



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA


Regulatory Compliance Committee Meeting

Tuesday, 26 April 2022

Time: 9:30 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Chairperson Kelly Stratford
Cr Dave Collard
Mayor John Carter
Cr David Clendon
Deputy Mayor Ann Court
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 26 April 2022 at 9:30 am

Te Paeroa Mahi / Order of Business

1	Karakia Timatanga – Opening Prayer.....	13
2	Nga Whakapāha Me Ngā Pānga Mema / Apologies and Declarations of Interest.....	13
3	Te Tono Kōrero / Deputation.....	13
4	Confirmation of Previous Minutes.....	14
	4.1 Confirmation of Previous Minutes.....	14
5	Information Reports.....	19
	5.1 Noise Control and Parking Enforcement Update	19
	5.2 Animal Shelter Update	37
	5.3 FNDC Dog Management Bylaw 2018.....	40
	5.4 District Services Monthly Business Report for February 2022	45
	5.5 Building Compliance Update (Territorial Authority)	97
	5.6 Regulatory Compliance Committee Action Sheet Update April 2022	100
6	Karakia Whakamutunga – Closing Prayer.....	101
6	Te Kapinga Hui / Meeting Close.....	101

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: A3669766

Author: Rhonda-May Whiu, 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 15 March 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 - 15 March 2022 - A3632171**  

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 VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 15 MARCH 2022 AT 9:30 AM**

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

STAFF PRESENT: 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 commenced the meeting and opened with a karakia.

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

2.1 APOLOGIES

RESOLUTION 2022/1

Moved: Chairperson Kelly Stratford

Seconded: Cr Rachel Smith

That the apology from Cr Dave Collard be accepted and a leave of absence granted.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Troy Churton – Dog Control Bylaw

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3613850, pages 14 - 18 refers

RESOLUTION 2022/2

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith

That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 30 November 2021 are a true and correct record.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5 INFORMATION REPORTS**5.1 RESOURCE CONSENT UPDATE**

Agenda item 5.1 document number A3583043, pages 19 - 26 refers

RESOLUTION 2022/3

Moved: Cr Rachel Smith

Seconded: Chairperson Kelly Stratford

That the Regulatory Compliance Committee receive the report Resource Consent Update.In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda WardAgainst: Nil**CARRIED****5.2 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR JANUARY 2022**

Agenda item 5.2 document number A3600055, pages 27 - 76 refers

RESOLUTION 2022/4

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for January 2022.In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda WardAgainst: Nil**CARRIED****5.3 BUILDING SERVICES BCA UPDATE.**

Agenda item 5.3 document number A3607383, pages 77 - 86 refers

RESOLUTION 2022/5

Moved: Chairperson Kelly Stratford

Seconded: Cr Rachel Smith

That the Regulatory Compliance Committee receive the report Building Services BCA Update.In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda WardAgainst: Nil**CARRIED****5.4 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE MARCH 2022**

Agenda item 5.4 document number A3613864, pages 87 - 87 refers

RESOLUTION 2022/6

Moved: Chairperson Kelly Stratford

Seconded: Cr John Vujcich

Regulatory Compliance Committee Meeting Minutes **UNCONFIRMED**

15 March 2022

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

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

NOTE: That Dr Dean and staff will provide a response to Mr Troy Churton (Deputation).

CARRIED**6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER****7 TE KAPINGA HUI / MEETING CLOSE**

The meeting closed at 10:50 am.

The minutes of this meeting will be confirmed at the Regulatory Compliance Committee Meeting held on 26 April 2022.

.....
CHAIRPERSON

5 INFORMATION REPORTS

5.1 NOISE CONTROL AND PARKING ENFORCEMENT UPDATE

File Number: A3653116

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 noise related RFSs received and response times
- The number of noise abatements issued
- The number of parking infringements issued, the type, and locations
- The effectiveness of the noise control contract (and renewal of contract timeframes)
- The effectiveness of the parking enforcement and further options

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

This report is an update on noise and parking enforcement activities in the district, between 1 September 2021 and 31 March 2022, this being the period since the last Committee report received 12 October 2021.

Noise

To ensure compliance with the Resource Management Act for noise pollution, First Security is contracted to FNDC to respond to noise complaints across the district.

The performance measure in place for noise complaints is to respond within the following timeframes:

- Urban areas: 1 hour
- Rural areas: 2 hours

The current KPI performance measure for Council's level of service is to respond to complaints ≥95% within the set time. There has been a total of 702 noise RFS received between 1 September 2021 to 31 March 2022. This is 111 less complaints than for the same period last year. This is largely due to Covid Alert Level gathering restrictions.

91% of these complaints were categorised as urban complaints, however within the contract there is no mapped definition of rural and urban. These locations have been defined by the administration team where urban is seen to be the main residential and industrial areas (Kerikeri, Kaikohe, Kawakawa, Moerewa, Kaitaia, Russel, and Paihia). There has been a gradual improvement in rural response times, with a percentage average of 87% achieved from September 2021 to end of March 2022. Urban response times remain lower for this same period with an average of 77%.

Police resourcing has, at times, influenced meeting levels of service, as Police are required to be present when completing a seizure and to assist entry on to several 'red flagged' properties in the district (i.e., properties where threats and aggressive behaviour by occupants has been experienced on previous visits and registered in the Council system). There have been 166 verbal warnings, 91 Excessive Noise Directives (END's) issued, and 4 seizures performed since September 2021.

The Security Services Contract with First Security remains on an extension for Council to undertake a service delivery review. This contract currently includes building security, alarm monitoring and cash collection.

It is preferred that the Noise Control part of the contract is separated from the building security, and security services aspects of the contract, and is currently being explored. A S17A review should

provide recommendations on how the delivery of the service can be structured. This would include providing clearer definitive areas for response times and include a coastal zone, where travel times are extended. At present these are not clearly defined, and some are not achievable from where bases are located.

Council is looking to engage professional services to undertake a review and S17A for all security service delivery within the next year.

First Security are committed to make improvements to meet KPI targets and provide a better service.

Parking Enforcement

Parking Wardens are warranted under the Land Transport Act 1998 to enforce the provisions of any stationary vehicle offence or special vehicle lane offence. The Council's sole Parking Warden monitors all parking across the district focusing on central business districts on Council-controlled roads.

There were 252 parking infringements issued between 1 September 2021 and 31 March 2022, 201 less than for the same period last year (453). Most infringements issued within the district are for the breaching of parking time limits. People parking in areas reserved for disabled persons without a permit also requires ongoing monitoring and enforcement across the district.

TŪTOHUNGA / RECOMMENDATION

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

TĀHUHU KŌRERO / BACKGROUND

Noise

The Council can step in when noise being generated is excessive and causing a disturbance to others. Excessive noise is 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. Examples of excessive noise are noise from a loud party (people noise), stereos, band practices, burglar alarms or machinery.

There is no one set level for noise that is acceptable. The level of noise that is acceptable varies according to location of neighbours, time of day, zone you live/work in, presence of sound barriers and the type of noise. The same noise levels during the day may not be acceptable at night. Under the Resource Management Act (1991), FNDC has the power to control excessive or unreasonable noise. FNDC currently contracts this service to First Security.

If a Noise Control Officer is called out to investigate noise they will determine if the noise is reasonable and within permissible levels.

- It is not necessary to use monitoring equipment to determine if the noise is excessive.
- The noise may have ceased or subsided or be deemed not excessive by the Officer.
- If the noise is deemed to be excessive, a Noise Control Officer may give a verbal warning or serve a written direction to reduce the noise. This is in force for up to 72 hours.
- If the noise continues, recurs, or increases and the written direction has been breached, the Officer and the police can seize the equipment.
- If seizure is not possible a notice of *Non-Compliance with Direction to Abate Excessive Noise* is issued, and prosecution may result. Fines of up to \$10,000 may apply.

Parking

Parking infringements fees are set by legislation and of low monetary value in comparison to other legislation penalties for offences, as a result income from enforcement is minimal– see attachment A, Parking Infringement Fees.

Following the VADE model, the aim, however, is to encourage voluntary compliance and having the presence of a warden and an educational approach encourages this within the community.

Vehicle Warrant of Fitness and Registration Parking Trial

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 have recently released 'Road to Zero – NZ's road safety strategy, which sets a target to reduce deaths and serious injuries on New Zealand roads, streets, cycleways and footpaths by 40 percent over the next 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 FNDC wardens have not been enforcing this requirement across the district.

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 across the Far North District for a period of 12 months. This trial commenced 1 July 2021.

State Highway Delegation

Waka Kotahi (the NZ Transport Agency) has sole powers of control for all purposes of all state highways under the Government Roading Powers Act 1989 (GRPA).

Section 62(1) of the GRPA, authorises the Transport Agency to delegate to territorial authorities all or any of the functions, duties, and powers of control conferred on the Transport Agency by the GRPA with respect to any state highway or any portion of a state highway where it makes good sense for the Council to perform that role.

One of the powers the agency can delegate to council is for stationary vehicle offences via an Instrument of delegation

At the May 2021 Regulatory Compliance Committee Meeting it was approved to seek delegation from Waka Kotahi for the power to enforce any stationary vehicle parking restrictions on State Highway on behalf of the agency.

State Highway Delegations for stationary vehicle offences were provided to FNDC in January 2022 initially for four specific areas of state highway in the district. See Attachment B – State Highway Delegations.

To regulate and enforce parking and stationary vehicle offences on the state highways, Council must make a bylaw under section 22AB of the Land Transport Act 1998 in accordance with the delegation.

On 07 April 2022, Council approved to amend the soon to be made Parking Bylaw to include the regulation of parking and stationary vehicle offences on State Highways as per the delegation given by Waka Kotahi. Identifying the specific regulation required (e.g., time limits, mobility parks) will

require further research and engagement. Community Boards will be invited to be part of this engagement.

The Strategy Development team has also commenced the development of a parking policy. An initial research and options report is expected to be presented to the Strategy and Policy Committee by July 2022. The parking policy will inform local area parking plans. As part of this process elected members, including community boards, will be able to identify any further state highway sections that may benefit from parking restrictions (e.g., Ōpononi). Council will then apply to Waka Kotahi for an extension to our delegations.

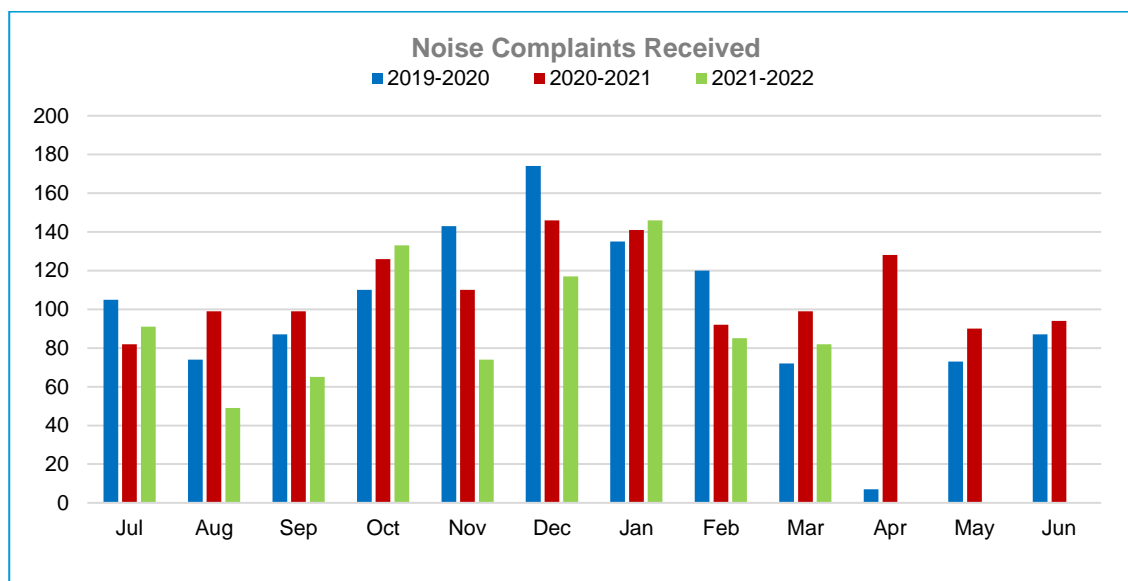
Work on the new Parking Bylaw is complete and the final Bylaw will be presented to the Strategy and Policy Committee on 03 May 2022 for recommendation to Council on 19 May 2022. The current Parking and Traffic Control Bylaw will automatically revoke on 17 June 2022.

No substantial changes have been made from the current bylaw to the new bylaw. The parking policy project will provide strategic direction for parking regulation across the district, and it is expected that following the development of local area parking plans, substantial changes to the Parking Bylaw and parking enforcement resources will be required.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Noise

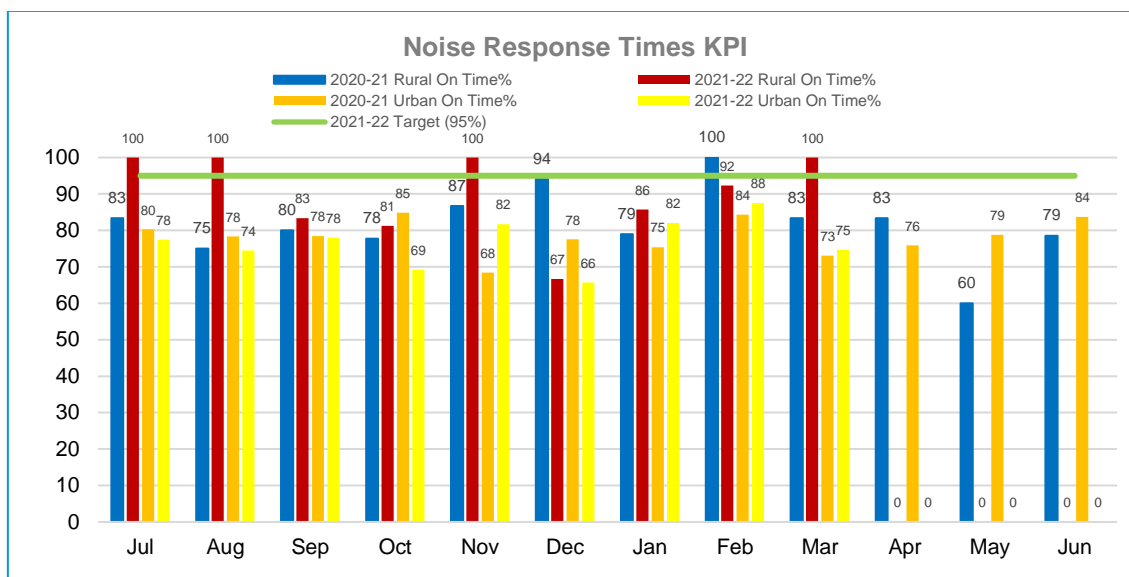
The following graph shows the total numbers of noise complaints received from 2019 to present. Noise Control was not deemed to be an essential service in Covid Alert Level 4 lockdowns, and the graph shows a significant decrease in these periods in the respective years. There is an expected increase over the summer months where there are more social gatherings and holiday periods.



The graph below shows First Security response times as a percentage towards KPI achievement. There has been a gradual improvement in rural response times, with an average percentage of 86.2% from 1 September 2021 to end of March 2021.

Urban response times remain lower on average for this same period with 77%.

Response times are affected by the availability of Police to assist to enter on to properties and the distance required to travel to respond to some complaints.



Rural on time (Less than 2 hours)

Urban on time (Less than 1 hour)

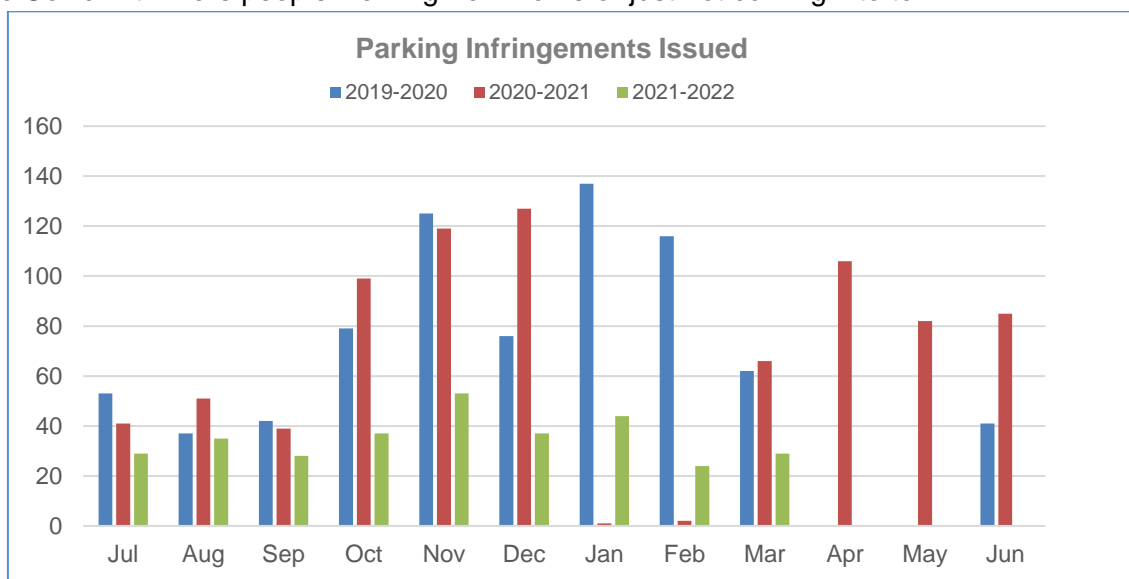
Between 1 September 2021 and 31 March 2022 there have been 91 Excessive Noise Direction (END) notices issued, 166 verbal warnings and four seizures performed.

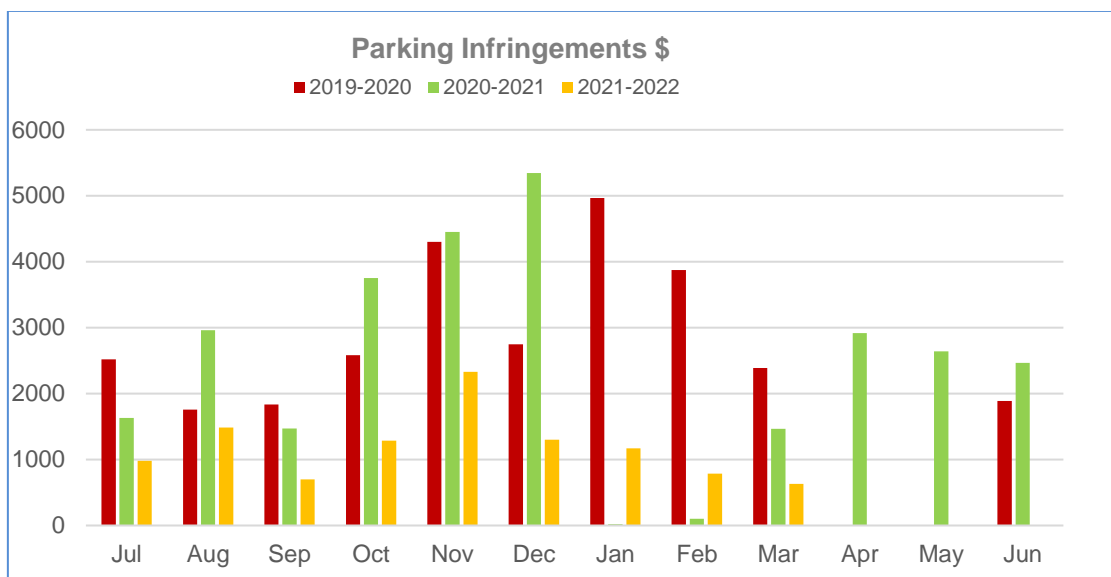
Action Taken September 2021 to March 2022	Count
Abatement notice issued	1
Seizure performed	4
Excessive Noise Directive issued (END's)	91
Verbal warning	166

Parking Enforcement

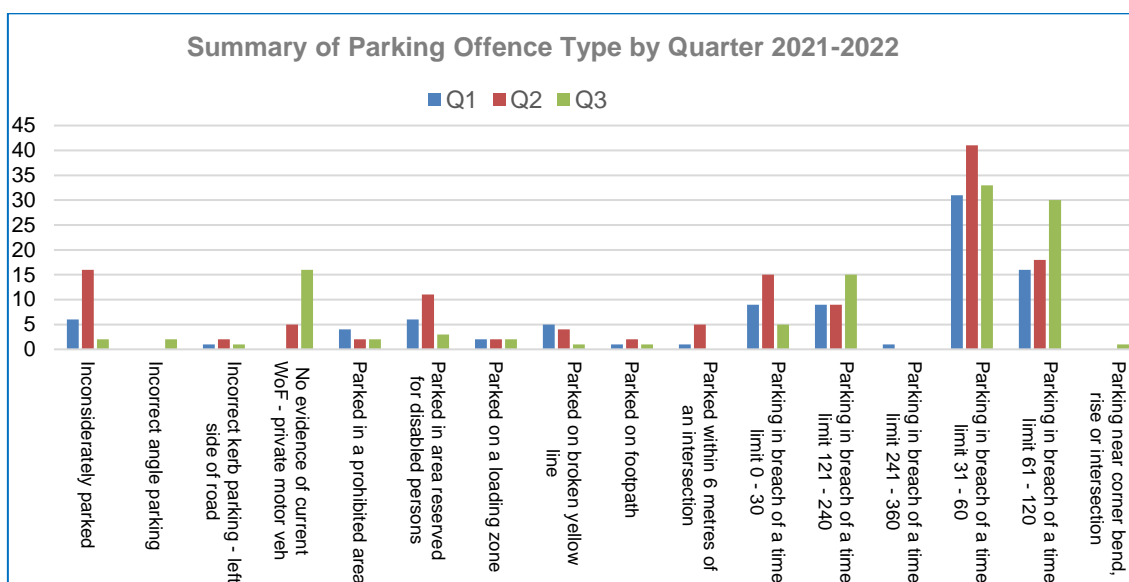
There were 252 parking infringements issued between 1 September 2021 and 31 March 2022, 201 less than for the same period last year (453). The Parking Warden did not operate during Alert Levels 4 and 3 and recommenced duties in Alert Level 2 (8 September 2021).

The Parking Warden has noted a significant decrease of vehicles in the Central Business District's due to Covid with more people working from home or just not coming into town.





The most common offence type is for parking in breach of the time limit. Parking in areas reserved for disabled persons also require ongoing enforcement in the community throughout the year.



Vehicle Warrant of Fitness and Registration Trial

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

Safer roads in the Far North

Ensuring our vehicles are safe helps protect our whānau and all road users.

From 1 July, we are checking that parked vehicles have a current warrant of fitness and license.

Other councils do this and we are trialling this approach for 12 months in our district.

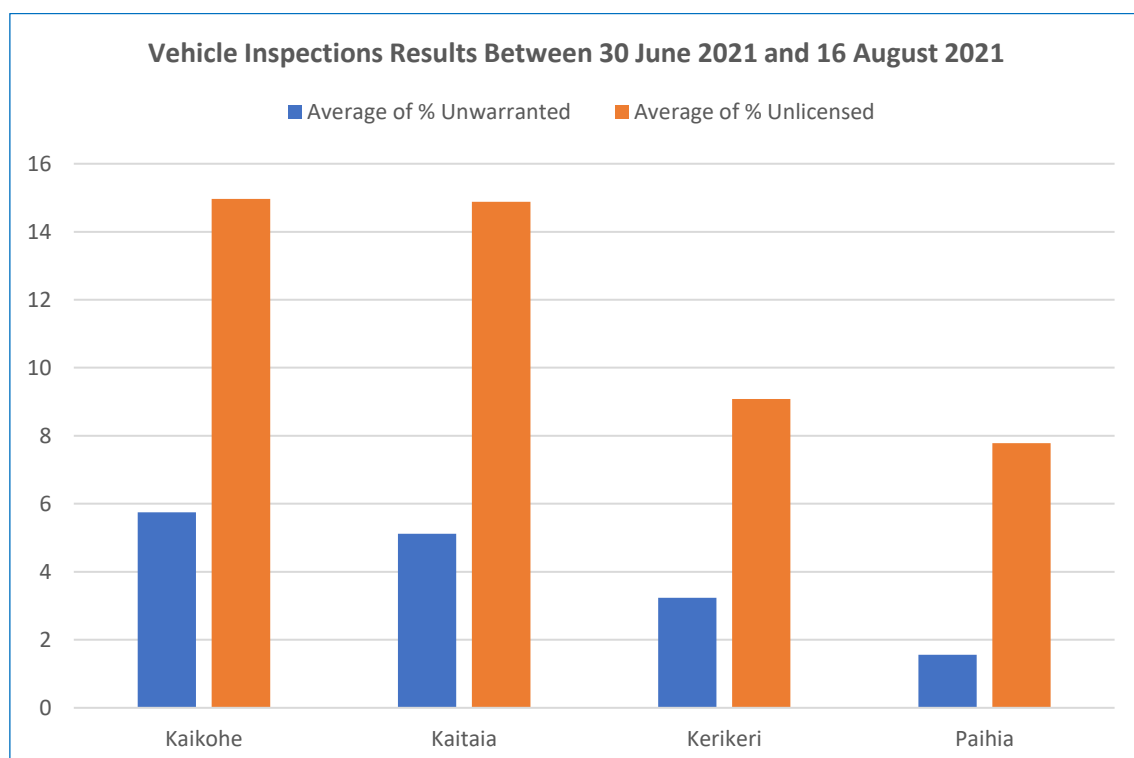
We notice that your warrant and/or license are expired. To avoid a \$200 fine, please ensure your warrant and license are up to date.

