressions of interest.

¹ New Zealand Herald, Northern Advocate and the New Zealand Planning Institute Jobs Board

² A Ministry for the Environment training, assessment and certificate programme for resource management decision makers

Following the 2022 local body elections, council will, by separate resolution in early 2023, determine the panel for the Proposed District Plan submission hearings; this will consider the options for a mixed commissioner/elected member panel and the number of panel members. Whilst the approved list/pool of commissioners will help inform this process, Council may seek to readvertise for expressions of interest if it is considered that additional skills/experience are required.

Council may from time to time be required to appoint alternative commissioners where it is found that the pool of approved commissioners does not include the skill base required for the matter/s being considered or suitably experienced/qualified commissioners on the list are unavailable at that point in time. In such instances, consent will be sought from the Regulatory Compliance Committee to update the list of approved commissioners.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

This report identifies and assesses the following reasonably practicable options for addressing the matter. These two options have been assessed together:

Option 1: Provide a list of suitable candidates for council's appointment and delegation to act as independent commissioners for District Services, and Strategic Planning and Policy for a five-year term starting 5 September 2022.

Option 2: Retain the outdated list of independent commissioners that includes retired commissioners and excludes a number of suitably qualified and experienced commissioners.

Option 1 is considered the most appropriate option for the following reasons:

Take Tūtohunga / Reason for the recommendation

Council has a statutory requirement to maintain a pool of independent commissioners that meet the Act's accreditation requirements and include a sufficient variety of knowledge and experience.

Council's current list of certified independent commissioners is outdated and requires review.

With the hearings for the Proposed District Plan pending in 2023 it is essential that Council secure the services of independent commissioners well in advance. Updating the pool of independent commissioners as per the attached recommendation is the first stage of this process.

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

Council has a legal obligation to have in place methods to engage independent commissioners in specific circumstances. Budgets are established in District Plan to allow for the appointment of independent commissioners. Resource consent processes administered by the District Services Group has cost recovery mechanisms where independent commissioners are appointed for statutory purposes.

ĀPITIHINGA / ATTACHMENTS

- 1. Appendix 1 Commissioners with Making Good Decisions Certification - A3865296** [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 Section 77 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.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
<p>State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy</p>	<p>Low</p> <p>Council is required to ensure that it has an appropriate pool of independent commissioners to meet its functions, powers and duties under the Resource Management Act 1991. Such processes have mandatory consultation requirements under that Act. Notwithstanding, it is recognised as good practise for council to use independent commissioners in the place of staff and elected representatives, particularly where:</p> <ul style="list-style-type: none"> • independent commissioners can help ensure continuity of service and the efficient determination of resource consents in a timely manner, • staff and/or elected representative/s may be perceived to have an actual or alleged conflict of interest, • council is determining objections relating to council charges, • matters are outside the technical knowledge or experience of staff and/or elected representative/s; such as legal matters, built heritage, previous consenting knowledge or Te Ao Māori and Te Tiriti o Waitangi issues, • staff and/or an elected representative/s may have, or may be perceived to have, a closed mind on the proposal (such as when publicly stating opinions on the merits of a proposal in the media or at public meetings before it is heard), • there may be a combined or joint hearing with a district or regional council and a neutral chairperson or adviser is considered desirable, • council controlled organisation Far North Holdings Ltd is the applicant or has an interest in the outcome of the matter being considered, and council may therefore be perceived to have an actual or alleged conflict of interest, and/or • staff or contractors of council are the applicant or have an interest in the outcome of the matter being

	considered, and council may therefore be perceived to have an actual or alleged conflict of interest.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Resource Management Act 1991 and Far North District Plan (operative and proposed). Local Government (Rating) Act 2002, Rating Valuations Act 1998 and Rates Rebate Act 1973 and associated policies.
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.	District wide relevance The delegation of powers to independent commissioners to enable council to meet its functions, powers and duties under the Resource Management Act 1991 is not a matter within the remit of community boards
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. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	In seeking expressions of interest, Council has contacted iwi authorities to encourage the participation of independent commissioners who can demonstrate their knowledge, skills and experience in matters relating to Te Tiriti o Waitangi/Treaty of Waitangi and kaupapa Māori. All independent commissioners are expected to have an understanding of the above, with the independent commissioner pool to contain at least one commissioner who is a specialist.
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 (for example – youth, the aged and those with disabilities).	The accreditation process is available to those who meet the eligibility criteria.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial or legal implications beyond those normally associated with the appointment of commissioners. The costs of the independent commissioners engaged by District Services is generally cost recoverable where related to a resource consent application. The costs of independent commissioners engaged by Strategic Planning and Policy is not cost recoverable and will be met by Far North District Council. Such costs are budgeted according to the project.
Chief Financial Officer review.	This report has been reviewed by the Chief Financial Officer

