

# SOUTH WAIRARAPA DISTRICT COUNCIL

25 OCTOBER 2017

## AGENDA ITEM D1

### PLANNING AND ENVIRONMENT GROUP REPORT

#### Purpose of Report

To update Councillors on the activities of the Planning and Environment Group and progress against Annual Plan performance measures.

#### Recommendations

Officers recommend that the Council:

1. *Receive the Planning and Environment Group Report.*

## 1. Resource Management

### 1.1 Resource Management Act - District Plan

*SERVICE LEVEL – Council has a Combined District Plan that proves certainty of land-use/environmental outcomes at the local and district levels.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Ratepayers and residents satisfied with the image of the closest town centre shown as "satisfied"	75%	92%	NRB 3 Yearly Survey
The district plan has a monitoring programme that provides information on the achievement of its outcomes (AER's)		-	Consultants have been working with the 3 Councils to establish which data is recorded and how it is stored so as to enable effective reporting against AER's in WCDP. A draft monitoring strategy has been completed and comments passed back to the consultants undertaking the work.

Council's consultant arborist and Council Planner have been working their way through the existing scheduled trees list in the WCDP, doing a reassessment of each tree. This reassessment will form a key basis for any decision to remove/retain each tree in the schedule, with landowner preference being the other critical factor.

This work has to date taken over 3 full weeks in the field. The only outstanding trees are those in remote rural locations. These should be reviewed over the next 2-3 weeks.

There has been some comment in the Featherston Phoenix about the effect of protected tree status which while partly accurate, does not present the full story. A brief press release outlining the actual effects of a schedule listing will be supplied to the Phoenix so that it can hopefully be published.

The Greytown Tree Advisory Group is still working on its submission on trees to be scheduled, they now expect to make it available in early November.

If this list is substantial, site visits to assess the recommended trees (by Councils consultant arborist and Council planner) will take some time to complete (perhaps some weeks).

We are still on time (just) to be able to present a plan change to Council in December, but if there are delays because of the scope of the TAG's proposals, it is possible it will have to go to the February 2018 Council meeting for consideration.

### 1.1 Resource Management Act - Consents

*SERVICE LEVEL – All resource consents will be processed efficiently.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Consent applications completed within statutory timeframes	100%	100%	46/46 RCA's completed within statutory timeframe. NCS.
s.223 certificates issued within 10 working days	100%	88%	15/17 s223's completed within statutory time frame. NCS.
s.224 certificates issued within 15 working days of receiving all required information (note no statutory requirement)	95%	100%	15/15 s224's completed within Councils timeframes. NCS.

Council received 26 resource consent applications between 1<sup>st</sup> September and 30<sup>th</sup> September 2017. We continue to contract out applications to keep this workload under partial control.

Officers provide detailed information on resource consents as part of regular updates, subject to data availability, on all consents direct to Council and Community Board members, so this information is not listed here.

### 1.2 Reserves Act – Management Plans

*SERVICE LEVEL – Council has a reserve management plan programme.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Council maintains and updates reserve management plans as required.	Yes	0	It is not anticipated that any updates will be undertaken this year as the RMP's are current and appropriate.

### 1.3 Local Government Act – LIM's

*SERVICE LEVEL – Land Information Memoranda: It is easy to purchase information on any property in the District.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
LIMs contain all relevant accurate information (no proven complaints)	100%	100%	G:\LIMS
Non-urgent LIMs are processed within 10 days	100%	100%	G:\LIMS

We have been having a few difficulties with applications for LIMs. Applicants are looking up forms on the internet and the search engines are pulling up old forms with incorrect requests for applicant information and fees.

Applicants should go to the SWDC website for this information which has the correct forms and charges, however users of search engines do not understand this.

When the wrong form and fees are used, this causes administrative issues because staff then have to ask for a re-submitted correct form and of course, a corrected fee from the applicant. Correcting both of these matters causes "some grief" for applicants and for staff. Other Councils face the same problem, which is a systematic issue with the search engines and user choices, not Council.

The number of LIMs lodged has fallen in the first quarter of the year relative to last year. This seems to reflect the slow-down through that period in the property market. According to Real Estate companies the pressure around sales has subsided but the market is still active.

Our figures tend to support a slower period as the biggest fall off is in "urgent" LIMs; non-urgent are at 86% while urgent are at 60% of last year.