For information about how to renew your WoF and license visit:
www.nzta.govt.nz/vehicles/licensing-rego

 **Far North District Council**
Te Kaitiaki o Te Tai Tokerau ki te Raki

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

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. Kaitaia and Kaikohe had the highest number of non-compliant vehicles with 15% unlicensed and 5-6% unwarranted.



During the flyer period, the public have given 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 FNDC 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 lockdowns in 2021 and Waka Kotahi suspending WoF and Rego till the end of November 2021, the Parking Warden could not start issuing infringement notices until December 2021. At this time the focus is on vehicles that have not had a warrant for six months or more. If an infringement is issued all offenders will be given opportunity to obtain a warrant within 56 days. Evidence of a new warrant will be grounds for the infringement to be waived.

Between 1 December 2021 and 31 March 2022 there have been 20 infringement notices issued for having no evidence of a current Warrant of Fitness.

Six notices have been waived due to the owner complying with updating their WoF, and two infringements have been paid. The balance (12) is still in the system as being either recently issued, or still at reminder stage.

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

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

ĀPITI HANGA / ATTACHMENTS

1. **Attachment A - Parking Infringement Fees - A3666312** [!\[\]\(e27c4336460e9e6729a19580c0456728_img.jpg\)](#) [!\[\]\(1a140e8db538fd46d58af9f9540232fd_img.jpg\)](#)
2. **Attachment B - Instrument of Delegation Stationary Vehicle Offences FNDC - A3666318** [!\[\]\(5a658b86f2c8900a276c586c1f8f9f2f_img.jpg\)](#) [!\[\]\(dde796100cc481a63a6f917e6942c754_img.jpg\)](#)

Parking Infringement Fees

Parking infringements		Set by legislation
P101	Parked within an intersection	\$60.00
P102	Parked within six meters of an intersection	\$60.00
P103	Parking near corner, bend or rise	\$40.00
P104	Parking on or near a pedestrian crossing	\$60.00
P105	Parked in prohibited area	\$40.00
P106A	Parked over the time limit	\$40.00
P107	Parked on broken yellow line	\$60.00
P108	Parked in area reserved for vehicles hire/reward	\$60.00
P109	Parking within six meters of an indicated bus stop	\$40.00
P110	Parked across a vehicle entrance	\$40.00
P111	Parked near fire hydrant	\$40.00
P112	Parked between fire hydrant and road marking	\$40.00
P113	Double parked	\$60.00
P114	Incorrect kerb parking – left side of road	\$40.00
P115	Parked on footpath	\$40.00
P116	Parking trailer on road more than seven days	\$60.00
P117	Inconsiderate parking	\$60.00
P119	Parked on a loading zone*	\$40.00
P120	Incorrect angle parking	\$40.00
P127	Parked on a flush median or traffic island	\$40.00
P508	Parked in a clearway	\$60.00
P969	Parked in an area reserved for disabled persons	\$150.00
P106 / T30	Parking in breach of a time limit 0-30 mins	\$12.00
P106 / T60	Parking in breach of a time limit 31- 60 mins	\$15.00
P106 / T120	Parking in breach of a time limit 61-120 mins	\$21.00
P106 / T240	Parking in breach of a time limit 121-240 mins	\$30.00
P106 / T360	Parking in breach of a time limit 241-360 mins	\$42.00
P106 / T1000	Parking in breach of a time limit six hours or more	\$57.00
Infringements do not attract GST		
* Use for when goods and service vehicles overstay on loading zone		
		C = Car
		U = Ute
		B = Bus
		V = Van
		T = Truck
		CV = Campervan
		S = Station Wagon
		MB = Motorbike

**New Zealand Transport Agency
Instrument of Delegation**

**Delegation
to Far North District Council
relating to Stationary Vehicle Offences on State Highways**

PURSUANT TO the following:

- a. A resolution and written notice by the Board of the New Zealand Transport Agency ("**Transport Agency**") dated **9 November 2018**:
 - i. delegating the powers specified in Schedule 1 of this Instrument to territorial authorities, subject to the conditions set out in each territorial authority's individual instrument of delegation; and
 - ii. consenting to and authorising the Chief Executive of the Transport Agency ("**Chief Executive**") to sign individual instruments of delegation with territorial authorities on the Transport Agency's behalf; and
- b. Section 62(1) of the Government Roadway Powers Act 1989 ("**GRPA**"), authorising the Transport Agency to delegate to territorial authorities (amongst other things) all or any of the functions, duties, and powers of control conferred on the Transport Agency by the GRPA with respect to any state highway or any portion of a state highway;

THE TRANSPORT AGENCY DELEGATES to Far North District Council ("**Territorial Authority**" or "**Delegate**") such of the Transport Agency's functions and powers as are specified in Schedule 1 to this Instrument.

THIS DELEGATION IS SUBJECT TO the conditions set out in Schedule 1 (specific conditions) and Schedule 2 (general conditions) to this Instrument.

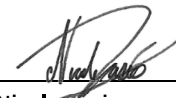
THIS INSTRUMENT TAKES EFFECT on and from **1 March 2022** (or such later date as the Territorial Authority accepts this delegation by signing this Instrument) and expires, unless earlier revoked by notice in writing from the Transport Agency to the Territorial Authority, on **30 June 2026**.

ALL PREVIOUS DELEGATIONS (if any) of the functions and powers specified in this Instrument made by the Transport Agency to the Territorial Authority are revoked on and from the date on which a bylaw made by the Territorial Authority of the kind enabled by this Instrument takes effect.

NOTHING IN THIS INSTRUMENT OR THIS DELEGATION shall be affected by any other equivalent instrument or delegation made to another territorial authority, or the revocation or amendment of any other equivalent instrument or delegation.

A BYLAW MADE IN ACCORDANCE WITH THE DELEGATION UNDER THIS INSTRUMENT is (with effect from the date on which it is made or takes effect) intended to supersede (and, as regards the area of the state highway to which that bylaw relates, exclude) any existing bylaw made by the Transport Agency or the Territorial Authority for the same area of state highway on the same subject matter.

SIGNED at WELLINGTON)
On the 10. day of February 2022)
By the Chief Executive of the)
NEW ZEALAND TRANSPORT AGENCY)



Nicole Rosie

Schedule 1
Delegations and Specific Conditions

Function or power delegated under this Instrument: The Transport Agency's power of control of parking and stationary vehicle offences on areas of state highways in the Territorial Authority's district under section 61(1) of the GRPA, including to the extent required to enable, and together with all ancillary powers of control necessary for, the Territorial Authority to become a road controlling authority and make bylaws for those areas of state highways under section 22AB(1)(m) to (o) (inclusive) of the Land Transport Act 1998 ("LTA").

Specific condition/s attaching to the delegation: Without limiting any other law of mandatory application to the Delegate, the delegation under this Instrument is subject to the following specific condition/s:

- i. The power of control granted by this delegation and any bylaw made in reliance on the power of control granted by this delegation may only apply to the areas of state highways within the Territorial Authority's district referred to below:

Description	Road positions
Kawakawa	SH01N,198,12535 to SH011,0,1133
Paihia	SH011,14,2892 to SH011,14,1254
Kaitaia	SH01N,104,5250 to SH01N,104,8343
Kaikohe	Between SH012,10,1062 and SH012,09,276 and SH015,9,1293

Please also see attached appendix A for a plan showing approximate location of delegation extent.

- ii. The Delegate must consult with the Transport Agency and the Commissioner of Police prior to making, amending, replacing or revoking a bylaw of the kind enabled by this delegation.
- iii. A bylaw made (or amended or replaced) by the Delegate of the kind enabled by this delegation must be made (or amended or replaced) in a manner which complies with section 22AD(1) of the LTA.
- iv. The Delegate must comply with all relevant requirements contained in section 22AE of the LTA with respect to a bylaw of the kind enabled by this delegation is made, amended or replaced on the basis that the Delegate (and not the Transport Agency) is the road controlling authority for all purposes under that section.
- v. Without limiting anything in specific condition (iv) above, the Delegate must give public notice of the making of (or any amendment to, revocation of, or replacement of) a bylaw of the kind enabled by this delegation by publication in the *Gazette*.
- vi. The Delegate must notify the Transport Agency within [3] days after a bylaw of the kind enabled by this delegation is made, or amended, revoked, or replaced and at the same time provide a copy of the bylaw, the amendment or the replacement.


- vii. The Delegate will be solely responsible for enforcing any bylaw of the kind enabled by this delegation and the Delegate will be the enforcement authority under, and for the purposes of, section 141(5) of the LTA. The Delegate will ensure that its parking wardens take all reasonable steps to enforce any such bylaw (including by issuing infringement notices).
- viii. As the road controlling authority for the area of state highway specified in these conditions, the Delegate will be entitled to claim, receive, recover and retain all fees and charges levied for parking and all infringement fines and towage fees referred to in section 141(5) of the LTA.
- ix. The Delegate will ensure that it provides the Transport Agency and Commissioner of Police with all particulars that are required to be provided under s 141(2) of the LTA.

Schedule 2
General Conditions of Delegation

- i. The carrying out of any function or exercising of any power by the Delegate must be in accordance with all relevant legislation.
- ii. The carrying out of any function or exercising of any power by the Delegate must be in accordance with all relevant Transport Agency policies and procedures, directions, requirements or limitations that are notified in writing by the Transport Agency to the Delegate from time to time.
- iii. The Transport Agency will not perform or exercise any of the functions or powers delegated under this Instrument in respect of the area/s specified in Schedule 1 while the delegation provided for in this Instrument continues in force.
- iv. The Delegate must keep records in relation to the carrying out of any function or the exercising of any power by the Delegate pursuant to, or enabled by, this Instrument, and provide these to the Transport Agency (or its nominee), or such other reporting as the Transport Agency may reasonably request.
- v. The delegations in this Instrument are revocable at will by the Chief Executive (if relevant, acting on behalf of the board of the Transport Agency), and may be revoked by notice in writing either generally or in respect of any specific function or power, including with effect from a future date specified in such notice.
- vi. Any changes to this Instrument (other than its revocation) may only be made by agreement in writing between the Chief Executive (if relevant, acting on behalf of the board of the Transport Agency) and the Delegate and will need to be recorded as an amendment to this Instrument.
- vii. The Transport Agency will remain the road controlling authority for state highways for all purposes other than those functions and powers delegated under this Instrument.

BY SIGNING BELOW the Territorial Authority **ACCEPTS THE DELEGATION** provided for in this Instrument on the terms and subject to the conditions set out above.

SIGNED at KERIKERI)



On the 24th day of January 2022)
By Robert Shaun Clarke, Chief Executive)
of the Far North District Council)

Explanatory Note

The Transport Agency wishes to better enable the efficient regulation and management of the stopping, standing and parking of vehicles on (or adjacent to) roads that are state highways.

The Transport Agency wishes to empower territorial authorities to control this behaviour on specified roads that are state highways within their districts and for them to use their parking wardens to carry out enforcement of bylaws passed by territorial authorities for that purpose.

The Transport Agency is permitted under section 62 of the GRPA to delegate any of its powers of control with respect to such matters to territorial authorities.

The Territorial Authority is free to promulgate its own preferred form of bylaw in reliance on the power delegated under this Instrument. For example, the Territory Authority may wish to replicate an equivalent existing bylaw it has for the stopping, standing and parking of vehicles on local roads it administers.

However, to assist the Territorial Authority, the Transport Agency has prepared a form of bylaw that the Territorial Authority could consider adapting for its own purposes. This same suggested form of bylaw will be provided to other territorial authorities.

The Transport Agency considers that a bylaw that is in, or substantially in, this form will comply with the scope and other requirements set out in this Instrument.

The Transport Agency also has an interest in ensuring that there is a sufficient degree of consistency across the bylaws to be promulgated by different territorial authorities pursuant to delegations made in substantially the same form as this Instrument.

The Transport Agency does require that the basic content contained in the suggested form of bylaw be addressed in any bylaw promulgated in reliance on the power delegated under this Instrument. However, the Territorial Authority may choose whether or not to include clause 13 (which provides for control of road-side car sales and advertising).

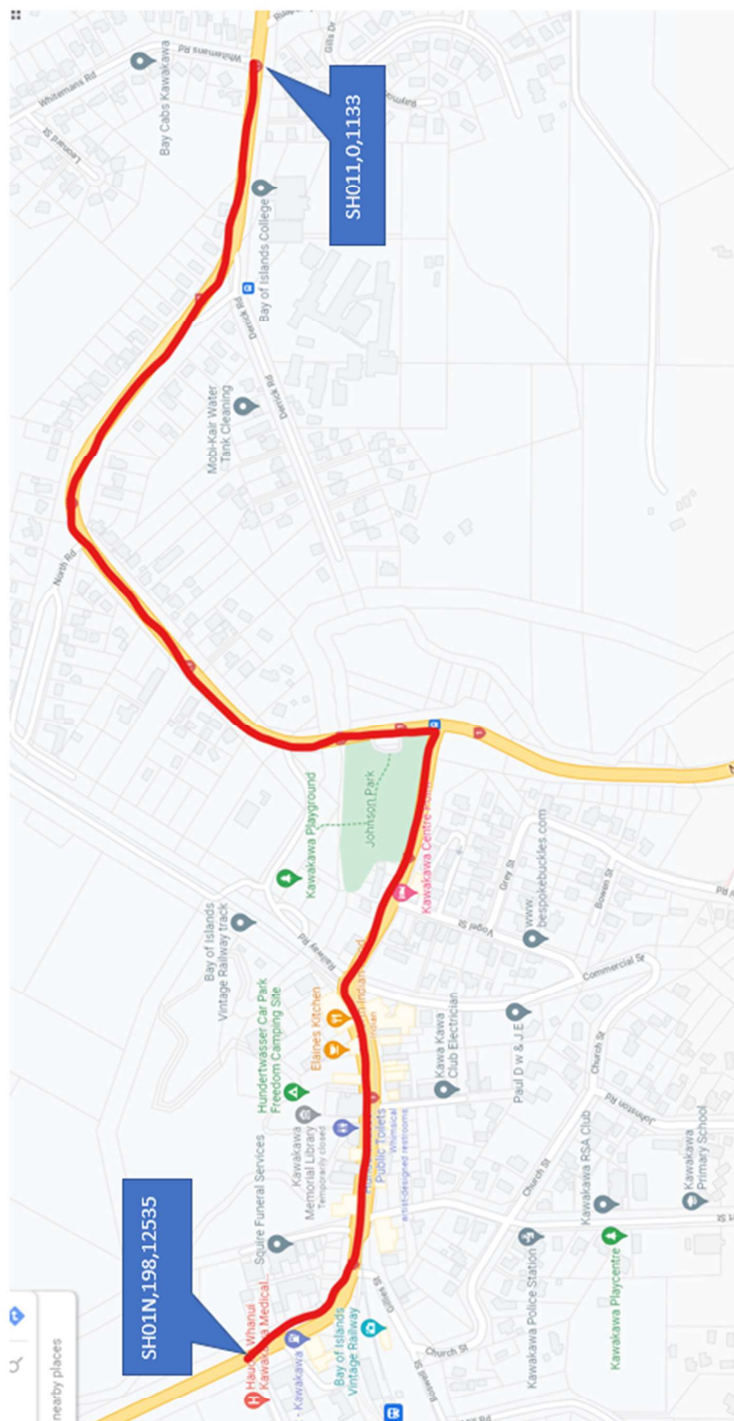
Except for this Instrument and any requirement that is specified as mandatory by the Transport Agency (including during consultation on the form of the bylaw proposed by the Territorial Authority), the Transport Agency shall not be responsible for the form, content or lawfulness of any bylaw made, amended or replaced by the Territorial Authority in reliance on this Instrument.

The Transport Agency will separately notify, or otherwise communicate with, the Territorial Authority regarding any other process and timing requirements or preferences that it may have with respect to the making, amending or replacing by the Territorial Authority of any bylaw that is reliant on this Instrument.

This explanatory note, and the accompanying indicative form of bylaw, are for information purposes only and do not form part of this Instrument.

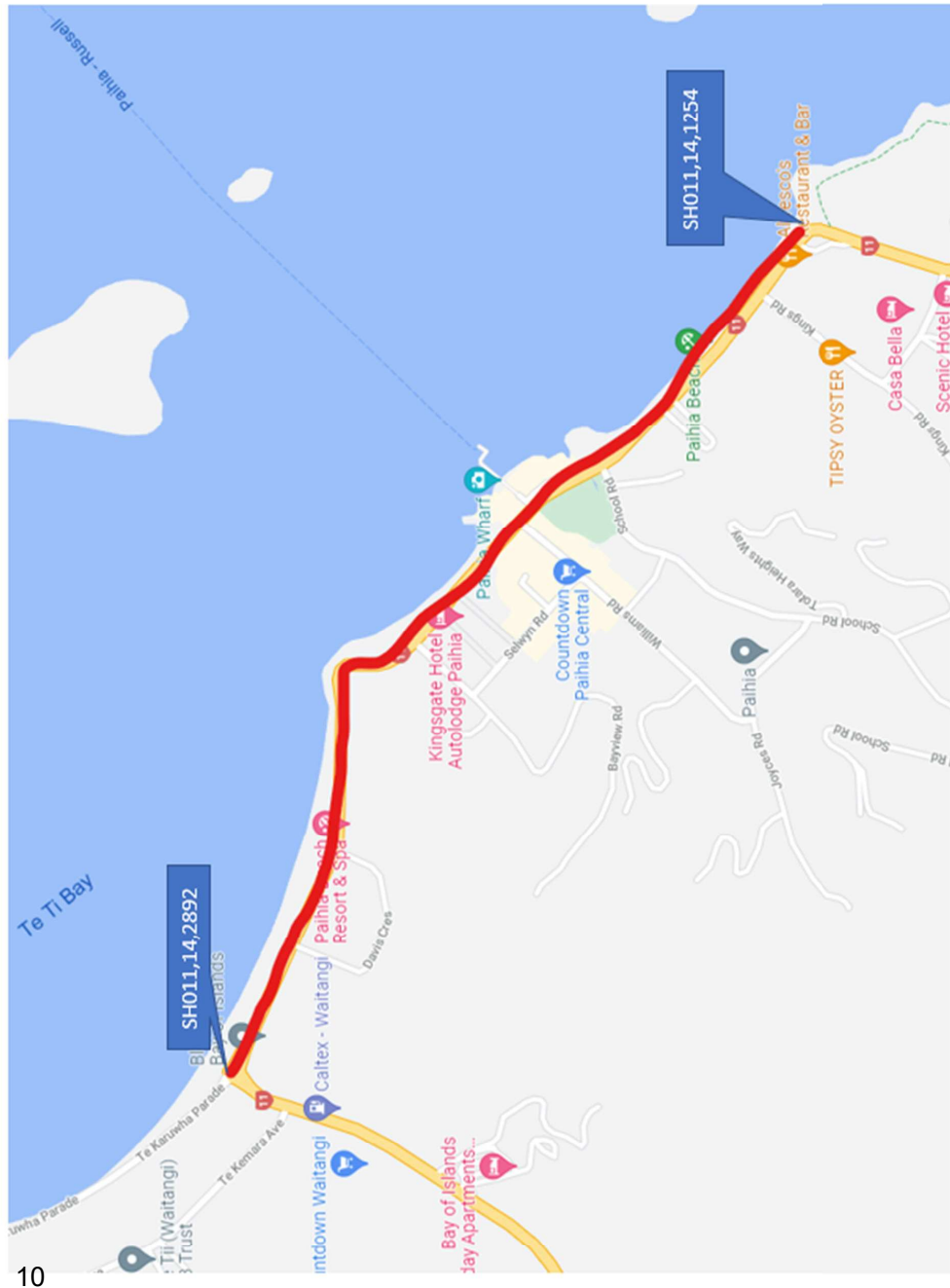
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Appendix A – Approximate locations of delegation extent

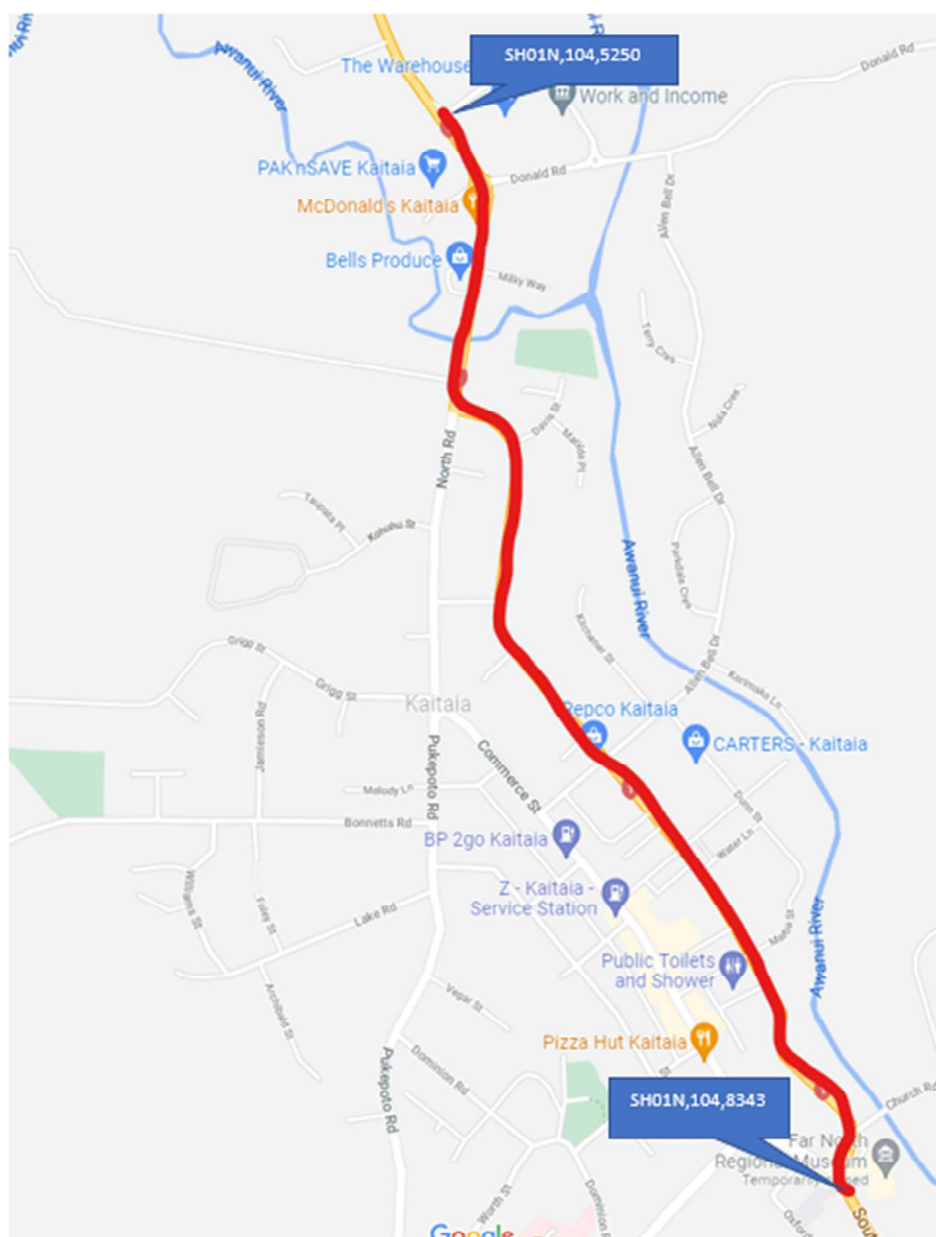


Kawakawa - Whitemans Rd to Rayner St

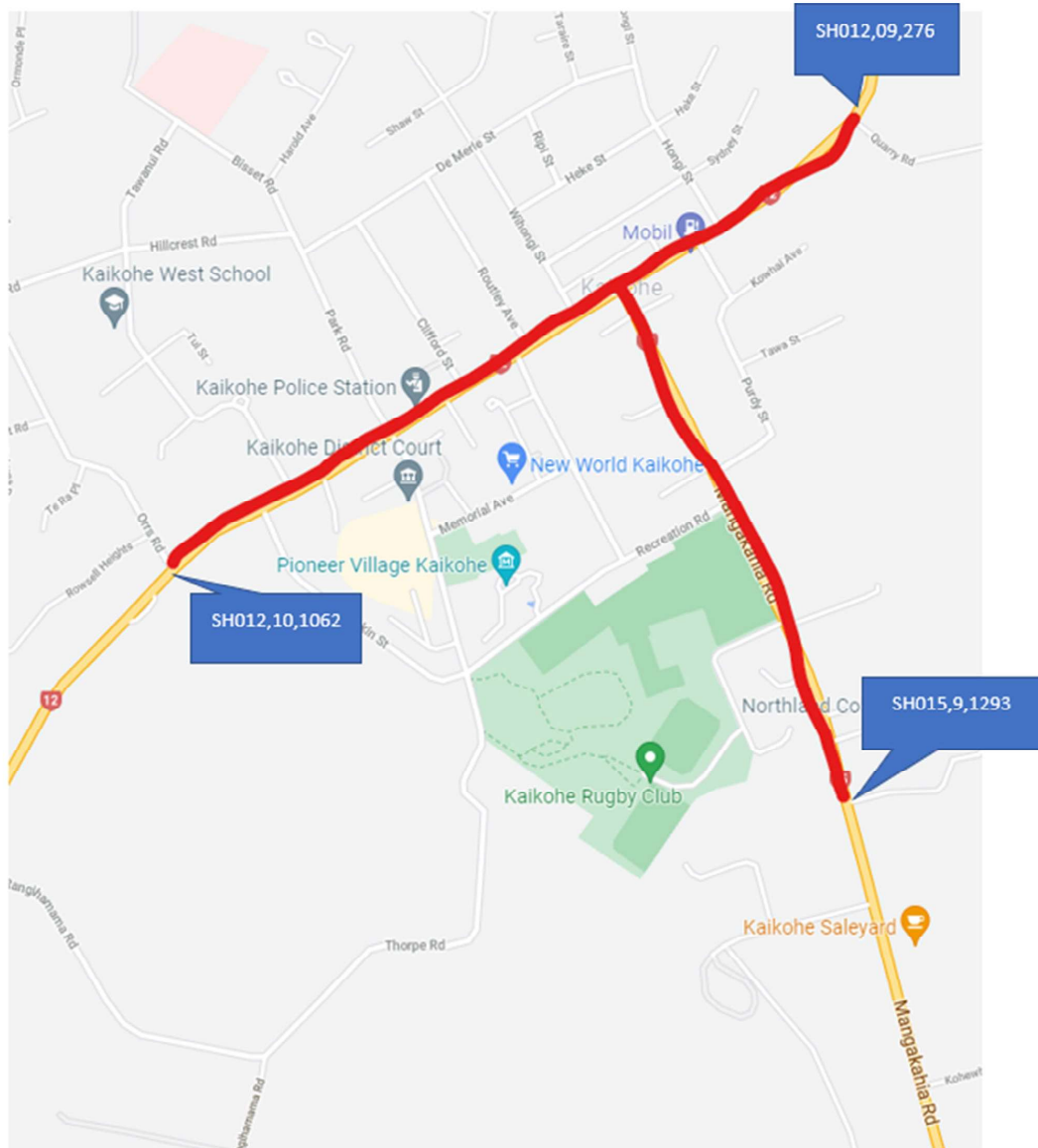
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Paihia – Public toilets opposite Al Fresco's to the Bluff