6 INFORMATION REPORTS

6.1 DRAFT REGULATORY COMPLIANCE WORK PROGRAMME 2022/23

File Number: A3814543

Author: Maggie Thomas, Executive Assistant to General Manager

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide a draft Regulatory Compliance Work Programme for consideration when the new Council and Committee meeting arrangements are confirmed following the October Local Government Elections.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The attached Draft Regulatory Compliance Work Programme sets out a programme of proposed reporting to the appropriate Committee following the Local Government Elections in October 2022.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Draft Regulatory Compliance Work Programme for further consideration as part of Council and Committee arrangements by the incoming Council.

TĀHUHU KŌRERO / BACKGROUND

During the current term of Council, the District Services Group has reported to the Regulatory Compliance Committee following an agreed Work Programme format. The reports have provided updates on functions performed by the Environmental Services and Building Services Departments, with some decision reports related to regulatory and / or compliance issues.

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 Draft Regulatory Compliance Work Programme is attached.

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

There are no financial implications or budgetary considerations associated with this report.

ĀPITIHINGA / ATTACHMENTS

1. DRAFT Regulatory and Compliance Work Programme 2022/23 - A3860538 [↓](#) 

6.2 UPDATE REPORT: ENVIRONMENTAL SERVICES MONITORING AND COMPLIANCE**File Number: A3830900****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 and District Plan Breaches

WHAKARĀPOPOTO 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:

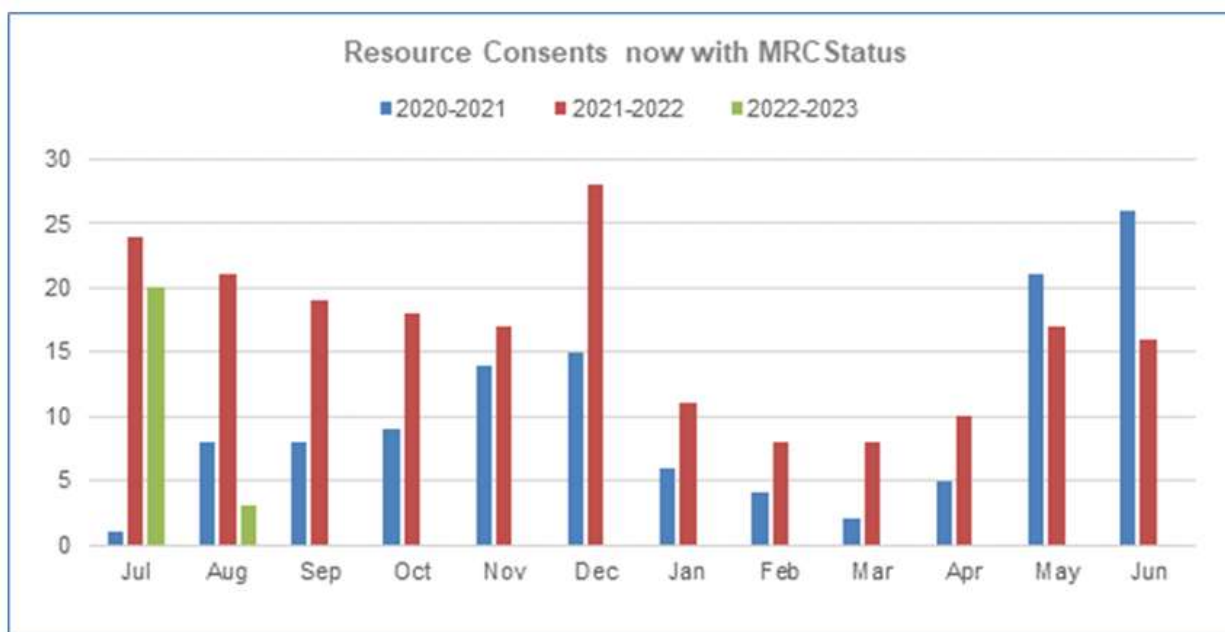
- the nature and scale of the non-compliance.
- effects generated.
- perceived level of deterrence required.