Kaitia – Te Ahu to North Park Drive



Kaikohe – Quarry Rd to Ors Rd & junction of SH12 and 15 to Quarry Rd

5.2 ANIMAL SHELTER UPDATE

File Number: A3653745

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide the committee an update on the districts Animal Shelters.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Section 67 of the Dog Control Act 1996 requires every Territorial Authority to make such provision as is necessary for the proper custody, care and exercise of dogs impounded, seized, or committed to its custody under this Act and includes establishing, maintaining, and operating a dog pound (animal shelter).

The Far North District Council has planned for the building of two animal shelters in the district to service the entire community.

The northern shelter (Kaitaia) was completed at the end of June 2021 and was officially opened and operational on 23 July 2021.

The temporary shelter (Horeke) was decommissioned on 31 July 2021 and has since been dismantled.

After delays due to Covid-19, site asbestos removal and insufficient funding, the Council is now at the stage of negotiating with the tenderer for the Southern Shelter (Kaikohe), with completion expected in the first quarter of 2023.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Animal Shelter Update.

TĀHUHU KŌRERO / BACKGROUND

Council was awarded \$1 million for animal shelter projects through a successful bid for funding from the Provincial Development Unit (PDU) as part of the shovel-ready projects. This funding increased the budget for the build of two animal shelters for the district to a total of \$2.9 million.

The Kaitaia (Northern) shelter build, opened July 2021, cost \$1.5 million leaving \$1.4 million for the build of the southern animal shelter.

Far North District Council had purchased an existing boarding kennel (Melka), 271 Ngāpuhi Road, Kaikohe, as the site for the permanent animal shelter for the South. Settlement for this property was 31 March 2020.

This facility required extensive upgrading to operate as a Council Animal Shelter before it could meet the Animal Welfare requirements, security and staff health and safety.

The additional funding provided an opportunity to explore further options for the Southern Animal Shelter and the decision was to complete a new build on the site.

The new design provides kennelling for ten dogs, together with the establishment of a facility that supports the rehoming of dogs and the education of dog owners. Two kennels have also been designated for aggressive and/or longer stay dogs.

To provide these additional levels of service, the site needed to be cleared of all current structures, to enable full use of the property and provide for the best placement of kennelling.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS**Northern (Bonnett Road, Kaitaia)**

The northern shelter has been solely used for the impounding of dogs for the entire district since 1 August 2021.

Between 1 August 2021 and 31 March 2022 there have been 198 dogs impounded and 69 dogs euthanised (35%).

Although euthanasia rate is 9% higher compared to the same period in 2020/21. The sole use of the Northern Shelter has not had any impact on the increased euthanasia rates.

Any increase to euthanasia rates would be attributed to the nature of the dogs impounded not meeting the adoption threshold. Council follows best practice procedures which involve not rehoming a dog and places it into the community if there is a risk that it may attack or be aggressive.

A total of 34 dogs were adopted to new homes and 20 dogs were given to rescue groups during the 2020/21 period.

Month	Impounded		Euthanised		Claimed		Rehomed		Rescue	
	20/21	21/22	20/21	21/22	20/21	21/22	20/21	21/22	20/21	21/22
August	37	34	10	13	16	12	3	5	5	3
September	50	21	10	11	27	9	3	4	6	1
October	24	24	6	10	14	9	4	1	4	1
November	39	17	10	8	17	2	7	5	2	3
December	24	20	8	7	14	6	5	3	2	2
January	32	21	12	7	9	9	4	3	4	1
February	29	27	3	3	8	5	6	11	5	3
March	37	34	13	10	4	13	4	2	3	6
Total	272	198	72	69	109	65	36	34	31	20

Southern Shelter (Ngāpuhi Road, Kaikohe)**Consents**

- Building Consent Granted: 29 October 2021
- Resource Consent Issued: 06 July 2021
- NRC Consent Granted: 07 April 2021

Clearance of Site

- Trees were cleared to enable removal of dwelling week commencing the 6 September 2021
- The dwelling was removed from site on the weekend of 25 September 2021
- Asbestos discovered on site after dwelling removal, asbestos was removed 17 and 18 November 2021

Work still to be completed before construction

- Removal of remaining vegetation, trees, and tree stumps
- Demolition of the large unconsented tin shed
- Pump out and demolition of the septic tank
- Demolition of the small cattery and remaining small, shed buildings

- Demolition of existing animal shelter building, and the removal of left over and broken concrete materials

Tender

- The Request for Tender (RFT) was issued on the Government Electronic Tenders Service (GETS) on 16 November 2021 and closed on GETS on 20 December 2021 at 4pm.
- One tender was received; this was deemed non-compliant for the Methodology Non-Price attribute.

A report went to the Tender Panel on 28 March 2022 with a recommendation that this procurement process is terminated and that negotiations with the sole Tenderer commence with a view to finalising a contract. As this was the second round of tendering, with no response the first time and only one tenderer on the second, the recommendation was approved by the tender panel.

- Negotiations with the Tenderer will commence the week of 4th April 2022.
- Council have applied to MBIE for an extension to complete this project. The extension date is likely to be March 2023. At the time of writing this report this was yet to be approved by MBIE.
- The build is estimated to be 190 days.

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

There are no financial implications in receiving this report. However early indications from discussions with the tenderer suggest that there will be a funding shortfall. This has been flagged at a recent Annual Plan Workshop and will be subject to a Council decision regarding additional funding.

ĀPITI HANGA / ATTACHMENTS

Nil

5.3 FNDC DOG MANAGEMENT BYLAW 2018

File Number: A3653772

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide the committee with an update on:

- The prioritisation and timing for any review of the FNDC Dog Management Bylaw 2018
- The effectiveness of the FNDC Animal Management Department in response to Bylaw compliance

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The Far North District Council, as a territorial authority is required to regulate dogs and enforce the provisions of the Dog Control Act 1996 (the Act) within its district.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report FNDC Dog Management Bylaw 2018.

TĀHUHU KŌRERO / BACKGROUND

The Far North District Council made a new dog control bylaw on 27 March 1997 under the Dog Control Act 1996. This bylaw was reviewed and then an amended bylaw was adopted on 14 September 2006.

The Dog Control Bylaw 2006 was next reviewed on 15 June 2016. This review occurred within the 10-year review period as per section 159 of the Local Government Act 2002. Following the review of the Far North District Council's Dog Control Bylaw just over two years of public consultation and engagement was undertaken.

Based on the community consultation and engagement, the Dog Management Bylaw 2018 was adopted on 13 December 2018. As per section 159 of the Local Government Act 2002 this bylaw is due for review by 13 December 2028.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

An early review of a bylaw can be triggered by (1) a change in legislation that renders a bylaw ultra vires or illegal or (2) Upon a request, via a resolution of Council, from elected members for a review of a bylaw.

The Animal Management team are not resourced to proactively patrol or be stationed at all beaches across the district, given its size and the geographic spread.

The ability of Animal Management to conduct patrols is assessed on a daily review basis depending on the number of requests for service received and staff resourcing. The aim is to be as visible as possible, while balancing this with the need to prioritise urgent animal management situations which include dog attacks and roaming dogs.

There have been four Requests for Service (RFS) over the past three years for alleged dog attacks on protected wildlife. The two RFSs received in the current year were both regarding seals on the beach at Ahipara.

Animal Management also responded to email correspondence received on 19 December 2020, for an alleged dog attack on wildlife. The dog owner was infringed under section 53 of the Dog Control Act, (Failure to Control). This was not lodged as an RFS, so is not included in the stats below.

Animal Management Dog Attacks – Requests for Service (RFS)

Attack	2019/2020	2020/2021	2021/2022 to (31 March)
Domestic Animal	64	87	76
Stock	32	37	34
Person	51	78	44
Poultry	25	19	15
Protected Wildlife	0	2	2
Total	172	223	171

Three RFS have been received by Animal Management since 2019/2020 for Taupo Bay.

7 January 2020; Dog aggression Complaint a dog allegedly swam out and bit a surfboard a child was on. The registration tag provided did not match the description of the dog. No dog was identified.

18 December 2020; straying complaint, no details provided of dog or dog owner.

18 January 2021; Report of dog chasing wildlife, no particulars of dogs provided. Patrols undertaken by Animal Management, on 17th and 18th January 2021, and no non-compliance noted.

For enforcement action to be taken for uncontrolled dogs on beaches, the alleged dog/dog owner must be clearly identified committing an offence.

The FNDC Dog Management Bylaw 2018 and Dog Management Policy 2018 very clearly provides the dog access rules for the district and dog owner responsibilities. Signage has also been placed on beaches and reserves which provides an effective way for ongoing messages to dog owners regarding their responsibilities in the places they are exercising their dogs.



Education via media release, Council website and Facebook page have also been implemented. Attachment A: Media Release December 2021.

While most dog owners are respectful and compliant with the district's rules, there are always a few that choose to ignore them. If individual dog owners can be identified as not complying with the access rules Animal Management Officers can follow up and remind the offending dog owners of their obligations to comply with the bylaw and enforce if appropriate.

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

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

ĀPITIHINGA / ATTACHMENTS

1. Attachment A Media Release - A3666947 [↓](#) 



HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

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Website: www.fndc.govt.nz

Private Bag 752, Memorial Avenue
Kaikohe 0440, New Zealand
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Fax: (09) 401 2137

Media Release

23 December 2021

Dog owners urged to take extra care during holidays

Far North District Council is reminding all dog owners to ensure that their pets are well-controlled at beaches and other popular destinations during the holiday period.

Rochelle Deane, Manager – Environmental Services, says many dog owners will be introducing their pets to new environments as they visit whānau and friends, and beaches and reserves in the Far North this summer.

"I want to remind all dog owners to be extra vigilant of pets around children, at beaches, especially where there are nesting sea birds, and where other dogs are being exercised. Visitors to the district should ensure they are familiar with dog access rules for beaches and to be extra careful where there are kiwi populations. Many parts of the Far North have high-density kiwi habitats with strict dog controls."

She says Animal Management Officers (AMOs) will be on duty right through the holiday period, responding to urgent complaints and caring for and exercising dogs in the Council's animal shelter. They will also be conducting random checks at popular holiday destinations to remind dog owners of their obligations and to enforce dog access rules. Signs detailing the rules are posted at reserves and most beaches. "If in doubt, please ask an Animal Management Officer or go to our website for details."

Ms Deane says the Animal Management Team has had a successful year. They opened a new, purpose-built dog shelter at Kaitiāia and increased the number of dogs reunited with owners or adopted out to new homes. This was despite more dogs being impounded in 2020/21 compared to the previous year.

"I'm proud of our team. They are passionate and focused on the welfare of the animals in their care and I think the statistics support that. We impounded 423 dogs last financial year, compared to 373 the previous year. Despite that, we increased the number of dogs returned to owners from 151 to 178, while the number of dogs we adopted out to new homes via the Council website increased from 19 to 69. In November alone, five dogs were adopted to new homes as far afield as Napier and Palmerston North.

"Regrettably, we cannot rehome all dogs that come into our care. We euthanised 112 dogs last financial year because they were not claimed by an owner or they did not meet temperament and health criteria required to be rehomed. This was 2 per cent less than the previous year."

She says the total number of dogs impounded and euthanised in the five months to November 2021 has increased, but this is largely due to the team's focus on combatting the problem of roaming dogs.

“We have picked up numerous dogs that have never been properly controlled. For example, in September we impounded four dogs from one property alone. They were assessed for adoption, but all proved too dangerous, leaving us with no option but to euthanise them. This is incredibly disheartening for staff and underlines the need for all owners to care for their pets responsibly. That means keeping dogs under control at all times, desexing both males and females, and ensuring that dogs are microchipped and registered.”

Another priority has been to contact the owners of unregistered dogs. Since October, AMOs have followed up on more than 2,000 of the 3,000 unregistered dogs known to the Council, she says.

“In the five months since 1 July our team has also responded to 1852 reports, or requests for service, 296 of which were urgent. We aim to respond to urgent calls within one-and-a-half hours day or night, no matter where they are. We achieved that in 97 per cent of cases.”

She says that 96 per cent of the remaining 1,556 non-urgent calls were responded to within three days.

[ENDS]

5.4 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR FEBRUARY 2022**File Number: A3662724****Author: Maggie Thomas, Executive Assistant to General Manager****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

The District Services Monthly Business Report provides a summary of progress and highlights for the month of February 2022.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for February 2022.

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:

- 1. 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.
- 2. Building Services:** This includes processing and inspecting Building Consents and Building Compliance related matters.
- 3. 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.

ĀPITIHINGA / ATTACHMENTS

- 1. District Services Monthly Business Report - February 2022 - A3631610**  



**DISTRICT SERVICES
MONTHLY
BUSINESS REPORT**

February 2022

**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%	Rates 90-99% User Charges 1-10%	Rates 70-79% User Charges 21-30%
Customer Services	Building Compliance Monitoring and Enforcement Libraries	i-SITES
Rates 60-69% User Charges 31-40%	Rates 50-59% User Charges 41-50%	Rates 40-49% User Charges 51-60%
Cemeteries Animal Control	Parking Enforcement	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 February 2022. The District Services Group achieved several successes and made good progress in the following areas:

Community and Customer Services

Libraries and Museum

Vaccine passes became a requirement of entry for FNDC Libraries and Museum during February as the Omicron wave began. This requirement was put in place to help ensure the safety of staff and customers. Level of service changes were also implemented at Procter Library in Kerikeri. This included shorter opening hours and limiting numbers inside the building as a cluster grew in the town.

Progress is ongoing with the Museum Vernon and website redevelopment projects and the Library Recollect project. All are on track to be completed by June 30th.

i-SITES

The i-SITES have experienced a quieter time, with a few large family groups going through. Locals and visitors are supporting the three i-SITES by purchasing retail. All three i-SITES have good local product which is continually checked, and new products introduced.

Customer Care

Vacancies and unplanned staff absence (mostly due to Covid) has meant a challenging month for Customer Care. The ultimate goal has been to keep Service Centres open as much as possible. However, there have been some level of service changes when staff numbers have been depleted. Contingency plans are in place for all services.

Housing for the Elderly

Due to the Omicron outbreak, all in-person 6 monthly inspections have been postponed, to keep both tenants and staff safe. Staff will instead contact tenants and conduct remote checks with all tenants who are due for inspections to address any tenancy or repairs and maintenance issues of concern. Urgent issues will still be addressed conducting face-to-face visits and following strict PPE protocols and social distancing.

Events

There have only been a limited number of event applications which is to be expected due to the Omicron outbreak.

Cemeteries

There were four full burials and five ash burials across the district in February. The number of ash burials on hold has dropped to 24 as families are now able to make plans to attend to the burials.

Building Consents

The BCA has received 134 consents for the month of February which is on par with previous years. Compliance remains at 100% with the BCA issuing consents, on average, in 10 days with 137 issued in February. Code compliance certificates are also tracking at 100% compliance, with code compliance certificates (CCCs) issued, on average, in 11 days. A total of 106 code compliance certificates were issued in August.

The building compliance team are currently completing their work programme to clear the recommendations from the MBIE audit last year. The main body of work is centred around the building warrant of fitness (BWOFF) audit programme and the update of all records to comply with the Building Amendment Act 2012.

Environmental Services

Resource Consents

Resource Consents (RC) achieved 68.8% compliance with statutory timeframes in February.

RC issued 75 decisions under the RMA and LGA. Of the 75 decisions, 32 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE).

109 applications were received during the month. This consists of 69 applications under the Resource Management Act 1991 (RMA), reported as part of statutory timeframes and the remaining 40 were applications under the RMA (not counted) and the Local Government Act (LGA) and the Sale and Supply of Alcohol Act 2012.

The high volume of applications in the latter half of 2021, coupled with staff vacancies and a reduction in capacity of consultants processing applications (as shown by the low ratio of external allocations depicted above) has resulted in Council being unable to allocate applications in a timely manner. This trend is anticipated to continue into the fourth quarter of the financial year. Team Leaders have applied s37 of the RMA to extend processing timeframes where possible. An action plan has also been developed to address backlogs.

Monitoring and Compliance

Monitoring and Compliance received 111 Requests for Service (RFS) in February 2022, an increase of 35 RFS on the previous month.

Environmental Health

A total of 24 Food Verification audits were completed in February 2022 and 53.9% of licensed premises have been visited, leaving 105 premises to be visited by 30 June 2022. This is on track to achieve the level of service KPI of 25% of licensed premises visited once every four years.

A total of 53 RFS were received by Environmental Health in February, a decrease of eight from the previous month.

Animal Management

274 RFS were received for Animal Management in February 2022, 40 urgent and 234 non-urgent.

Animal Management Officers continue to respond to requests within level of service agreed times ($\geq 93\%$), with a 97.5% response rate recorded for urgent responses and 97% for non-urgent.

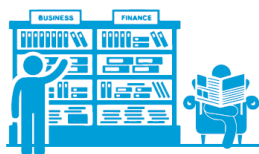
Community and Customer Services

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 – February 2022

Libraries and Museum

Vaccine passes became a requirement of entry for FNDC Libraries and Museum during February as the Omicron wave began. This requirement was put in place to help ensure the safety of staff and customers.

Level of service changes were also implemented at Procter Library in Kerikeri. This included shorter opening hours and limiting numbers inside the building as a cluster grew in the town.

Refurbishment of the lift in the Procter Library began in February and will be completed in March. The library team is grateful to District Facilities and Dom Thelemaque, Project Manager, in particular, for their support.

Progress is ongoing with the Museum Vernon and website redevelopment projects and the Library Recollect project. All are on track to be completed by June 30th.

i-SITES

The i-SITES have experienced a quieter time, with a few large family groups going through. Locals and visitors are supporting the three i-SITES by purchasing retail. All three i-SITES have good local product which is continually checked, and new products introduced.

Because of the decrease in visitor numbers, i-SITE staff are diversifying and assisting with data entry work for the Environmental Services Administration team.

Customer Care

Vacancies and unplanned staff absence (mostly due to Covid) has meant a challenging month for Customer Care. The ultimate goal has been to keep Service Centres open as much as possible. However, there have been some level of service changes when staff numbers have been depleted. Contingency plans are in place for all services.

Service Centres were 'served' numerous documents from anti-mandate protesters, but overall, very little disruption was experienced at the front counters.

Housing for the Elderly

During February one tenancy began in Oxford Street (Kaitia) and two tenancies ended in Oxford Street. The demolition of units at Oxford Street reported last month, has been completed.

Due to the Omicron outbreak, all in-person 6 monthly inspections have been postponed, to keep both tenants and staff safe. Staff will instead call all tenants in villages that are due for inspections, to check-in with them and note any tenancy or repairs and maintenance issues that tenants are concerned about. Necessary or urgent visits can still be made to tenants by FNDC staff or contractors, with strict PPE protocols and social distancing being followed at all times.

Contingency plans are in place to ensure that interviews for new tenants and tenancies commencing, can be undertaken safely.

Events

There have only been a limited number of event applications which is to be expected due to the Omicron outbreak.

Cemeteries

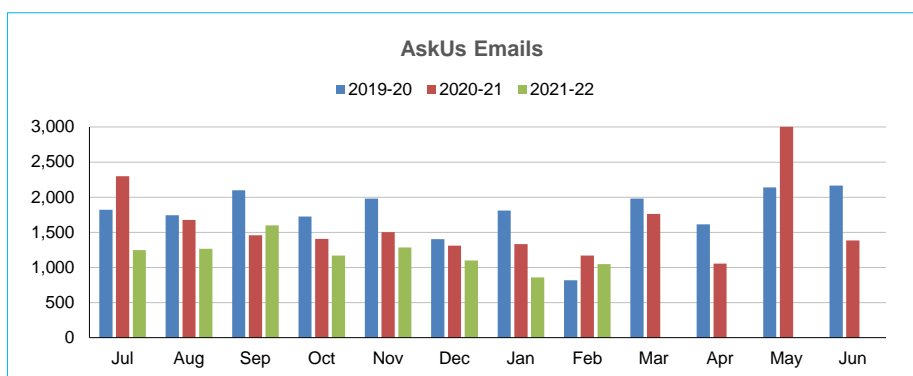
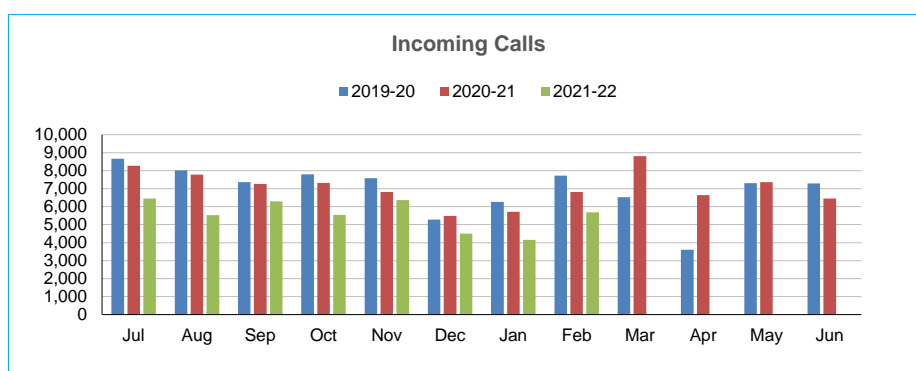
There were four full burials and five ash burials across the district in February. The number of ash burials on hold has dropped to 24 as families are now able to make plans to attend to the burials.

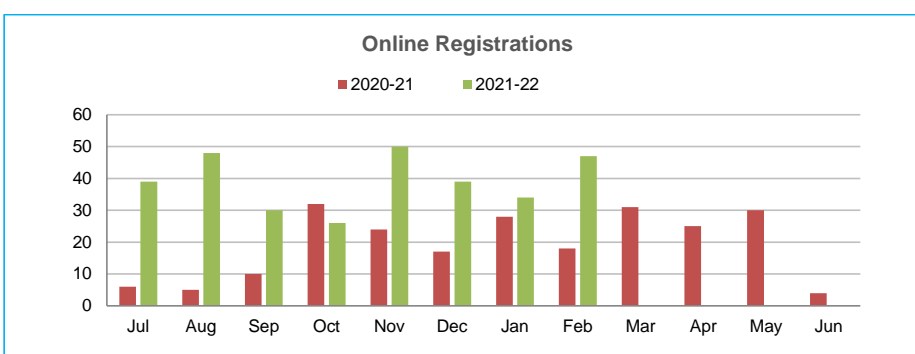
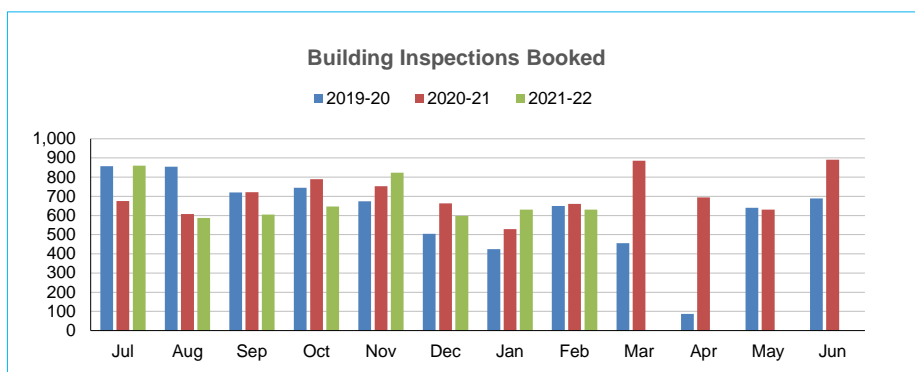
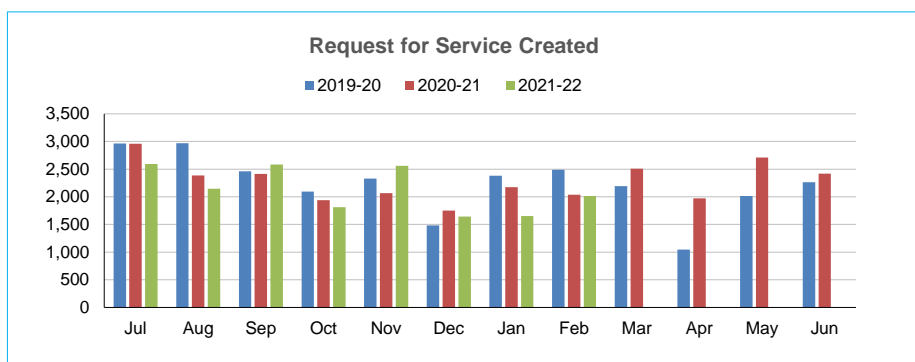
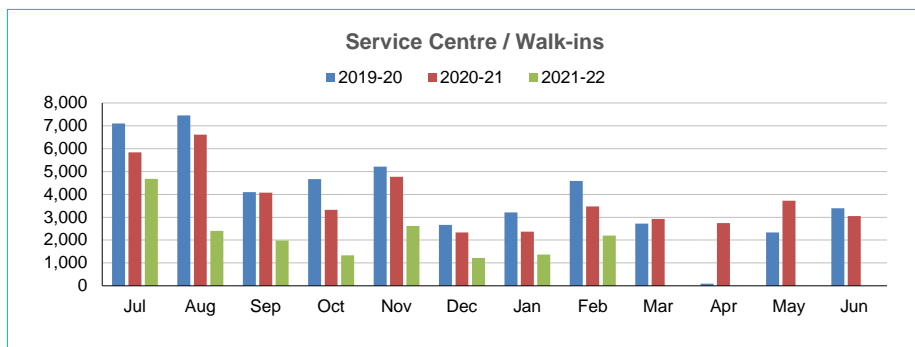
Customer Care

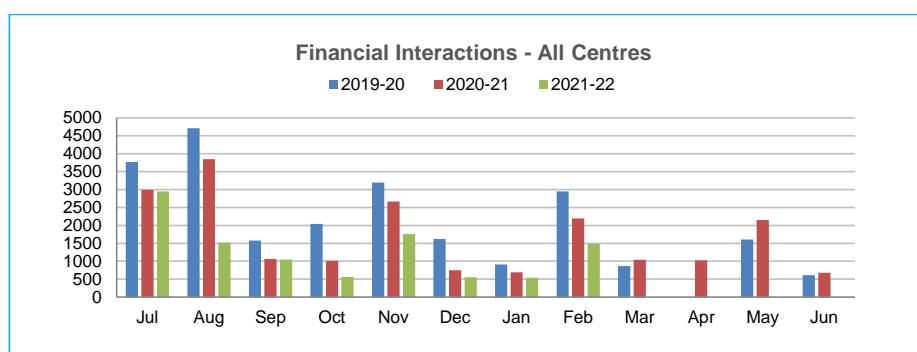
Customer Care consists of 2 teams: Contact Centre and Service Centre staff. As well as receiving calls from customers, the Contact Centre staff are also responsible for responding to emails from customers (AskUs Emails), managing online customer registrations and actioning change of address requests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

Comparison of February 2022 with February 2021.

- 16.46% decrease in calls to the Contact Centre (5,690 down from 6,811)
- 10.27% decrease in AskUs emails received (1,048 down from 1,168)
- 36.72% decrease in visits to Service Centres (2,194 down from 3,467)
- 4.39% decrease in building inspections booked (631 down from 660)
- 261.11% increase in online registrations (47 up from 18)
- 32.42% decrease in financial interactions at Service Centres (1,482 down from 2,193)





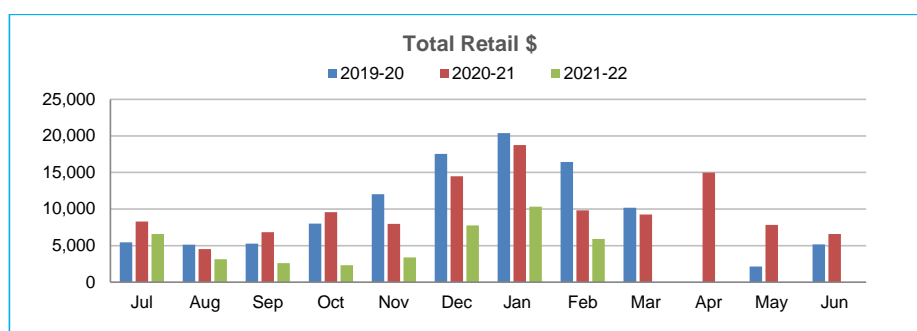
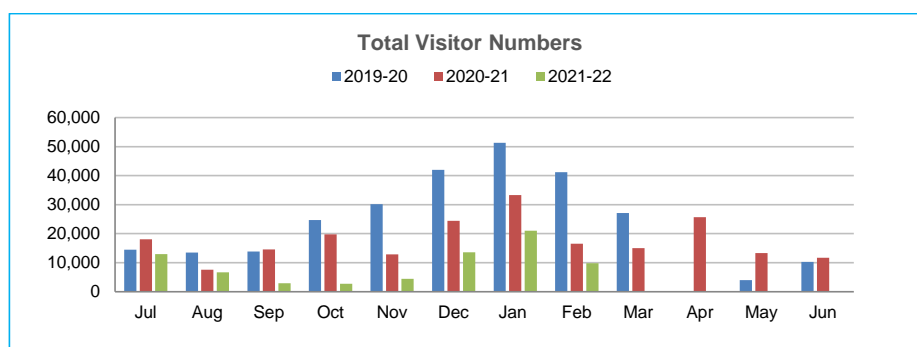


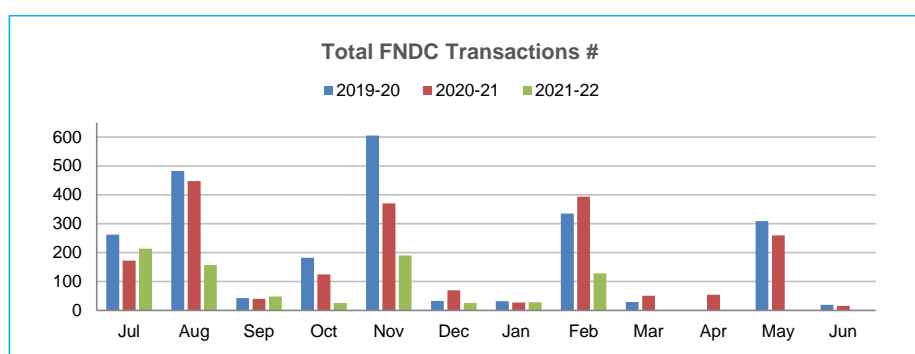
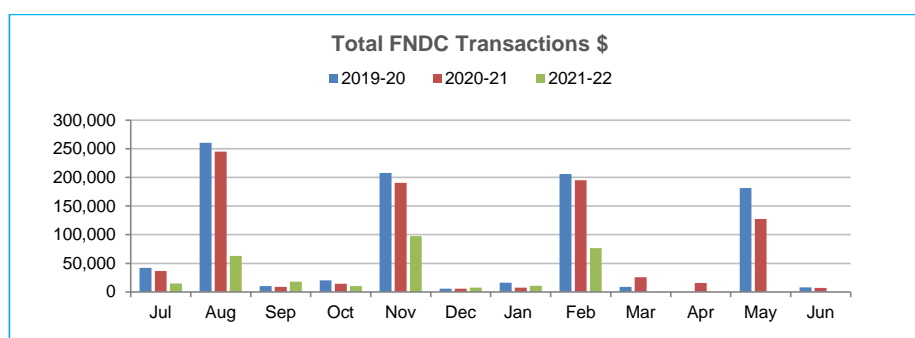
i-SITES

FNDC's three i-SITES are located in Kaitaia, Opononi and Paihia. As well as servicing 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 February 2022 with February 2021.

- 40% decrease in visitor numbers (9,782 down from 16,520)
- 39% decrease in retail revenue (\$5,916 down from \$9,829)
- 47% decrease in transaction spend (\$6,747 down from \$12,769)
- 44% decrease in transaction numbers (2,167 down from 3,901)



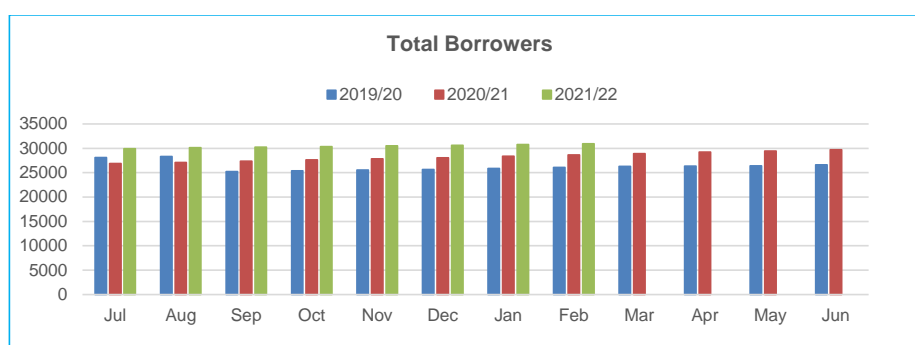


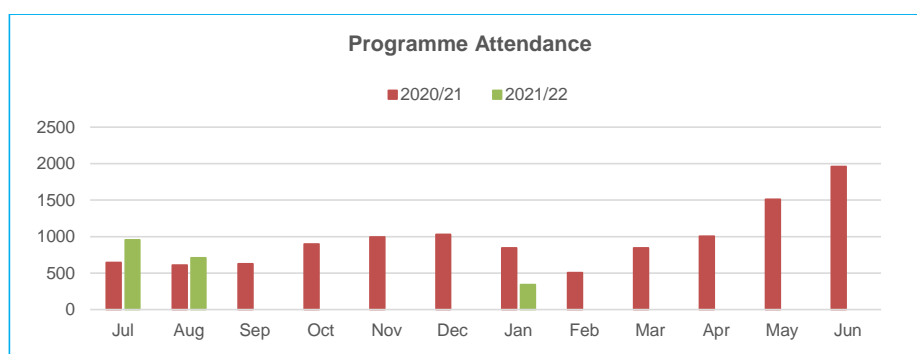
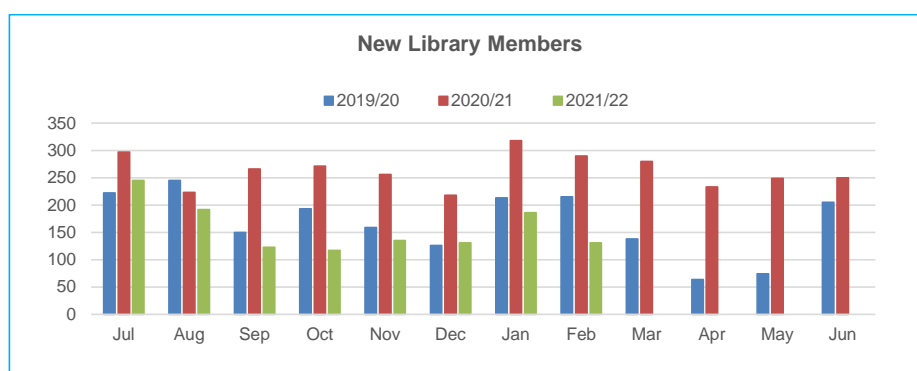
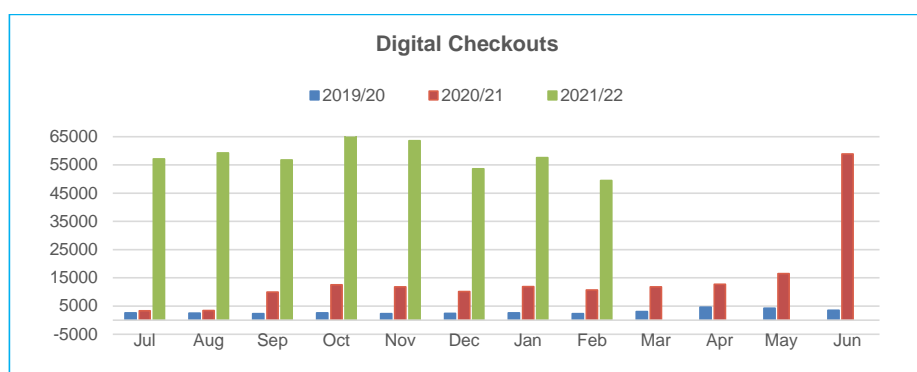
Libraries

Six public libraries and an outreach service (mobile library) provide access to a large selection of reading 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, wifi, free internet modems (Skinny Jump programme), printing, copying, scanning, meeting rooms, study spaces and JP services.

Comparison of February 2022 with February 2021.

- 361.9% increase in ebook and audio downloads (49,505 up from 10,718)
- 3.9% decrease in library website sessions (29,173 down from 30,370)
- 71% increase in digital checkouts (89,394 up from 52,289)

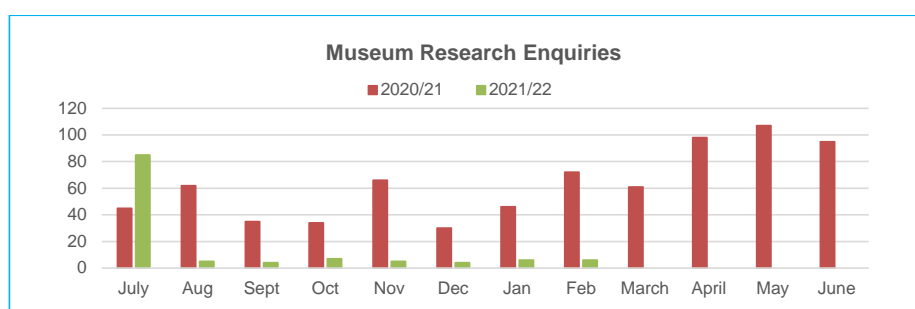




No programmes were run from September 2021 through to December, or February 2022 due to Covid19 restrictions. Programmes that have been on offer include Tamariki Tune Time, Robotics, Lego club, Minecraft, Virtual Reality, and Storytime.

Museum

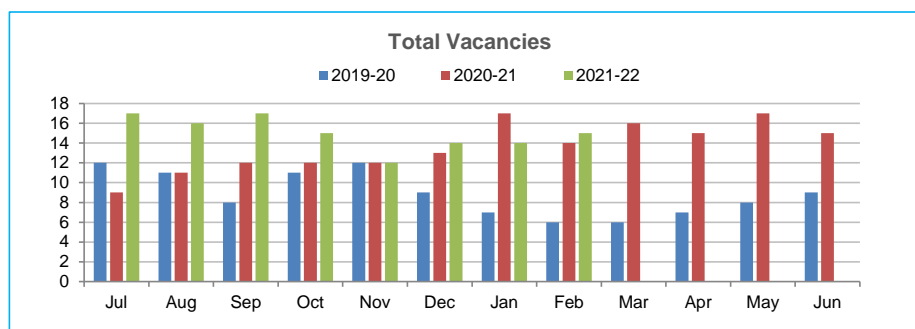
The Museum @ Te Ahu (formerly known as the Far North Regional Museum) was established in 1969 with the purpose of collecting and preserving treasures and taonga relating to the history of the Far North. It is located in the Te Ahu complex in Kaitia.

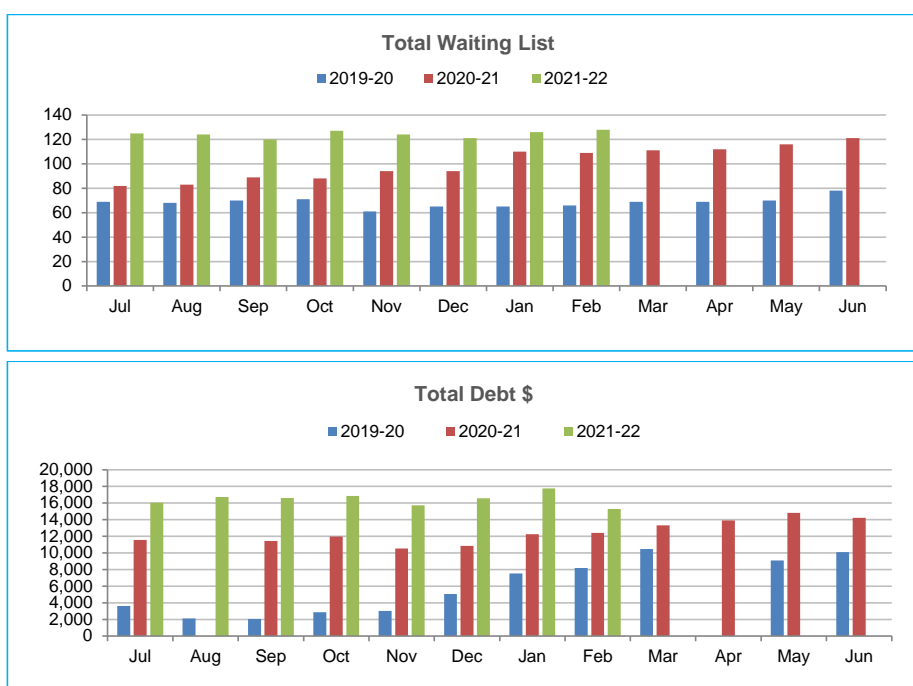


Housing for the Elderly

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.

A consistent effort to bring debt from unpaid rent down, by encouraging tenants to pay rent by direct debit is starting to show results. Debt has decreased by over \$2,000 from January to February.

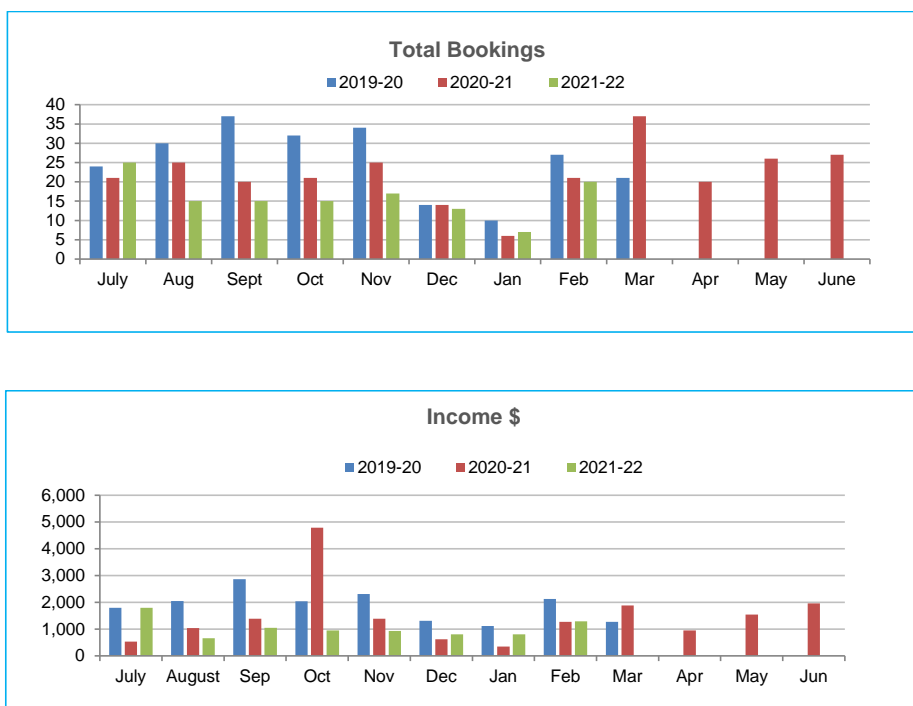




*The Total Debt shows rent arrears

Memorial Hall

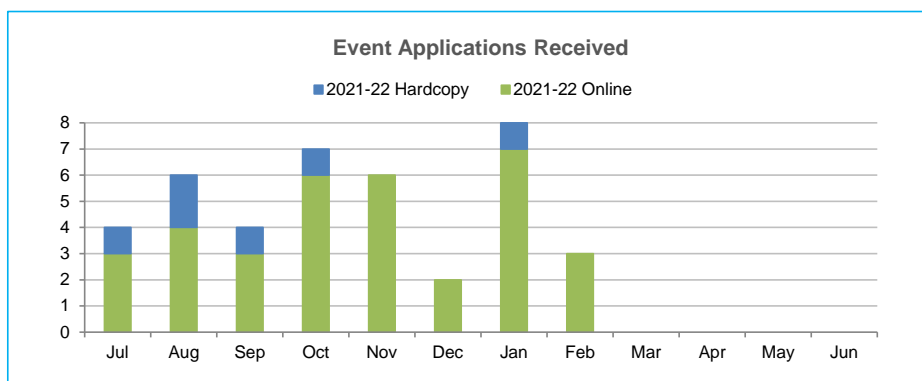
The Memorial Hall is located in Kaikohe and is the only Council-owned hall managed by Council. It is regularly used for youth martial arts, fundraising and other private events.



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.

Three online event applications were received in February.

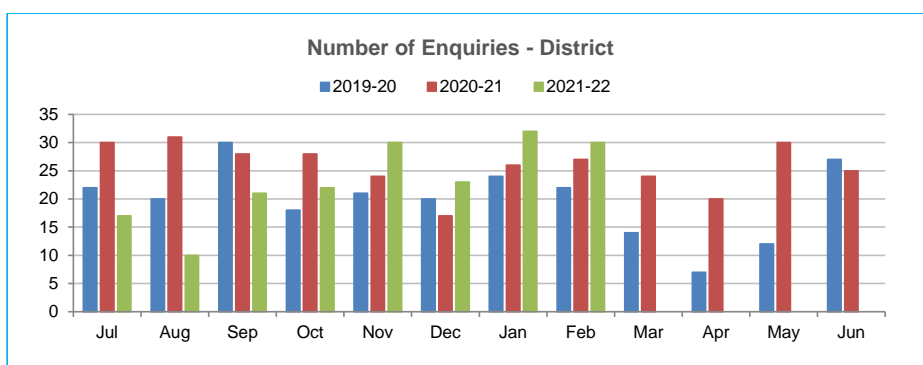
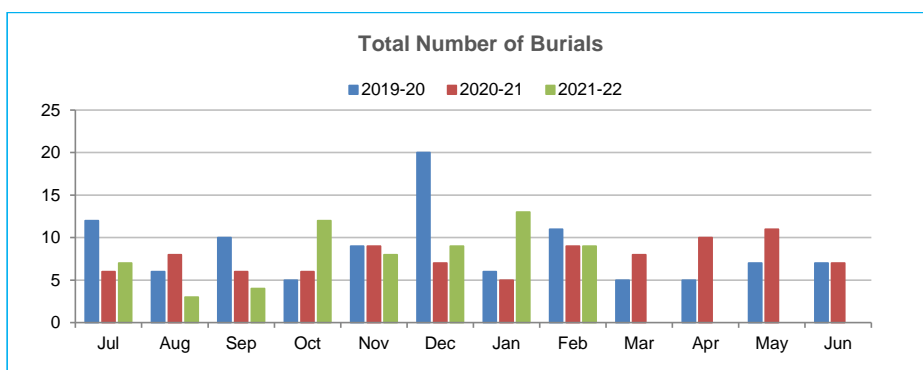


The schedule below contains the new event applications received along with events that have been cancelled or postponed in February.