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".



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 also 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 a 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 499 as of 30 June 2022.

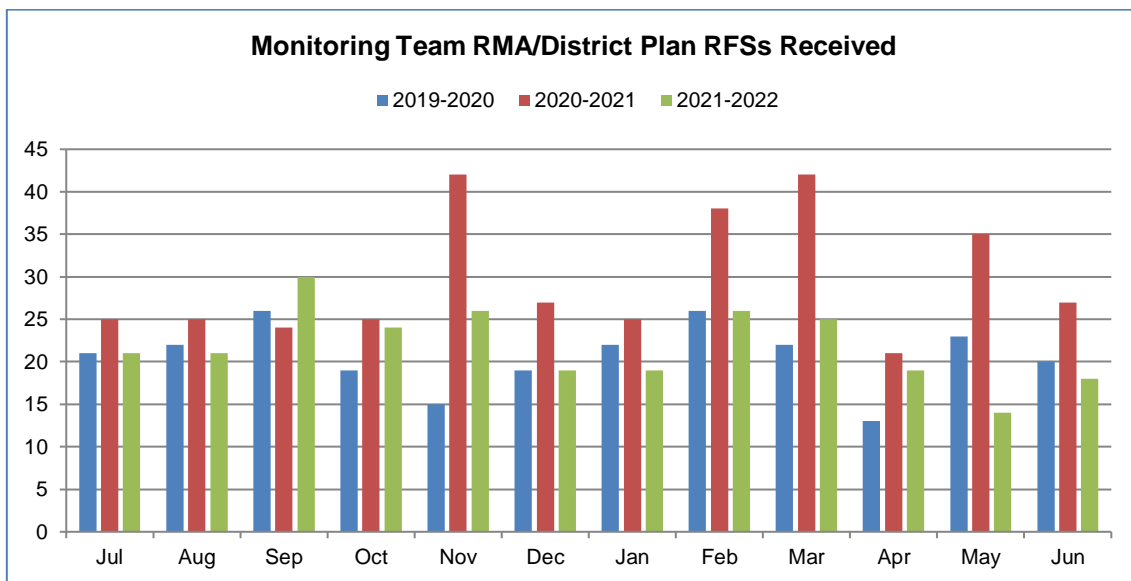
There have been several changes in both the full-time and fixed-term monitoring roles over the past two years. These changes, together with being unable to monitor during the Covid-19 period, have resulted in delays in reducing the backlog and in addressing new Resource Consents.

The fixed term role is currently to 30 June 2024. 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.

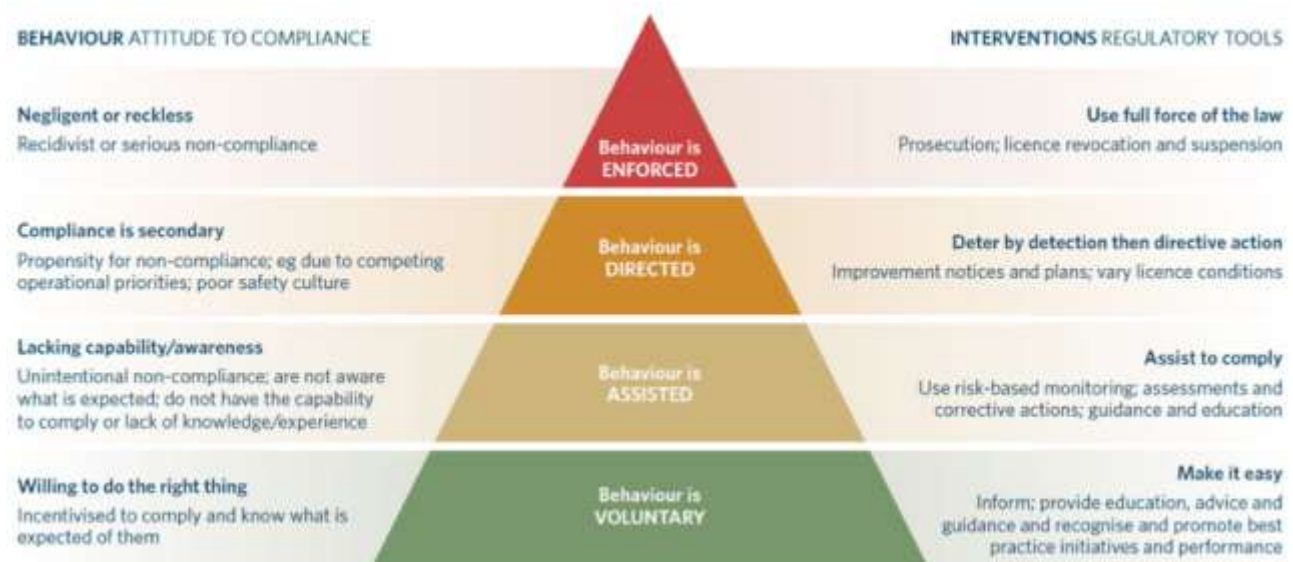
District Plan RFSs

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

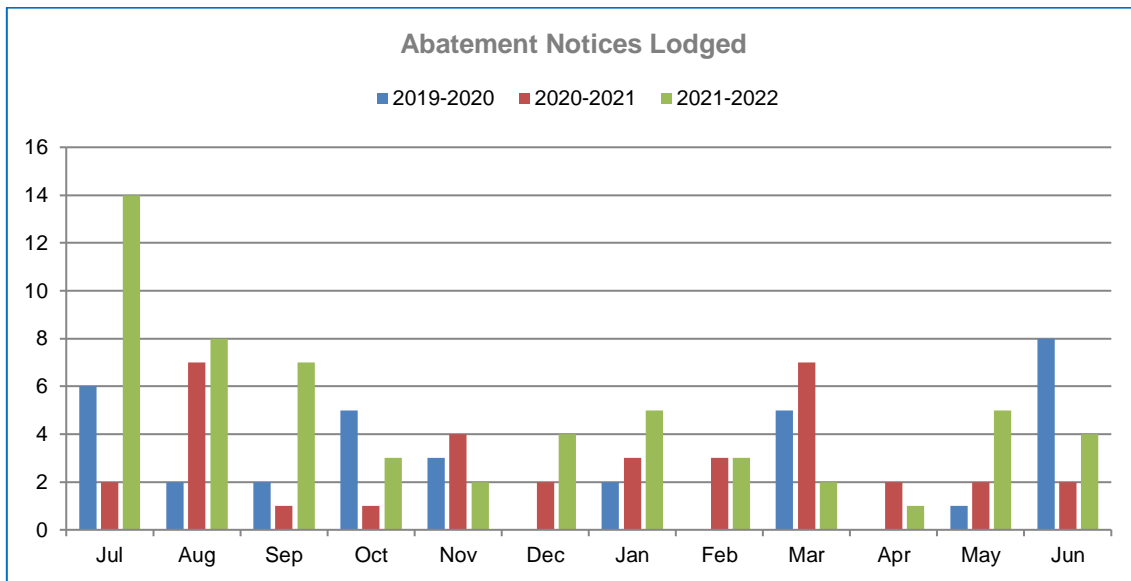
The graph below shows the number of RFSs received for potential RMA/District Plan breaches for the last three financial years. District Plan RFSs have decreased in 2021/22.



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.