Date of Event	Place of Event	Name of Event
Saturday 19 March 2022.	Kerikeri Skateboard Park	Kerikeri Vert Jam
Friday 6 & Saturday 7 May 2022	Russell and Paihia Waterfront Reserves	Banana Boat Ocean Swim Series 2022
Tuesday, 22 November 2022	Coopers Beach Reserve	Wedding Ceremony
Paihia/Waitangi Waterfront reserves and footpaths	Hotprintz Fun Run Walk Festival	<i>Event Postponed from 1 May 2022 to the 12 June 2022</i>

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.



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 – February 2022

The BCA has received 134 consents for the month of February which is on par with previous years. Compliance remains at 100% with the BCA issuing consents, on average, in 10 days with 137 issued in February. Code compliance certificates are also tracking at 100% compliance, with code compliance certificates (CCCs) issued, on average, in 11 days. A total of 106 code compliance certificates were issued in August.

Mindful of the upcoming IANZ audit in October of this year, this being the 4th consecutive audit or assessment, BCA is tracking well with internal audits. When the audit is passed, the BCA will move back to a two-year audit cycle.

The building compliance team are currently completing their work programme to clear the recommendations from the MBIE audit last year. The main body of work is centred around the building warrant of fitness (BWOFF) audit programme and the update of all records to comply with the Building Amendment Act 2012.

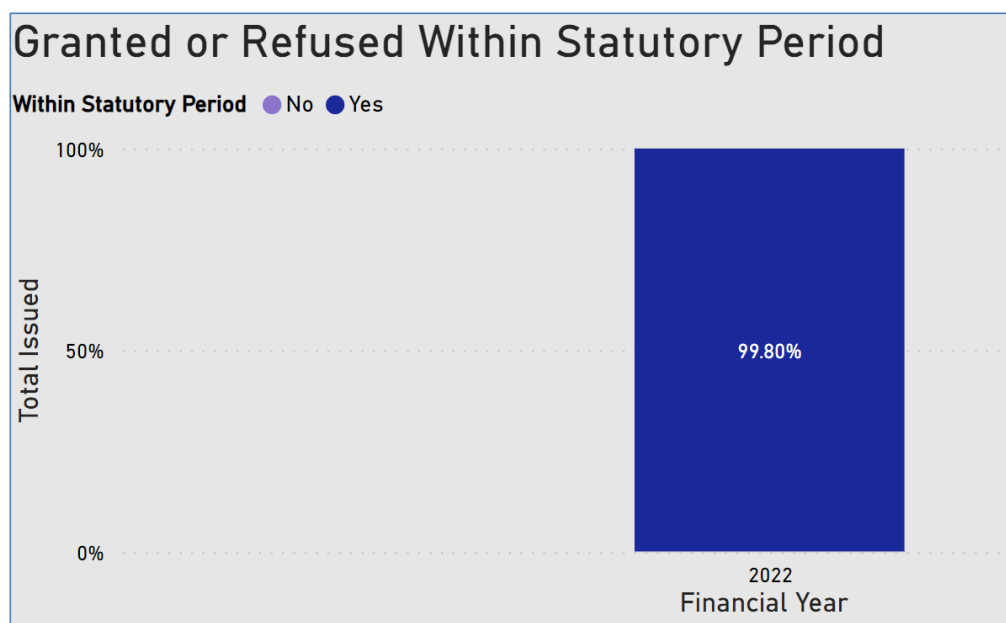
The team has noticed a higher level of non-compliance in small stand-alone buildings. This has been since the new exemption rules have come out. Many owners are not reading and/or understanding the exemption rules despite the guidance issued by MBIE. This is likely to lead to higher number of Notices to Fix (NTFs), infringements and possible prosecutions in the future.

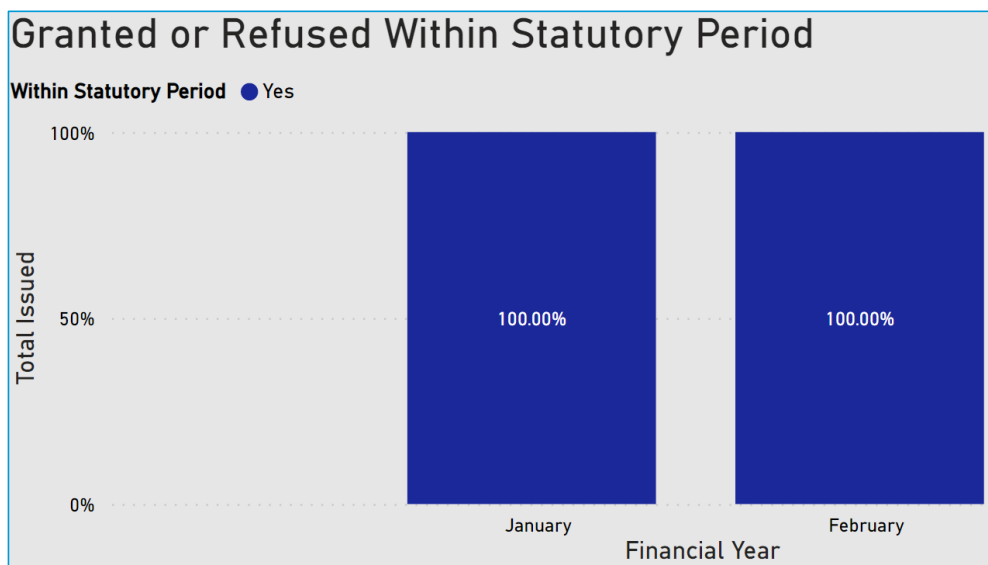
Covid is starting to impact building services staffing levels which, in turn, will affect the ability to provide a timely service in both processing and inspections. We expect our shortage to also be reducing demand reflected in the demand-side from customers and the community at the same time. Plans are in place to maintain compliance and service levels during this time.

Building Consent Authority

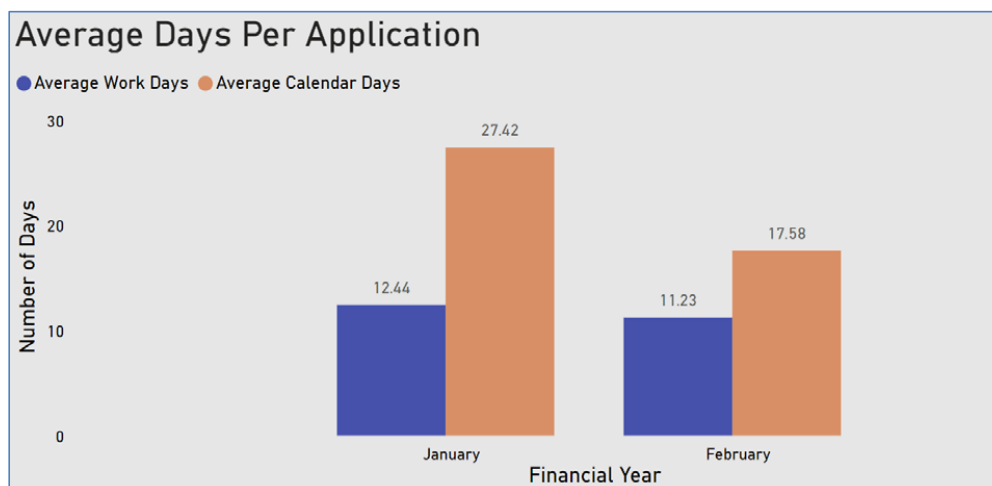
Levels of Service

Building consent processing has achieved 100% compliance for the month of February. A total of 137 consents were granted in February.

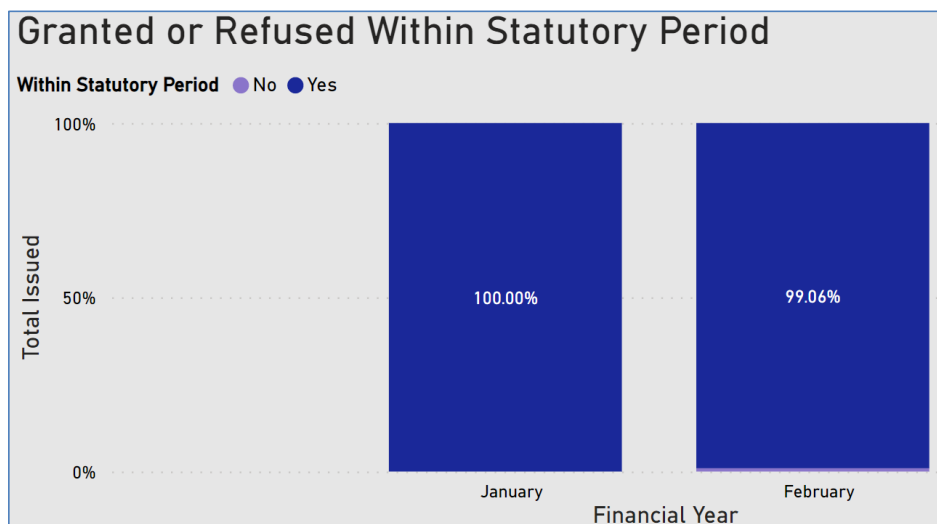
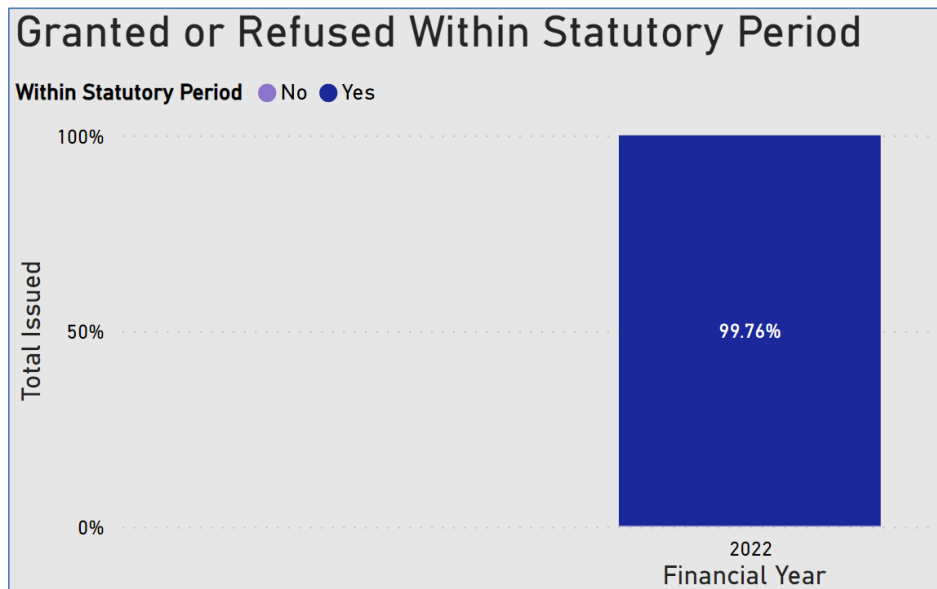


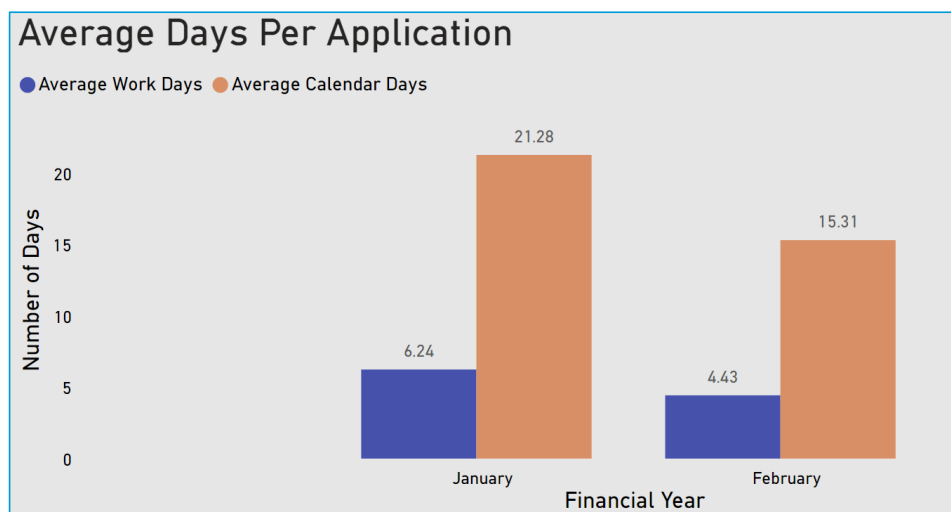


Both the average statutory and calendar days to issue a consent decreased in February. Consent numbers remain steady, and all processing resources are working to capacity to achieve this decrease.

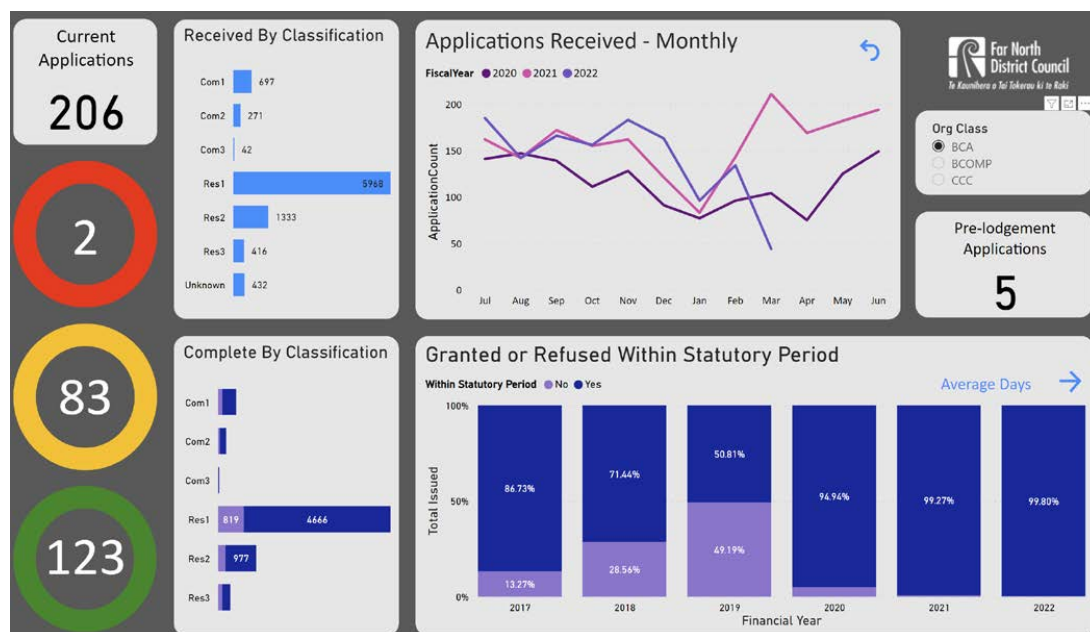


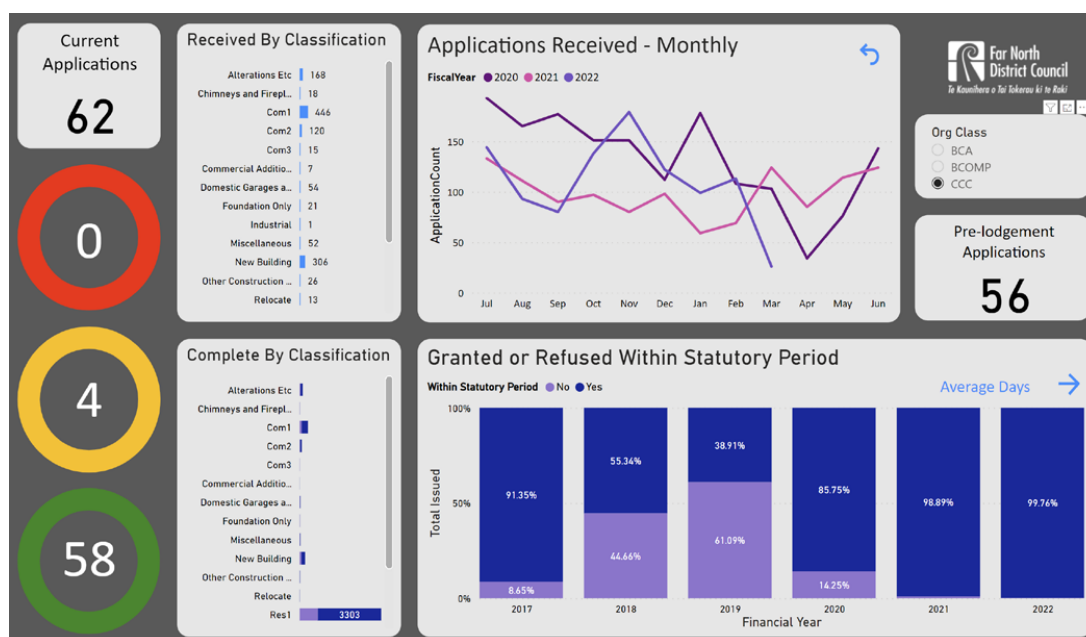
The BCA has achieved a 100% compliance rate for the month of February for issuing code compliance certificates (CCCs). A total of 106 certificates have been issued. Despite the visual representation below, CCCs remain at 100% for the month of February.



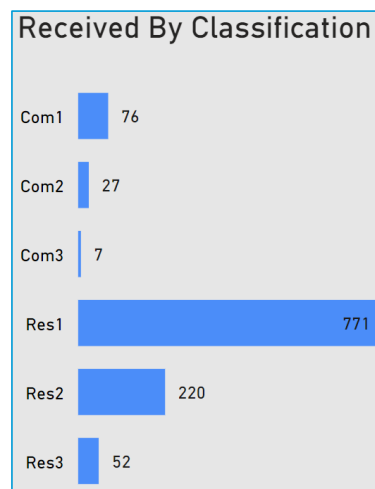
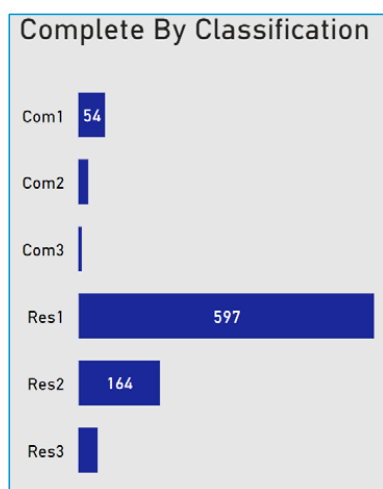


The dashboard below shows the consents currently being processed by the BCA. There are 206 building consent applications and 62 code compliance certificates. It is important to note that the above mentioned consent numbers include consents that are currently on hold awaiting information.





The dashboard below shows the building consent applications received by category. Res 1 applications continue to dominate the current workload of the BCA.



Building Compliance

The Building Compliance team (part of the Territorial Authority) 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.

The team's 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.

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 legally or through mediation.

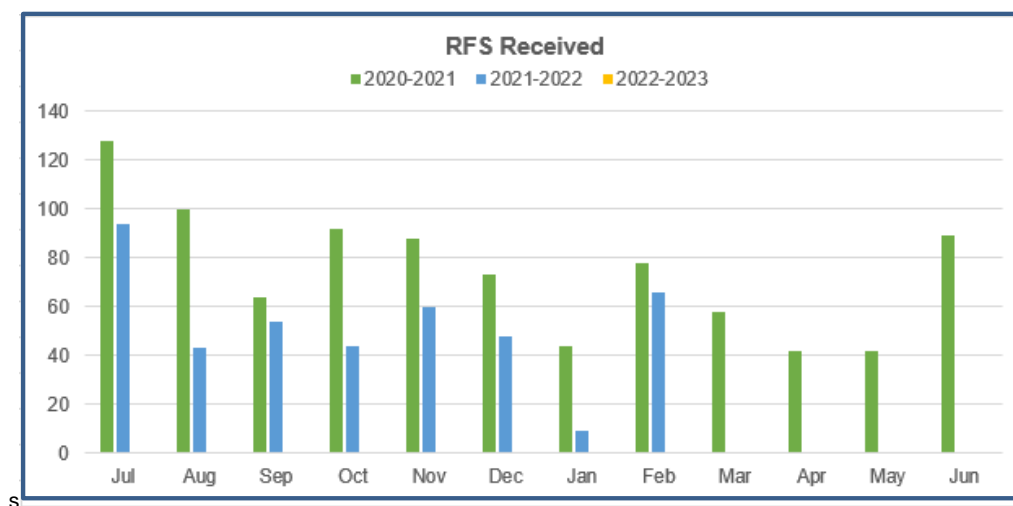
Council ensures compliance by inspecting or monitoring sites to ensure they comply with legislation. Depending on the level of non-compliance, there is a range of enforcement options the Council can take, from education to formal enforcement such as notices and prosecution.

Formal enforcement is not taken lightly. It is based on thorough investigation and considers the impact as well as any 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.

February was a busy month again for incoming RFS. With the easing of Covid restrictions there is a trend of an increase in reported breaches of the Building Act. The Building Compliance team continues to deal with a range of Building Act 2004 non-compliances.



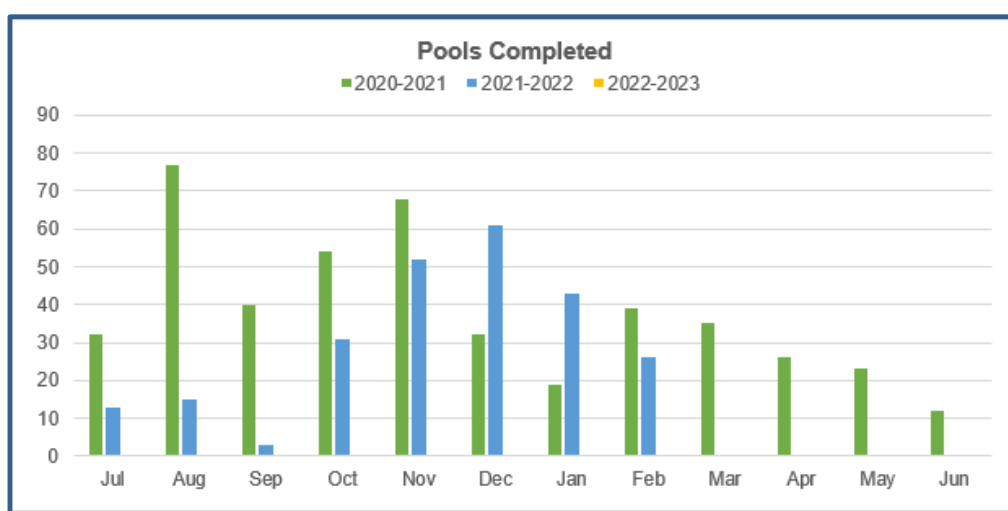
Swimming Pools

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 26 swimming pool inspections were carried out during the month of February, with the completion of inspections on track and as per the allotted inspections for the year.

The swimming pool pass rate was 80% for this period. Council is working hard to provide these homeowners with the knowledge and information to help them achieve compliance and reduce the risk of drowning incidents in the district.



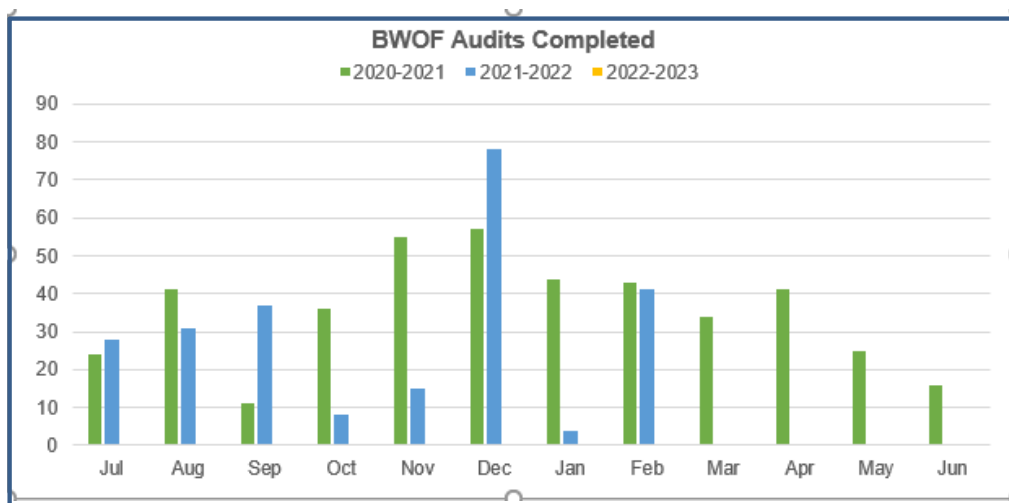
Building Warrant of Fitness (BWoF)

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.