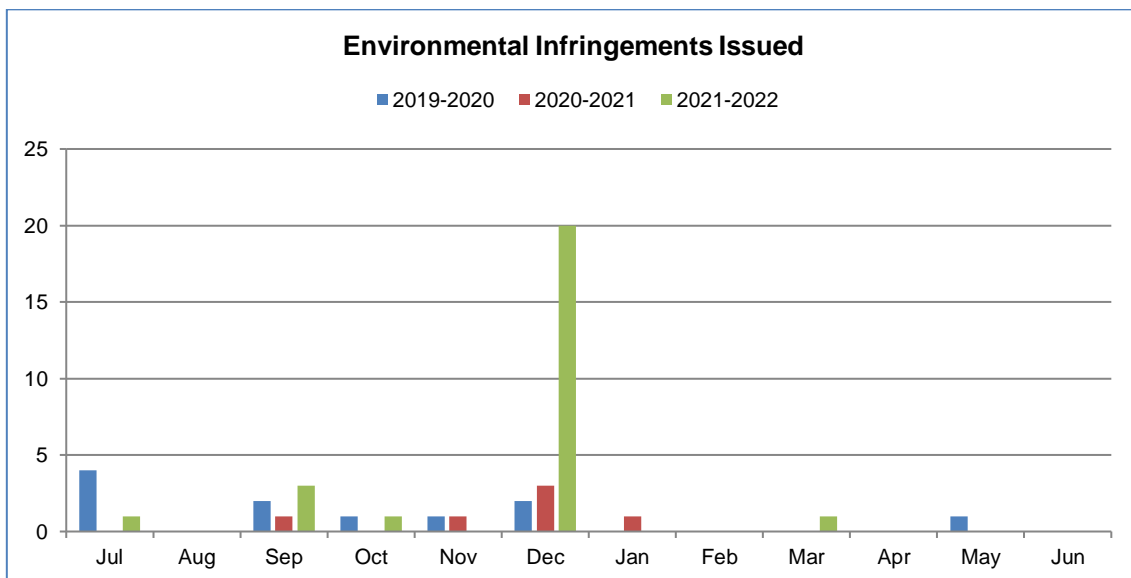


The RMA allows a warranted monitoring officer to issue an abatement notice to direct an offender to do something or cease something that is causing a breach of the RMA. Usually this means ceasing a breach of a rule in the District Plan. Abatement notices can also be issued for failing to comply with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



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 2019 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.

ĀPITI HANGA / ATTACHMENTS

Nil

6.3 ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2021/2022**File Number: A3830902****Author: Rochelle Deane, Manager - Environmental Services****Authoriser: Dean Myburgh, General Manager - District Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

That the Committee receives the Annual Report on Dog Control Policy and Practices 2021/2022

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Section 10A of the Dog Control Act 1996 requires each territorial authority to report on its dog control policy and practices and provide specific statistical information.

This report acts as a medium for this information and is an update on the progress and processes of the Far North District Council Animal Management services.

The report (Attachment A) will be submitted to the Department of Internal Affairs and a link to the document will be made publicly available on the FNDC website

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Annual Report on Dog Control Policy and Practices 2021/2022.

TĀHUHU KŌRERO / BACKGROUND

The Dog Control Act 1996 requires all territorial authorities to report annually to the Department of Internal Affairs on their dog control activity. The information assists central government to assess national trends and developments. This requirement below came into place through the Dog Control Amendment Act 2003, which came into force on 1 December 2003:

10A Territorial authority must report on dog control policy and practices

- (1) A territorial authority must, in respect of each financial year, report on the administration of—
 - a) its dog control policy adopted under section 10; and
 - b) its dog control practices.
- (2) The report must include, in respect of each financial year, information relating to—
 - a) the number of registered dogs in the territorial authority district:
 - b) the number of probationary owners and disqualified owners in the territorial authority district:
 - c) the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made:
 - d) the number of dogs in the territorial authority district classified as menacing under section 33A or section 33C and the relevant provision under which the classification is made:
 - e) the number of infringement notices issued by the territorial authority:
 - f) the number of dog-related complaints received by the territorial authority in the previous year and the nature of those complaints:
 - g) the number of prosecutions taken by the territorial authority under this Act.
- (3) The territorial authority must give public notice of the report—
 - a) by means of a notice published in—
 - i. 1 or more daily newspapers circulating in the territorial authority district; or

- ii. 1 or more other newspapers that have at least an equivalent circulation in that district to the daily newspapers circulating in that district; and

b) by any means that the territorial authority thinks desirable in the circumstances.

(4) The territorial authority must also, within 1 month after adopting the report, send a copy of it to the Secretary for Local Government.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

- All Dog Control functions in the district are carried out in-house which includes the administration, field, and shelter services. FNDC have a total of ten Animal Management Officers across the district, which includes a Team Leader and two Senior Officers.

This team is responsible for the reactive response to complaints about dogs at large or causing nuisance, ensuring compliance with the Dog Control Act 1996 and the Far North District Council Dog Management Policy and Bylaw, encouraging responsible dog ownership, the registration of dogs as well as community education.

The report in summary:

Responding to complaints (RFS)

There has been a total of 2,611 dog control customer requests for service received over the 2021/2022 period. This is 198 less individual requests for service than the previous year.

Dog Registration

The number of known dogs in the district remains steady at 10,917. Of these 8,347 were registered for 2021/2022 period, giving 76% compliance across the district.

The popular social media campaign (AROHA) promoting dog registration and responsible dog ownership was again launched in May 2022. This campaign was continued with an information insert 'Kuri Kārere Doggo Digest' included with dog registration reminder notices - Attachment B). Images were also run at the Kerikeri Cinema.