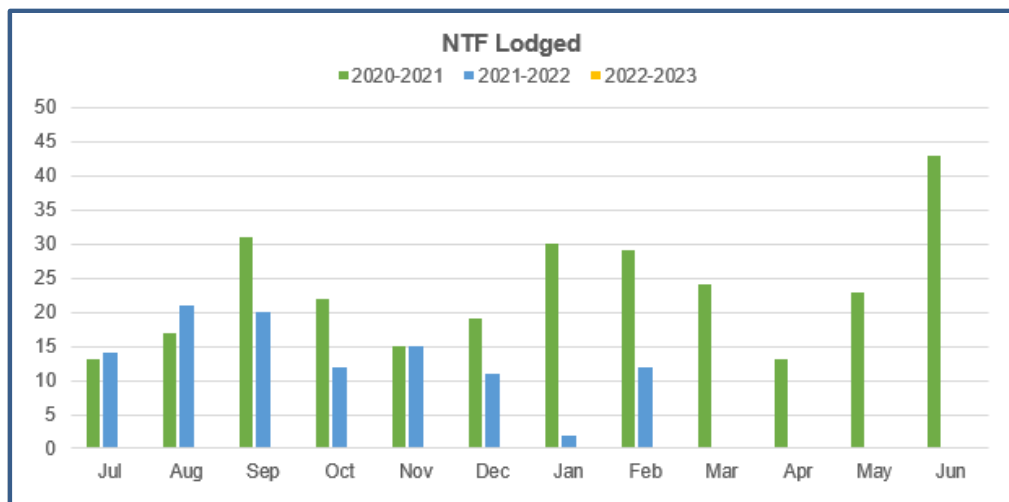
41 BWoF audits were carried out during February as the team embarks on delivering qualitative audits to update existing compliance schedules and maintain scheduled BWoF audit regime.



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 February for breaches of the Building Act 2004.

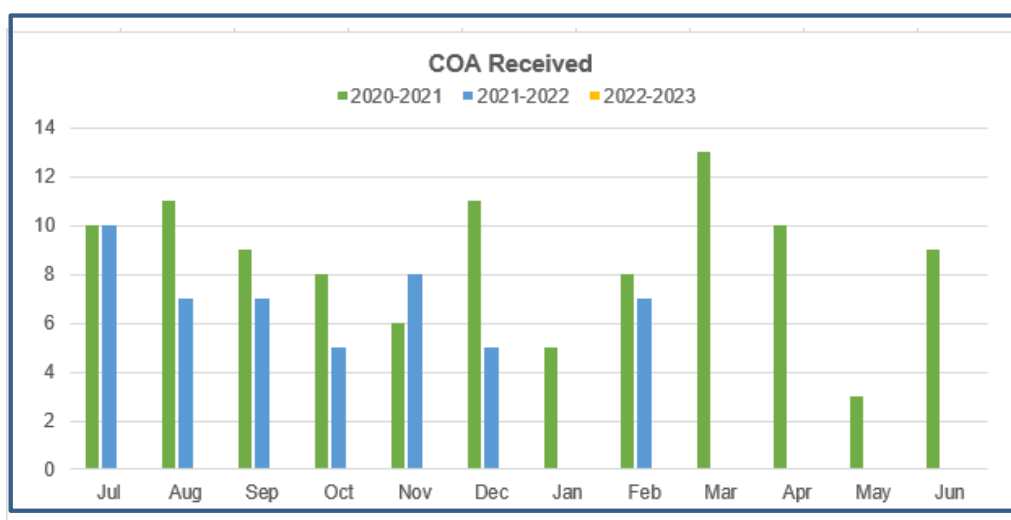


Certificates of Acceptance

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 requires a building consent was completed without one
- 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 7 COA applications during the month of February. The number of COA applications remain consistent month to month.



Infringements

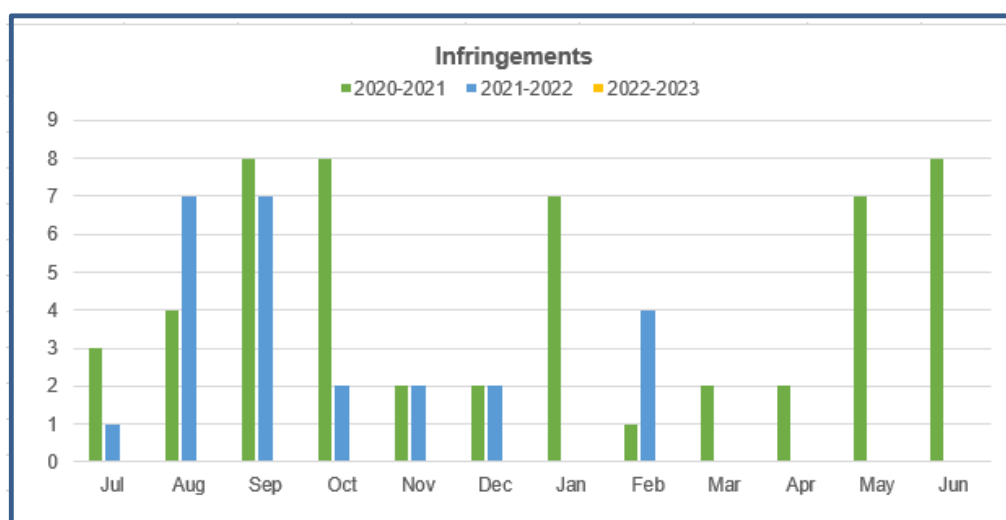
Under Section 372 of the Building Act, an infringement notice may be served on a person if an enforcement officer observes the person committing an infringement offence or has reasonable cause to believe an infringement offence is being or has been committed by that person.

The Building Infringement Regulations contain a clear and unambiguous list of infringement offences. These infringement 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.

4 infringements were issued during the month of February. Most infringements were for non-compliance with a NTF. A total of \$4,000 in infringements were issued.



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 – February 2022

Resource Consents

Resource Consents (RC) achieved 68.8% compliance with statutory timeframes in February.

RC issued 75 decisions under the RMA and LGA. Of the 75 decisions, 32 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE).

109 applications were received during the month. This consists of 69 applications under the Resource Management Act 1991 (RMA), reported as part of statutory timeframes and the remaining 40 were applications under the RMA (not counted) and the Local Government Act (LGA) and the Sale and Supply of Alcohol Act 2012.

The Resource Consents team now has Business Intelligence for reporting, which has enabled more accurate updates to previous graphic information included in reporting.

The high volume of applications in the latter half of 2021, coupled with staff vacancies and a reduction in capacity of consultants processing applications (as shown by the low ratio of external allocations depicted above) has resulted in Council being unable to allocate applications in a timely manner. The number of unallocated applications has been increasing and there are currently 134 applications lodged but unallocated within Council's systems dating back to 10 December 2021. This is adversely affecting statutory timeframes as shown by decreasing performance in the period of September 2021 to present. This trend is anticipated to continue into the fourth quarter of the financial year. Team Leaders have applied s37 of the RMA to extend processing timeframes where possible. An action plan has also been developed to address backlogs.

Monitoring and Compliance

Monitoring and Compliance received 111 Requests for Service (RFS) in February 2022, an increase of 35 RFS on the previous month.

There were 85 noise complaints received and responded to during the month, 61 less than the preceding month. Response times of 88% were seen for urban areas and 92% were met in rural areas against a KPI target of 95%, a good improvement on the preceding month. This is a challenging KPI due to the remoteness and size of the district and will be reviewed during contract renewal in 2022.

24 parking infringements were issued during the month, with a financial value of \$784.

Environmental Health

A total of 24 Food Verification audits were completed in February 2022.

The Environmental Health licensed premises level of service is tracking well. 53.9% of licensed premises have been visited, leaving 105 premises to be visited by 30 June 2022. The level of service target is that 25% of licensed premises are visited once every four years and the team carry out these visits on an annual basis.

A total of 53 RFS were received by Environmental Health in February, a decrease of eight from the previous month.

Animal Management

274 RFS were received for Animal Management in February 2022, 40 urgent and 234 non-urgent.

Animal Management Officers continue to respond to requests within level of service agreed times ($\geq 93\%$), with a 97.5% response rate recorded for urgent responses and 97% for non-urgent.

27 dogs were impounded in February, resulting in 5 being claimed by their owners, 3 dogs taken by a Rescue Group and 11 being adopted out to new homes. A total of 3 dogs were euthanised in February due to not being claimed by an owner and not meeting criteria to be rehomed.

Resource Consents

Introduction

What we do and why

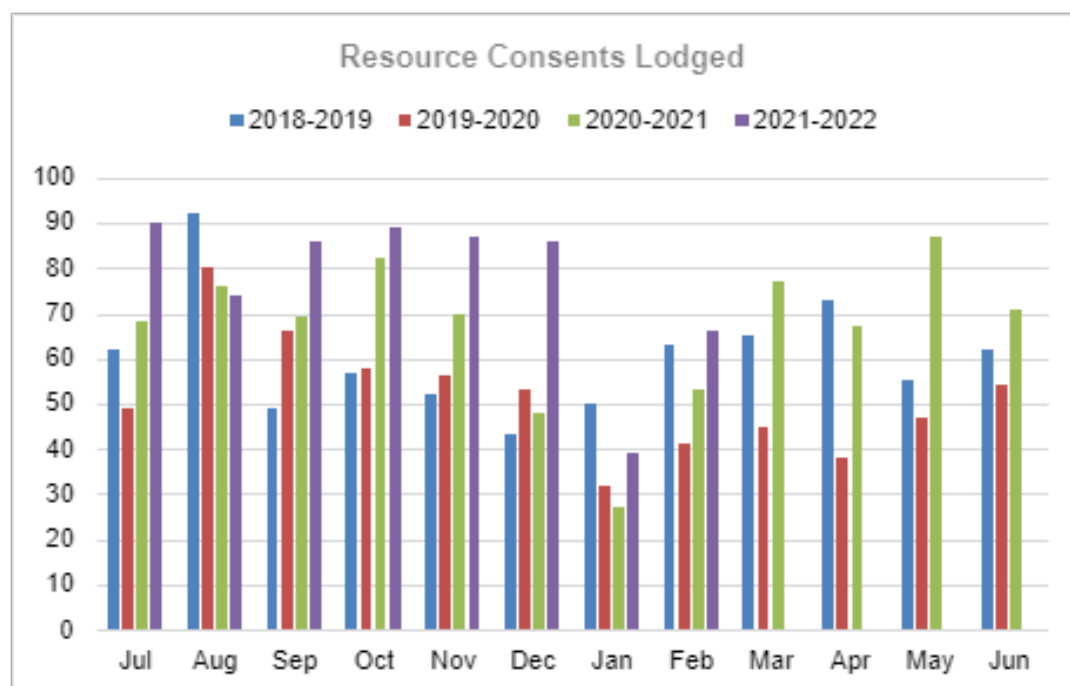
A critical function of Council is enabling the sustainable use, development and protection of the natural and physical resources in our district. This is underpinned by the obligations imposed by the Resource Management Act 1991. Activities and services undertaken include the processing of resource consent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

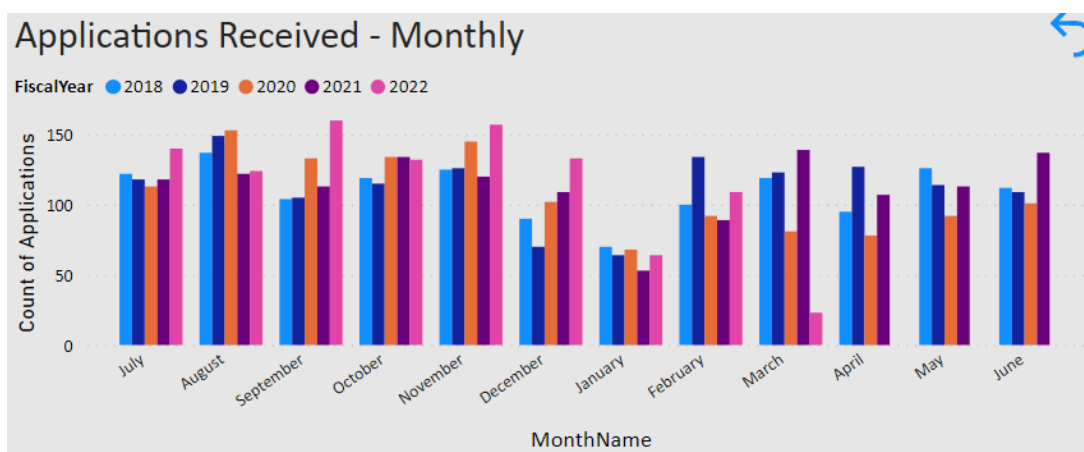
Applications lodged

The graph below shows the RMA applications* received by month over the last four years. Planning support lodged 69 RMA applications in February 2022 compared to 51 in the previous financial year and 39 in the 2019/2020 financial year. This represents a significant increase in the number of RMA applications received in February over the last three financial years.



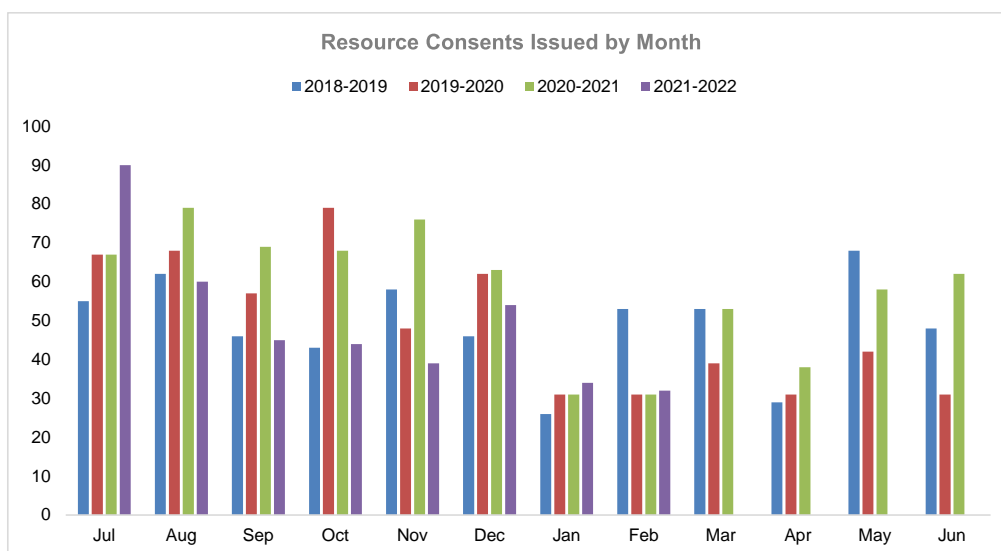
*Refers to applications lodged that require statutory timeframes reporting.

The graph below shows the total number of applications received each month since 2017. The 109 applications received are applications received by Planning Support and sent to allocations in February 2022, the second highest number of applications received in the month of February since the 2017-18 financial year.

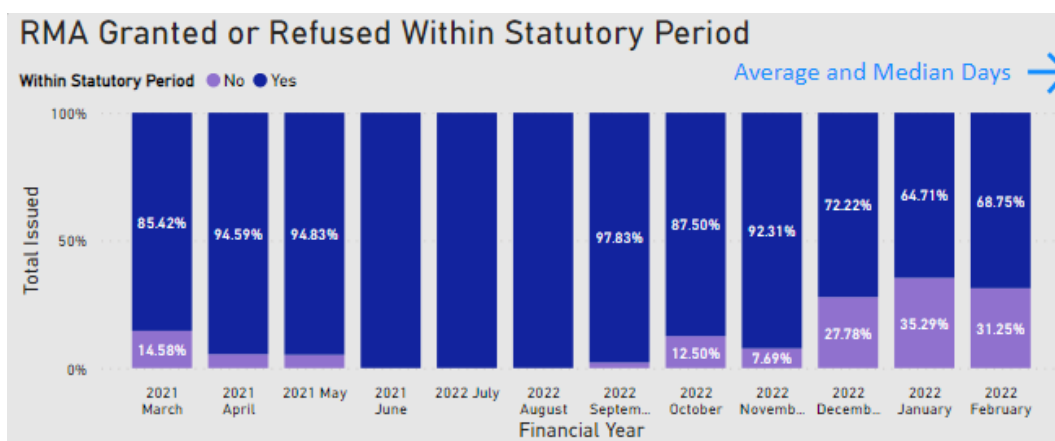


Decisions issued

Resource Consents issued 75 decisions under the RMA and LGA in February 2022. Of the 75 decisions, 32 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE). 10 consents were outside statutory timeframes in February, resulting in a 68.75% compliance rate.



The Resource Consents Performance graph on the next page shows compliance for the previous twelve months. This shows a level of compliance of 68.75% decisions being within timeframes for February. This reduction is a direct effect of increased volumes, reduced consultant processing capacity and staff vacancies. This is discussed in greater detail below under the Trends and Success Stories heading.



Types of Applications Received

The tables below separate out the RMA applications from the rest of the applications received. The first table represents the RMA applications that are reported to MFE on compliance with statutory timeframes. The second table includes all the other types of applications.

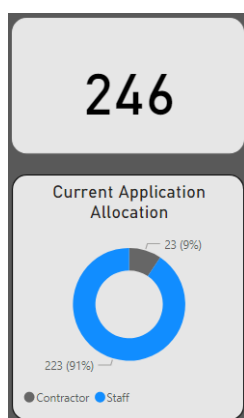
Type of Resource Consent												
	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
Land use	29	14	32	41	28	34	40	45	43	37	21	16
Subdivision	19	9	15	18	26	18	21	22	25	27	13	6
Variation	8	5	6	12	10	3	7	7	5	6	3	3
Permitted Boundary Activity	7	4	7	3	9	7	5	6	2	7	0	2
Extension of Time	1	0	1	0	2	0	0	0	0	0	0	0
Certificate of Compliance	1	0	0	2	0	0	0	0	0	0	0	0
RMA Discharge	0	0	1	1	0	1	2	0	0	0	0	0
RMA NES CS	0	0	0	0	0	1	0	0	0	0	0	0
Combined land use and subdivision	5	3	6	6	8	6	10	5	11	9	2	6
Outline Plan	0	0	0	0	2	2	1	2	1	0	0	0
Outline waiver	3	1		3	2	2	0	2	0	0	0	0
Total RMA	73	37	67	90	90	74	86	89	87	86	39	32

Certificate Applications Received

The table below details the number of certificate and other applications received monthly. This table shows that 43 certificates and Local Government Act (LGA) applications were received in February 2022.

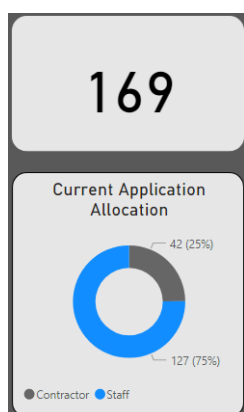
	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
RMA OTH	0		1	0	2	0	0	1	1	0	0	1
RMA OBJ	0	0	0	2	1	2	2	4	3	1	0	1
CER221	0	0	0	1	0	2	2	0	2	0	1	0
CER223	22	18	19	14	20	13	25	16	21	14	7	7
CER224	4	14	24	9	14	10	17	14	19	14	8	12
CER348	0	0	0	2	0	2	0	0	2	1	0	1
CERBND	6	1	0	0	0	0	0	0	0	0	1	0
CEROTH	4	1	0	0	0	0	0	0	0	3	0	0
LGA348	2	2	2	4	2	3	3	1	2	2	2	0
LGAEWK	15	16	6	14	11	16	19	11	17	18	9	20
LIQCOC	0	1	2	7	2	3	6	0	3	2	2	1
Total	53	52	53	51	49	49	74	47	70	54	29	43

Internal staff versus consultant planners



The figure on the left is the number of applications that are current within the Council system (Pathway).

There are 223 (91%) of current applications allocated to internal staff and 23 (9%) with consultant planners.



The figure on the left is the number of applications that are on hold under s92 or s37. Currently the Resource Consents Team is managing 415 RMA applications. This figure does not include RMA and LGA certs, earthwork permits, LGA rights of way applications, liquor licence and food health checks.

There are currently an additional 134 applications lodged but unallocated in the council's system, bringing the total number of applications to 549.

Trends, News and Success Stories

Hearings

There was one hearing in February on which a decision has not yet been determined.

Processing Timeframes

Over the past year the number of applications for resource consents received by Council has continued to increase. It has not been unusual to receive up to 45 applications in a single week. There has been no change in staffing levels but a heavy reliance on consultants for business as usual.

The team has seen several resignations for various reasons and is currently recruiting for new planners and engineers. The team has previously managed to meet 100% statutory timeframes by heavily relying on consultant planners. However, due to the large amount of private work available, consultancies are choosing to undertake private work which pays higher than processing for Council.

The high volume of applications in the latter half of 2021, coupled with staff vacancies and a reduction in capacity of consultants processing applications (as shown by the low ratio of external allocations depicted above) has resulted in Council being unable to allocate some applications in a timely manner. The number of unallocated applications has been increasing and there are currently 134 applications lodged but unallocated within Council's systems dating back to 10 December 2021.

Resource Consents are attempting to gain additional consultant planners and engineering capacity and actively recruiting to fill vacancies in the team. This is adversely affecting statutory timeframes as shown in the decreasing performance in the period of September 2021 until present. This trend is anticipated to continue into the fourth quarter of the financial year. Team Leaders have applied s37 of the RMA to extend processing timeframes where possible.

Customer and Relationships

Resource Consents had 55 surveys sent out in February 2022 with 23 responses received, giving the team a response rate of 38.2%. There were 16 satisfied customers, 2 neutral customers and 5 customers were dissatisfied.

Resource Consents, 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.

Monitoring 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 (stationary vehicle offences) • District Plan breaches • Bylaw breaches 	<ul style="list-style-type: none"> • Resource consent monitoring • Noise complaints • Removal of abandoned vehicles
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Staffing

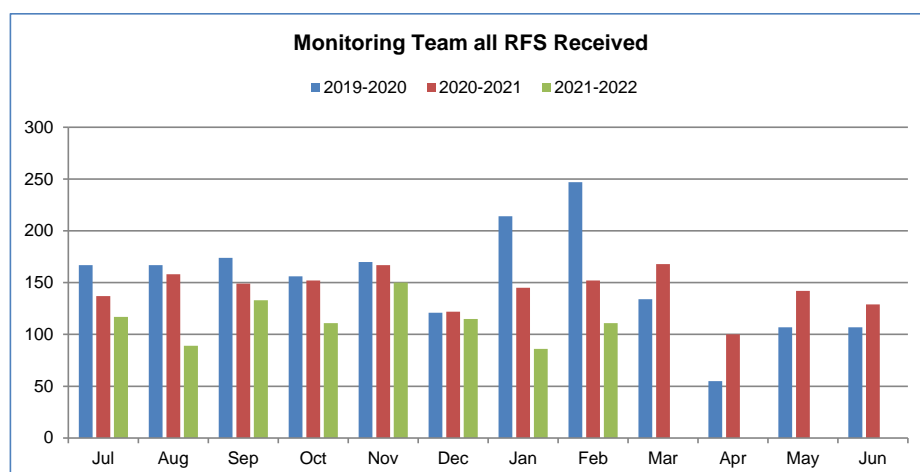
Monitoring is comprised of a team leader, five monitoring officers, two resource consent monitoring officers (one of which is a fixed-term position) and a parking enforcement officer. Ian Wilson, current Team Leader, finishes in the role on 11 March and starts as Manager Health, Safety and Wellbeing on Monday 14 March. Ian's replacement will start on 19 April 2022. An applicant has been offered the vacant 24-month fixed term resource consent monitoring role and will start in March.

Levels of Service

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

Requests for Service

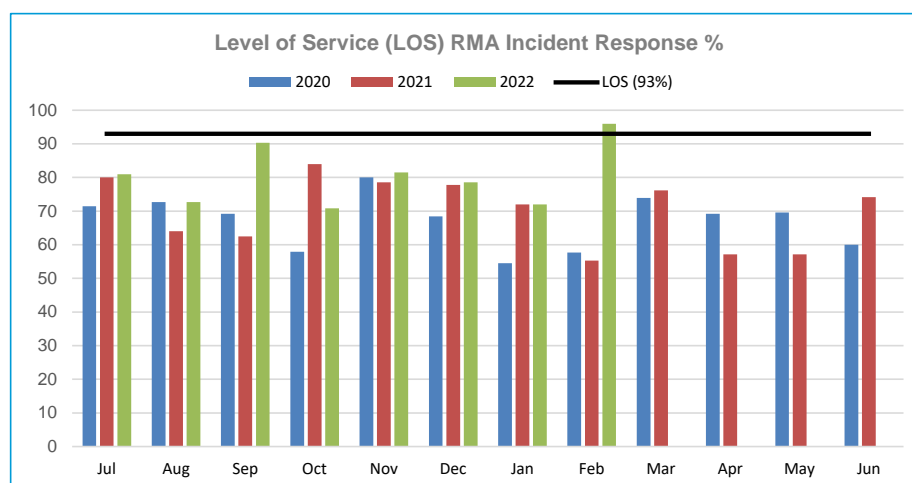
The following graph shows all Requests for Service (RFS) received monthly over the last three financial years by Monitoring. These RFS reflect all responsibilities held by Monitoring. The following sections break down those requests into areas of legislation.



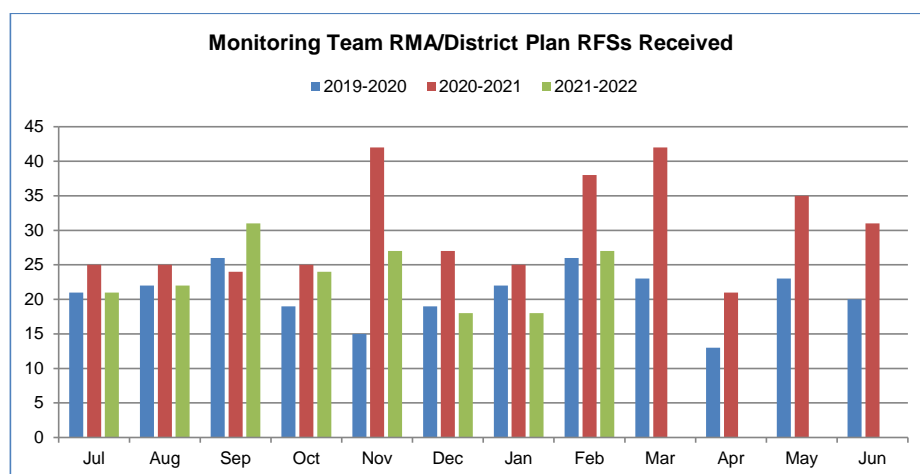
Resource Management Act 1991

A large amount of the work conducted by Monitoring falls under the Resource Management Act 1991 (RMA). This section reports the results of those responsibilities. The LTP level of service for responding to RMA incidents is 93% of customers acknowledged within three working days. The table and graph below shows what percentage of RMA incidents were responded to within three working days against the level of service of 93%. The level of service result for February was 96%, up from 72% in January and the first time this financial year the KPI has been met.

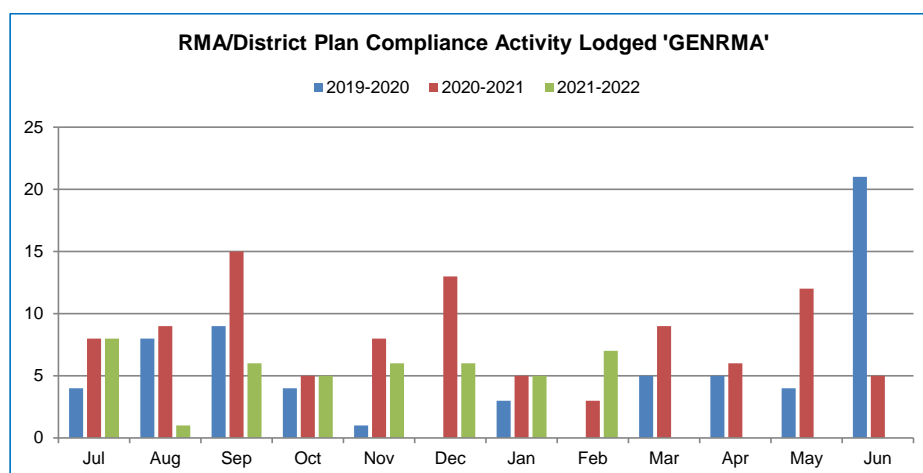
2022	On Time	Over Time	Grand Total	LOS %
Jul	17	4	21	81
Aug	16	6	22	73
Sep	28	3	31	90
Oct	17	7	24	71
Nov	22	5	27	81
Dec	11	3	14	79
Jan	13	5	18	72
Feb	26	1	27	96



The graph below shows RFSs received by Monitoring for RMA/District Plan incidents over the last three financial years.

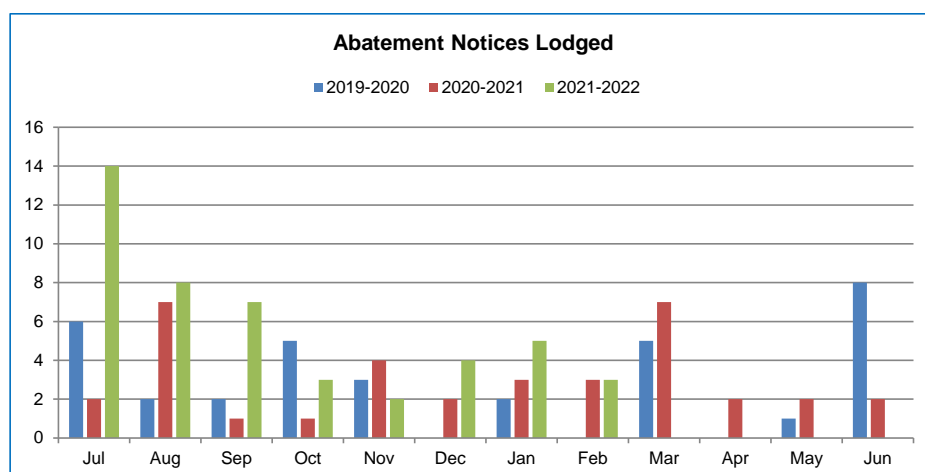


If an RMA/District Plan RFS results in further investigation, a new application is created in the Council system called a 'GENRMA' and research and evidence is recorded with case notes in support of any legal notices, such as abatement notices and environmental infringement notices. The graph below shows GENRMAs lodged by Monitoring over the last three financial years.

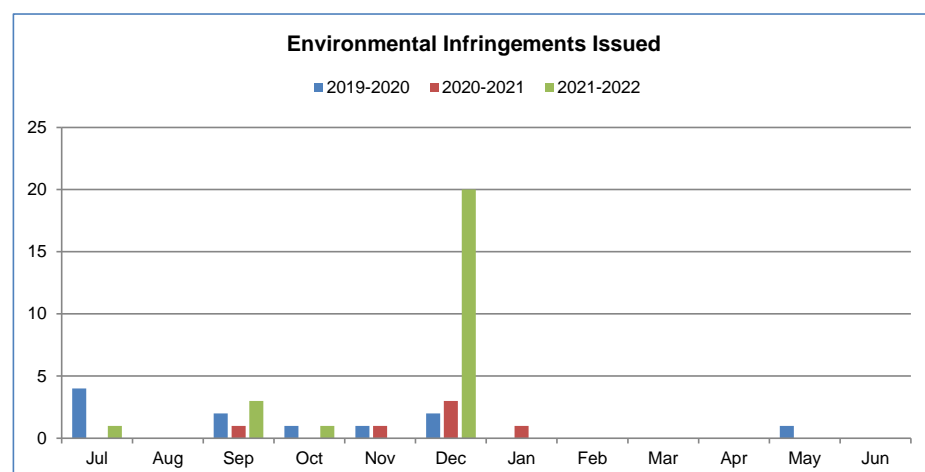


Although Monitoring's policy is to promote voluntary compliance with the District Plan, there comes a point in an investigation where it becomes necessary to escalate the enforcement process. The RMA allows a warranted monitoring officer to issue an abatement notice to direct an offender to do something 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 co-operate with Council, an environmental infringement notice (EIN) of \$750 can be issued, or prosecution commenced. The graph below shows abatement notices issued by Monitoring during the last three financial years.



The graph below shows environmental infringement notices (EINs) issued during the last three financial years. No EINs were issued in February.



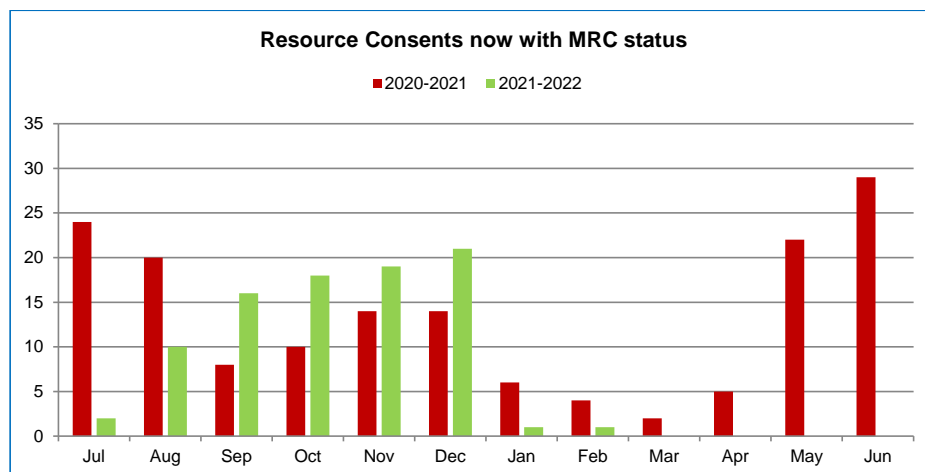
Resource Consent Monitoring

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 RFSs

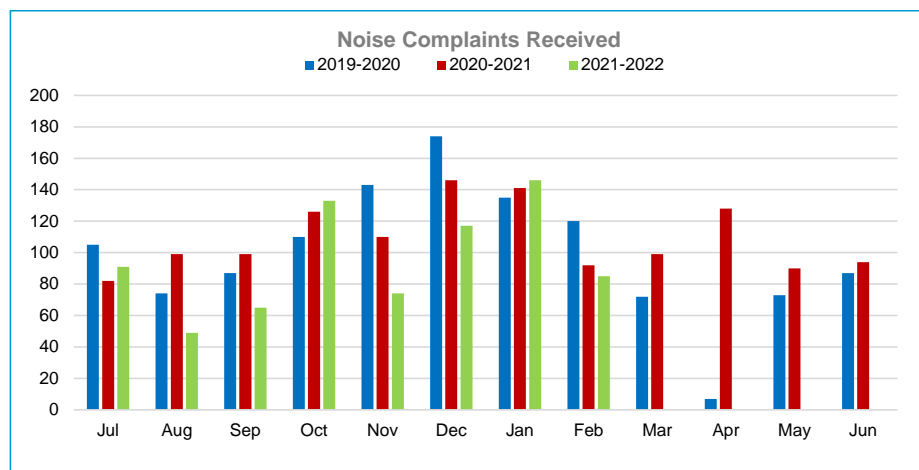
A business improvement initiative in July 2021 removed the requirement to create a new MRC application for each resource consent (RC) decision issued. The historic backlog of unmonitored MRC applications is recorded within Council's system. There are currently 502 historic MRC applications going back to 2008 with a status of incomplete, or equivalent.

The graph below reflects the new way of working created by the business improvement started in July 2021. Now when RCs 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 it can be seen there is 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.

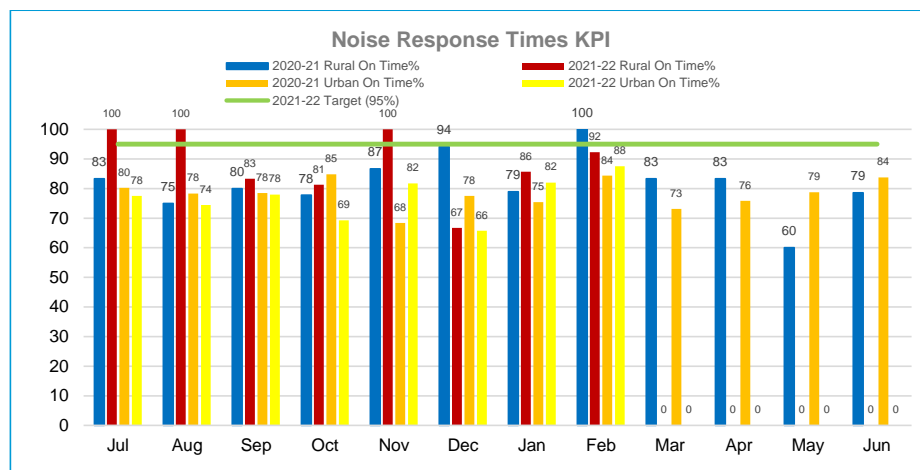


Noise

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 (ENDs) and seize sound making equipment (when accompanied by a constable). The graph below shows the number of noise complaints received and responded to 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 hour 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. The graph below shows attendance times in relation to the LTP LOS KPI for First Security noise call outs.

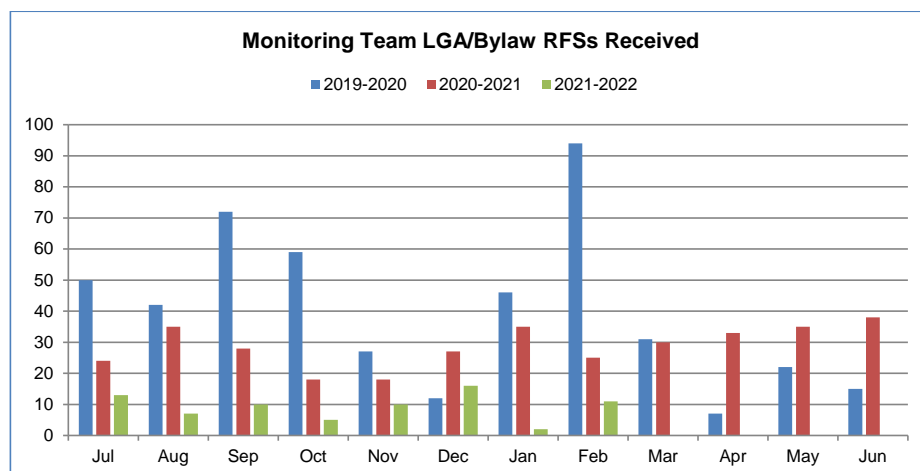


In the RMA, the term excessive noise means any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted). Noise assessment by First Security 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. The table below shows First Security officers' action taken this financial year.

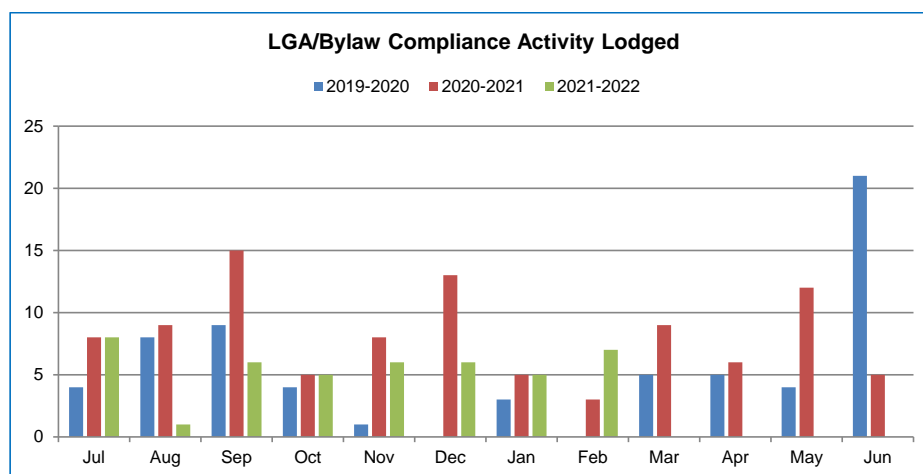
Action Taken 2021-2022	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
Abatement Notice Issued	0	0	1	0	0	0	0	0
Excessive Noise Directive Issued	7	6	13	25	10	11	21	6
No Action Taken	65	38	34	77	43	72	92	59
Seizure Performed		1		4	0	0	0	0
Verbal Warning Issued	19	4	17	27	21	34	33	20
Grand Total	91	49	65	133	74	117	146	85

Local Government Act 1974/2002

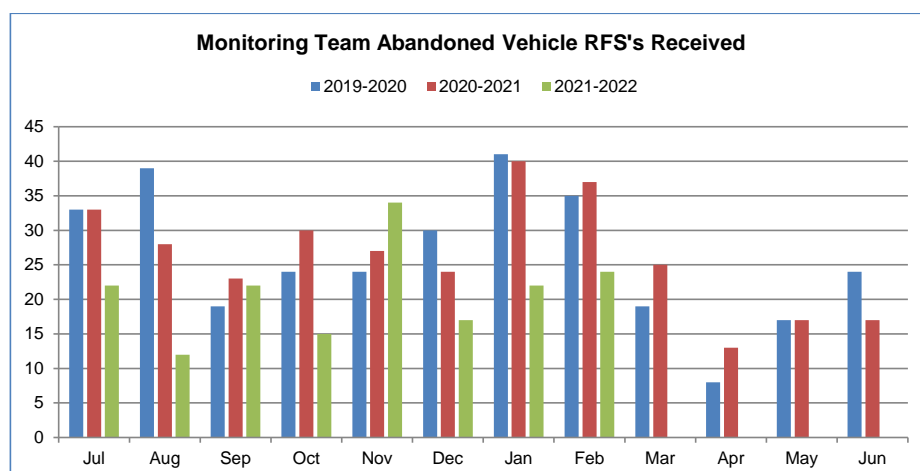
The Local Government Act (LGA) is the legislation behind most of the bylaws administered by Monitoring. The LGA can also be used for issues such as encroachments onto public places and roads. The graph below shows RFS received by Monitoring for LGA/Bylaw incidents over the last three financial years.



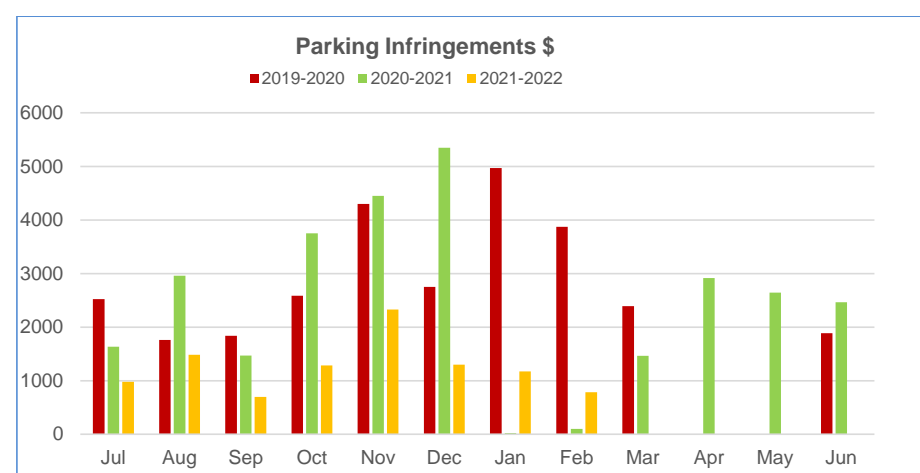
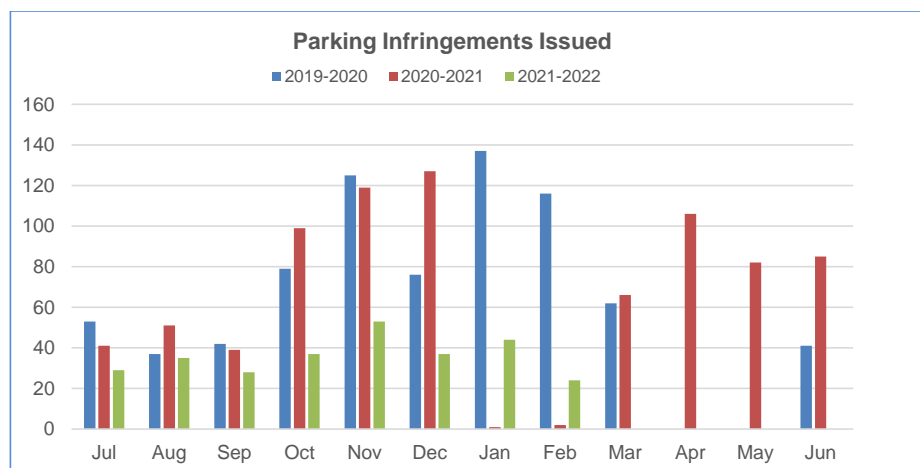
As with the RMA and all other legislation used by Monitoring, escalated investigations prompt the creation of an application in the Council system, which allows for the recording of research, evidence etc. For the LGA these applications are called 'GENBYL'. The graph below shows GENBYLs created by Monitoring for LGA incidents over the last three financial years.

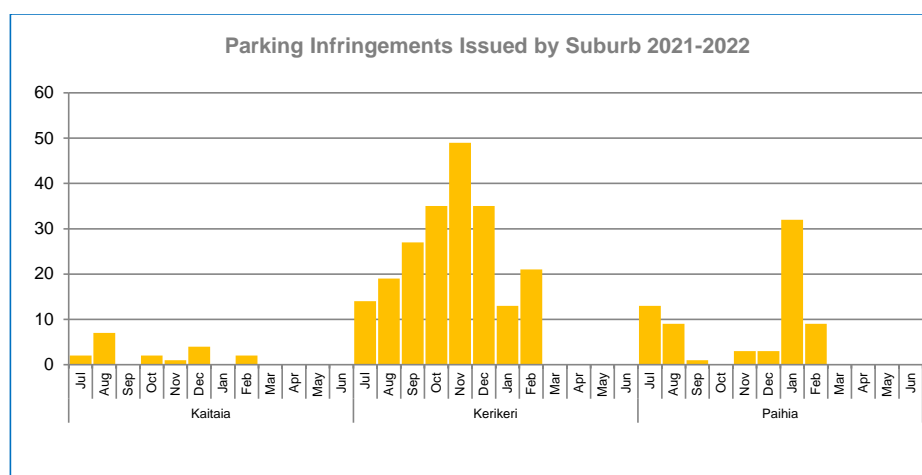
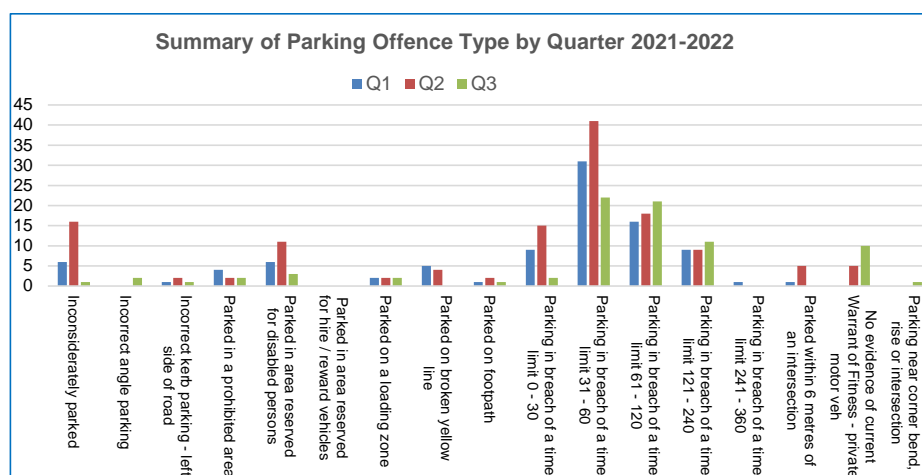


The following graph shows RFS received for the removal of abandoned vehicles. Section 356 of the Local Government Act 1974 authorises a territorial authority to remove abandoned vehicles under certain circumstances.



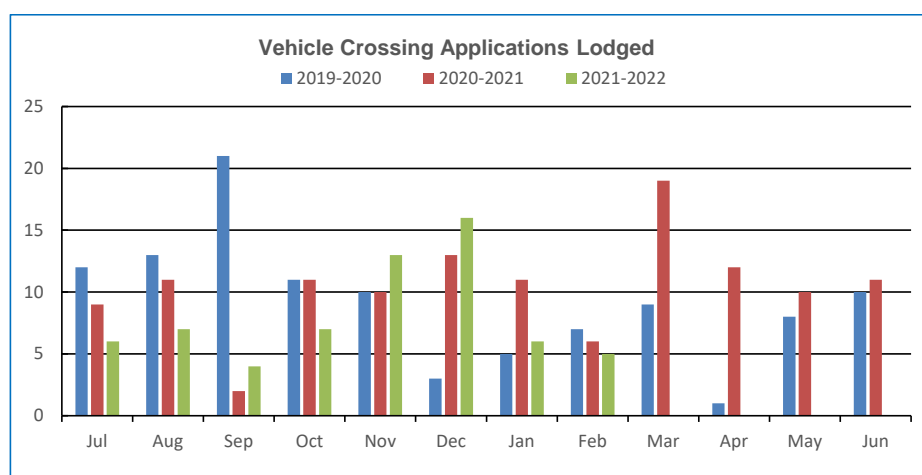
Parking





Vehicle Crossing Applications

Monitoring has contracted out the management of vehicle crossing applications to Haigh Workman. The graph below shows applications received by FNDC and processed by Haigh Workman for the last three financial years.