Probationary and Disqualified Owners

There are five Disqualified owners in the district and no Probationary owners.

Enforcement

There has been a total of 199 infringements issued for offences under the Dog Control Act 1996. This is 32 less infringements issued than in 2020/2021.

The Far North Council initiated one prosecution during the year against a dog owner for a serious breach of the Dog Control Act 1996 which involved a dog attack against a person. A hearing date is still to be set for this case.

Menacing and Dangerous Dogs

There is a total of 171 menacing dogs in the district; 154 of these dogs were menacing dogs under section 33C of the Dog Control Act 1996. These dogs were of American Pitbull Terrier type. There are two classified dangerous dogs in the district.

Impounded Dogs

There was a total of 337 dogs impounded at the council animal shelter. 34% of impounded dogs were rehomed to Rescue Groups or adopted via the Council website.

69% of impounded dogs were either returned to their owners or rehomed.

107 (32%) of dogs impounded at the shelter were euthanised due to not being claimed by an owner and not being suitable for rehoming.

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

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

ĀPITIHINGA / ATTACHMENTS

1. **Attachment A - Annual Report on Dog Control Policy and Practices 2021/2022 - A3860506** [↓](#) 
2. **Attachment B - Kuri Karere Doggo Digest Newsletter - A3860502** [↓](#) 

6.4 BUILDING CONSENT AUTHORITY AND BUILDING COMPLIANCE UPDATE

File Number: A3860195

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 statutory compliance of the Building Consents Authority (BCA) with the building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations) and the building compliance teams (TA) statutory requirements under the building Act 2004.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The BCA have started the new fiscal year with a solid performance of 100%. Building consent figures are down 13% for the same month last year and 8% down on the four-year average. Code compliance certificates compliance is 100% for July with issued CCC down 5% on last year and 8% down on the 4-year average.
- Average days to issue building consent and code compliance certificates were 10 and 6 days respectfully.
- The BCA is tracking well with its internal audits and looks forward to the IANZ audit in October this year.
- The building controls industry is facing an unprecedented shortage of staff, with experienced staff shopping around for the most favourable employment conditions. On-going performance for the BCA will depend on its ability to attract and retain experienced staff. An area of concern is the availability of favourable applicants for technical roles, which places a heavy reliance on our contractors and affects our overall resilience to deliver services.
- The building compliance team stats for the month of July against July figures for the last two years, show RFS were lower, pool inspections were exceeded, Building Warrants of Fitness (BWofFs) on par, NTF's on par, CoA 80% less, with 3 infringements issued. There are graphs in the attached report. Overall, the team is performing well on its statutory requirements under the Building Act

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Building Consent Authority and Building Compliance 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 the Ministry of Business, Innovation and Employment (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 (BI) system.

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

Its purpose is to ensure 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.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

As we adjust to the new normal post covid environment, the BCA is looking at enhancing the resilience of the service it provides to the community. Staff positions are being filled, with an emphasis on retaining staff when they join the team. The BCA will focus on reducing consenting days for all admin tasks to add resilience to the over- all compliance with statutory times. While Covid and the flu have caused some disruption, the BCA has, to date, maintained a 99-percentile performance on 20-day statutory compliance. Challenges are being experienced with the recruitment of experienced inspectors and the BCA is working with People and Capability to address ways of being more competitive in the current labour market.

The (TA) building compliance team is tracking well with its obligations under the building act. They have completed an audit of the tri annual swimming pool inspections and of the 915 known pools in our district over the last 3 years only 11 pools still require inspection. A full audit of all BWOF stock has been completed with only some schools and Marae still requiring Audit. All other functions are tracking well.

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

Nil

ĀPITIHINGA / ATTACHMENTS

1. **Building Services July Business Report - A3860521**  

6.5 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE JUNE 2022**File Number:** A3859708**Author:** Marlema Baker, Democracy Advisor**Authoriser:** Aisha Huriwai, Team Leader Democracy Services**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 Regulatory Compliance Committee.
- Action sheets are also in place for Council and Community Boards.
- There are no outstanding or overdue actions for the Regulatory Compliance Committee. All actions from 1 January 2020 have been completed.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Action Sheet Update June 2022.

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. All actions from 1 January 2020 have been completed.

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.

ĀPITIHINGA / ATTACHMENTS

Nil

7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

8 TE KAPINGA HUI / MEETING CLOSE