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.

RFS Responses

274 RFS were received for Animal Management in January 2022, 40 urgent and 234 non-urgent.

Animal Management Officers continue to respond to requests within level of service agreed times ($\geq 93\%$), with a 97.5% response rate recorded for urgent responses and 97% for non-urgent.

Impounded Dogs

27 dogs were impounded in February, resulting in 5 being claimed by their owners, 3 dogs taken by a Rescue Group and 11 being adopted out to new homes. A total of 3 dogs were euthanised in February due to not being claimed by an owner and not meeting criteria to be rehomed.

Dog Adoptions

Eleven dogs were successfully adopted to new homes and these were placed out as follows:

- 5 within the Far North District
- 1 to Christchurch
- 1 to Auckland
- 1 to Hamilton
- 1 to Upper Hutt
- 1 to Pukekohe
- 1 to Wakefield

Dog Registration

The registration follow-up work conducted by Animal Management provides dog owners a reminder to register their dogs, without penalty. However, in some cases those opportunities are not always accepted, and Infringement Notices are issued. There were 23 infringements issued in February for non-registration by the Animal Management team.

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. Environmental Health Services 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

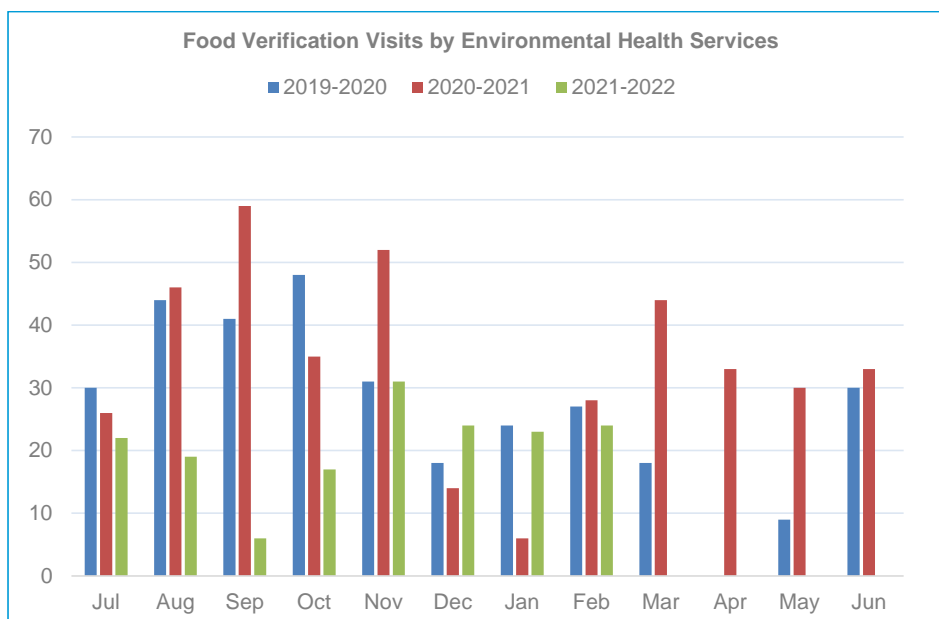
Levels of Service

Level of service 8.2.1. Food Control Plan and National Programme audits 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:** 96% **Last Month:** 96% **Last Year:** 92%

During February 2022, 25 verifications were scheduled. Of the 25 scheduled verifications, 24 were completed. The only verification not to take place was cancelled as the operator was not available due to sickness. This verification will be rescheduled. The following graph shows the 24 verifications completed.

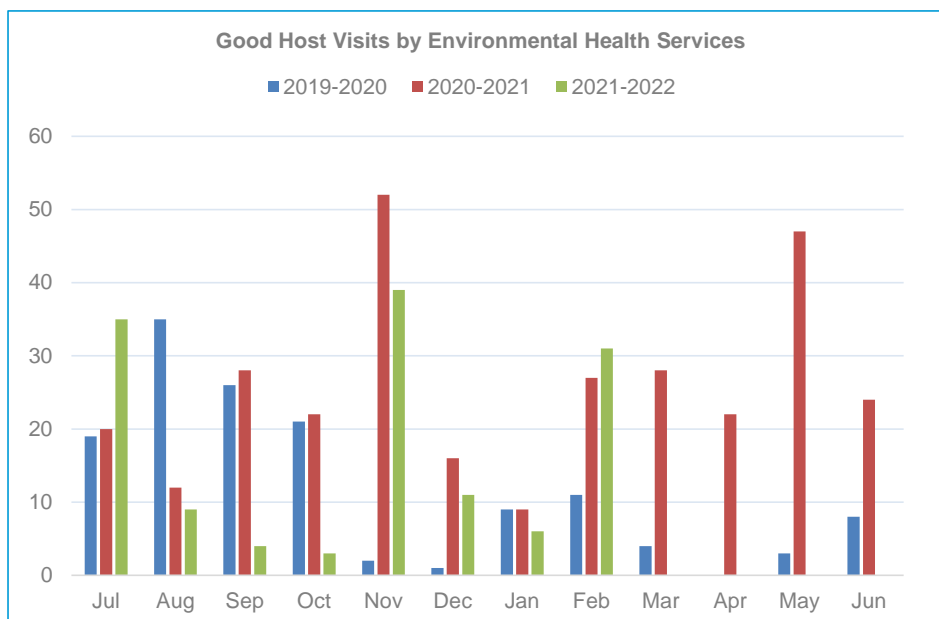


Level of service 8.4.1. All licensed premises are visited for Host Responsibility inspections at least once every four years.

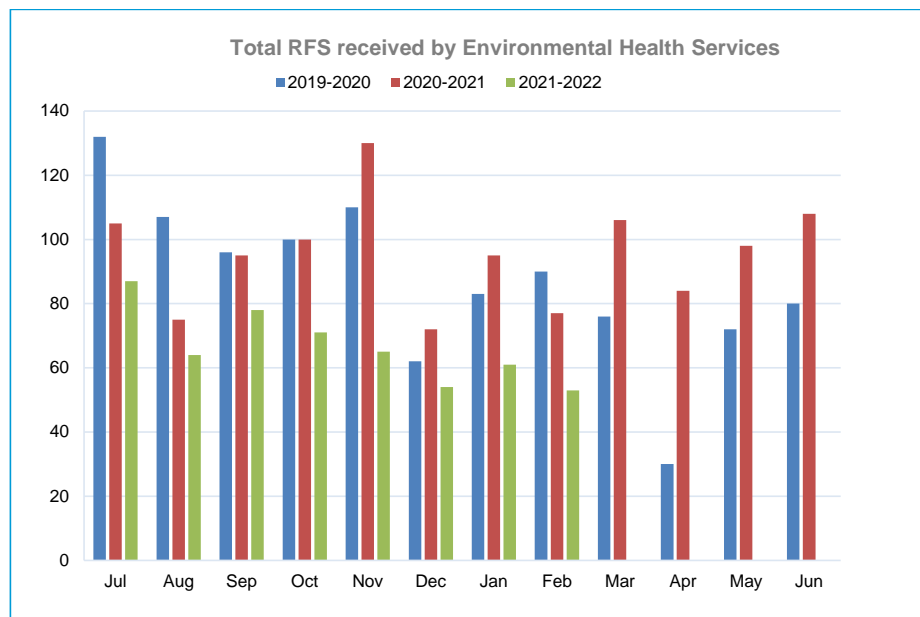
Target: ≥25% This Month: 53.9% Last Month: 41.7% Last Year: 100%

At present there are 251 licensed premises in the Far North district. 23 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 February 2022, 31 visits were completed by EHS. For the remainder of this reporting year there is a total of 105 visits to complete.



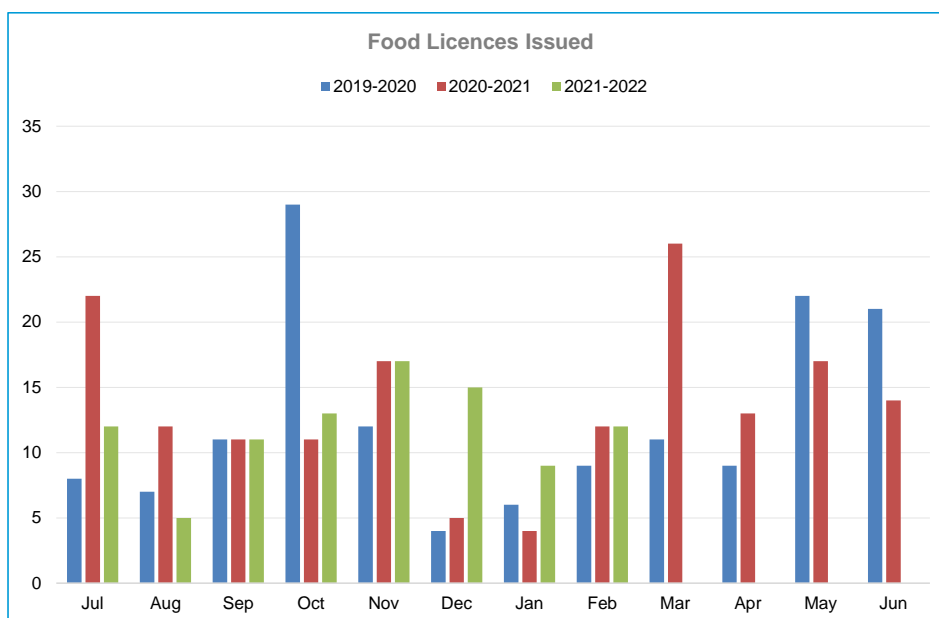
Requests for Service



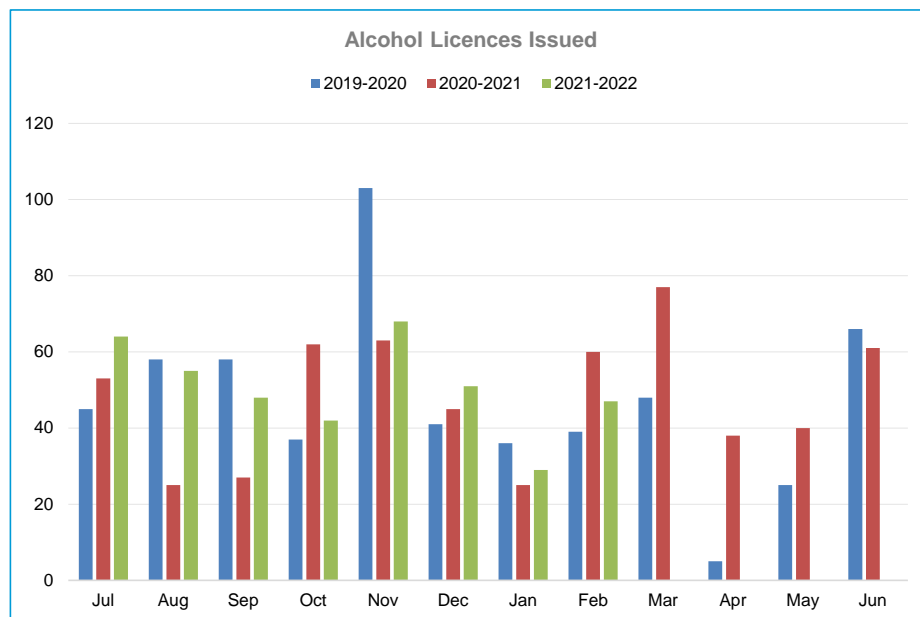
In September 2021, EHS reviewed and updated its website content. During October – December 2021 there was a noticeable decrease in the number of RFS received. This was likely due to the improvements made to the website content and improved communications, i.e. quarterly newsletters.

In February 2022, there has been a decrease in RFS received and this has been our lowest number of RFS received over the past 8 months. The team put this down to the work that was carried out in September last year.

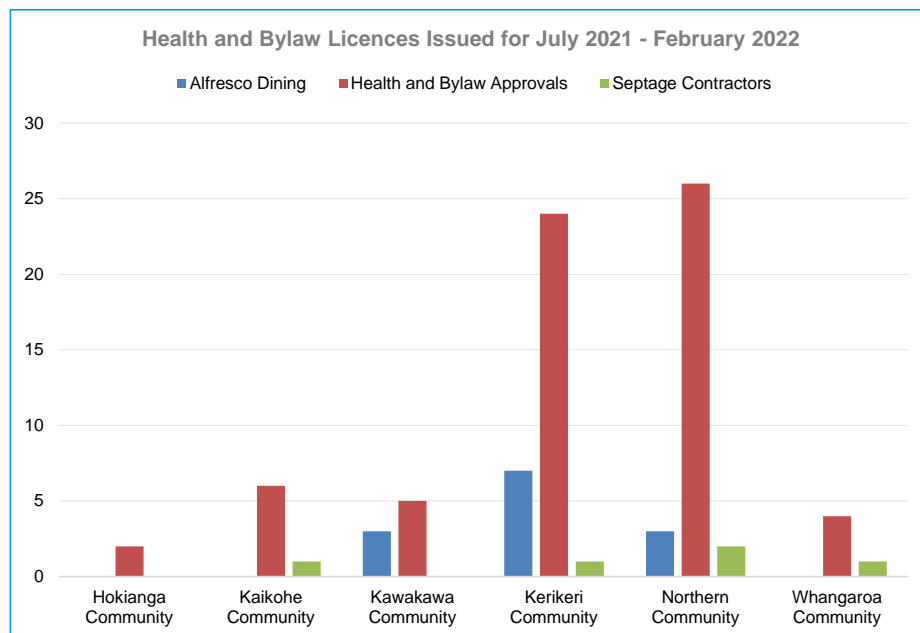
Food Registrations Issued



Alcohol Licences Issued



Health Licensing and Bylaw Approvals



Environmental Health also process approvals for alfresco dining, street stalls, hawker, site permits and mobile shops.

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.

Between 1 July 2021 – 31 January 2022, a total of 13 alfresco dining approvals were issued. There were no alfresco dining approvals issued in February 2022.

During February 2022, EHS did not complete any alfresco dining inspections.

Health licences (campgrounds, hairdressers and offensive trade operators) are renewable 1 July each year. The holder of a current health licence will be inspected on an annual basis.

Between 1 July 2021 – 28 February 2022 a total of 85 health licences were issued.

During February 2022, EHS carried out 9 health inspections across the district.

Environmental Health will continue foot patrols across the district until 30 June 2022 to identify businesses who may be operating without the necessary approval. Those that are identified will be required to obtain the necessary approval from Council.

5.5 BUILDING COMPLIANCE UPDATE (TERRITORIAL AUTHORITY)

File Number: A3669730

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 Compliance Team (part of the Territorial Authority) and its statutory compliance of the with the Building Act 2004.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The Building Compliance (BCOM) team is currently lead by the Senior building specialist who is seconded to this position to allow training of the team and renovating the function to bring it into line with the Building Consenting Authority (BCA) in terms of the level of compliance. In future the BCOM team will have the same level of compliance infrastructure as the BCA to ensure a reliant function. Reporting will become easy once the Business Intelligence (BI) has been developed further and the historical data has been cleansed.

TŪTOHUNGA / RECOMMENDATION

That the Regulatory Compliance Committee receive the report Building Compliance Update (Territorial Authority).

TĀHUHU KŌRERO / BACKGROUND

The Building Compliance Team (part of the Territorial Authority) 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.

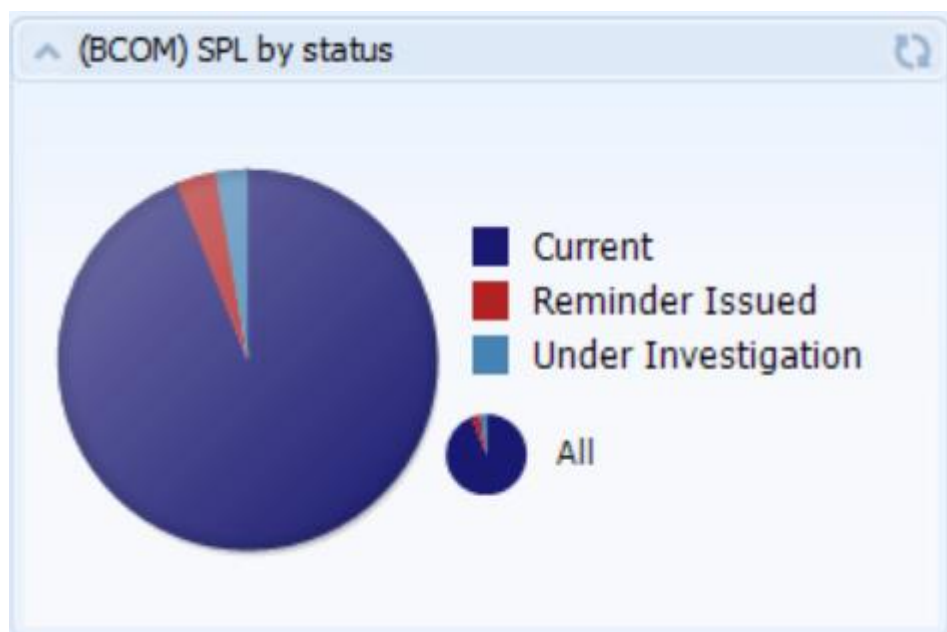
Its purpose is to ensure people can use buildings safely and without endangering the health or the property of others. The team manages the spheres of Building Compliance, Building Warrant of Fitness, swimming pools, Certificates of Acceptance and Exemptions.

Council ensures compliance by inspecting or monitoring sites to ensure they comply with legislation. there are a range of enforcement options the Council can take, from education to formal enforcement such as notices and prosecution these are dependent on officer discretion and the level of offending.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

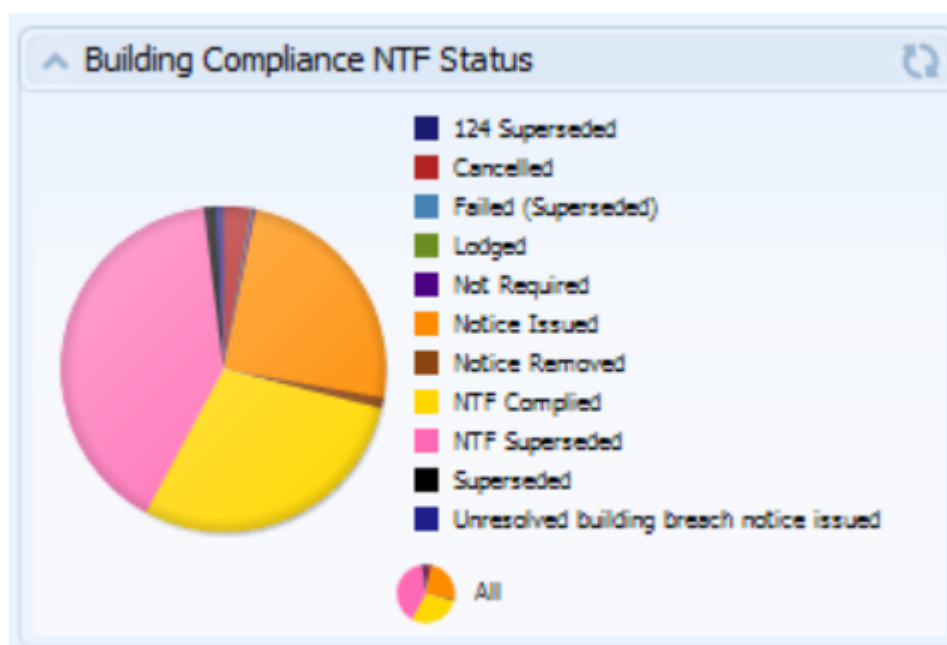
The Territorial Authority (TA) like other teams is feeling the effects of the Covid on its team and as such has reduced capacity of completing the Ministry of Business Innovation and Employment (MBIE) work plan following a recent audit. Updates are currently 75% complete and completion of all tasks and a full update to MBIE will be completed by the end of the financial year. Part of the work schedule is completing Building Warrant of Fitness (BWOFF) audits to update the compliance schedule to the new format which is tracking well.

The pass rate for pool compliance to date is 59% and the team is current with the triennial inspection regime.



Of the 852 pools registered in our district 802 are current, 21 are under investigation and 29 have reminders sent to have an inspection completed.

The team have issued 142 Notices To Fix (NTFs) year-to-date, compared with 200 for the same period last year.

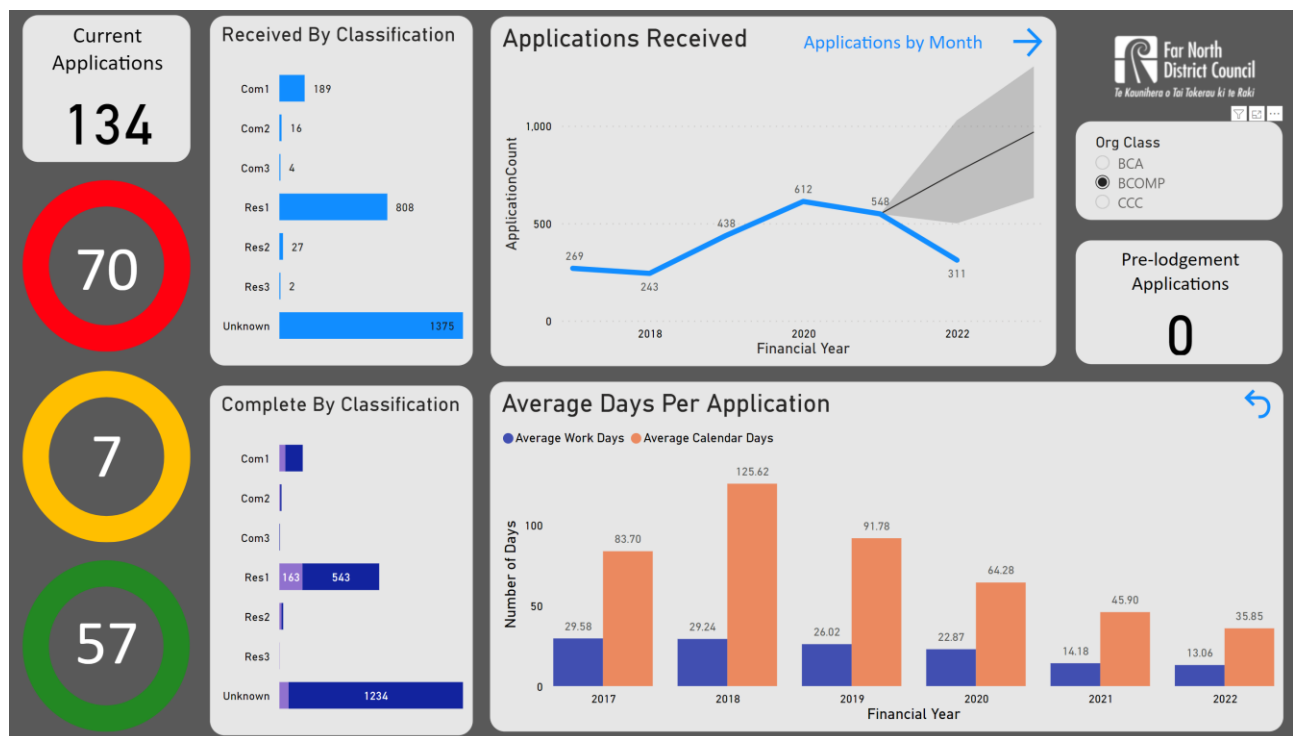


NTFs are issued once an investigation has been completed using the Gen-BLD application module which holds the investigation notes and decision points during and post investigation, as the team works with a customer to gain compliance. There are currently 27 cases under investigation and 43 pending investigation.

BCOM have 16 open RFS's and 5 overdue.

To date a total of 484 RFSs have been raised this year compared with 725 for the same period last year.

Above are the dash boards that Pathways provide to aid management of the BCOM function. Recently we have moved, like the BCA, to the BI system for reporting. A data cleansing process is underway to ensure accurate reporting.



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

Nil

ĀPITIHINGA / ATTACHMENTS

Nil

5.6 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE APRIL 2022**File Number:** A3670055**Author:** Rhonda-May Whiu, 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.

WHAKARĀPOOTO 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 April 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.

ĀPITI HANGA / ATTACHMENTS

Nil

6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

6 TE KAPINGA HUI / MEETING CLOSE