To confuse the data slightly, for September standard LIMs are ahead of last year (plus 14%), but urgent are at 40%. Whether these changes persist will be a truer measure of a shift in the residential market.

TYPE	YTD 1 JULY 2017 TO 30 SEPTEMBER 2017	PREVIOUS YTD 1 JULY 2016 TO 30 SEPTEMBER 2016	PERIOD 1 SEPTEMBER 2017 TO 30 SEPTEMBER 2017	PREVIOUS PERIOD 1 SEPTEMBER 2016 TO 30 SEPTEMBER 2016
Standard LIMs (Processed within 10 working days)	50	58	24	21
Urgent LIMs (Processed within 5 working days)	14	23	4	10
<b>Totals</b>	<b>64</b>	<b>81</b>	<b>28</b>	<b>31</b>

## 2. Public Protection

### 2.1 Building Act - Consents and Enforcement

*SERVICE LEVEL - Council certifies all consented work complies with the building code, ensuring our communities are safe. The Council processes, inspects, and certifies building work in my district.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Code Compliance Certificate applications are processed within 20 working days	100%	97.27%	NCS – Continued monitoring of processing days. 107 of 110 CCC's were issued within 20WD. NCS status error caused incorrect report data.
Building consent applications are processed within 20 working days	100%	100%	NCS – Continued monitoring of processing days. 126 of 126 consents were issued within 20WD
Council maintains its processes so that it meets BCA accreditation every 2 years	Yes	Yes	Next IANZ review set for January 2018. Council was re-accredited in January 2016.
Council inspects new building works to ensure compliance with the BC issued for the work, BWOFF's and Swimming Pools	Yes	Yes	Council are currently inspecting all work to insure compliance for the building consents. <b>BWOFF's</b> – Total 169 - Required 3 audits a month. 4 audited in September. <b>Swimming Pools</b> – Total 279 - Required 8 audits a month. 4 audited in September
Earthquake prone buildings reports received	90%	64.62 %	Previous figures from the old legislation: 148 of 229 known premises had been addressed.  Under the new legislation, Council is required to identify potential Earthquake Prone Buildings (EQP). The new methodology may change the total amounts of the potential EQP Buildings in the South Wairarapa. Staff and consultants are in the process of reassessing which buildings should on the register. The outcome of these assessments may exclude some new buildings along with those previously thought to be EQP. The review is approximately 60% complete.

Building consent operations have been under some pressure in recent times due to the absence of staff for annual, sick and maternity leave, but also because of workloads. This situation has increased our reliance on contractors to process consents. Additional resources have been brought in to ensure we continue to meet statutory deadlines for processing of building consents. The available qualified staff have in the meantime been directed onto field work so that we can keep up with inspections and not cause undue delays for the building trades onsite. By late October we expect to have all staff back on board.

Work on swimming pools and BWOFF's has slowed through this period because of the staff absences with the officer involved providing office coverage for enquiries instead.

TYPE	NUMBER	VALUE
<b>Commercial</b> (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings)	2	231,200
<b>Industrial</b> (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery)	6	203,000
<b>Residential</b> (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters.	29	5,422,226
<b>Other</b> ( public facilities - schools, toilets, halls, swimming pools)	2	102,000
<b>Totals</b>	<b>39</b>	<b>\$5,958,426</b>

## 2.2 Dog Control Act – Registration and Enforcement

*SERVICE LEVEL – Dogs don't wander freely in the street or cause menace to humans or stock.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Undertake public education, school and community visits to promote safe behaviour around dogs and/or responsible dog ownership	3 visits	0	Programme will be undertaken once staffing matters resolved.
Complaints about roaming and nuisance dogs are responded to within 4 hours	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 51/51
Complaints about dog attacks on persons or stock are responded to within 1 hour	100%	100%	No attacks on people or stock however 2 attacks on pets were reported during this period

INCIDENTS REPORTED 1 SEPT 17 – 30 SEP 17	FEATHERSTON	GREYTOWN	MARTINBOROUGH
Attack on Pets	-	-	-
Attack on Person	-	-	-
Attack on Stock	-	-	-
Barking and whining	-	-	-
Lost Dogs	2	-	1
Found Dogs	2	-	1
Rushing Aggressive	-	1	-
Wandering	5	3	3
Welfare	-	-	-
Fouling	-	-	-
<b>Total</b>	<b>9</b>	<b>4</b>	<b>5</b>

A request for a review of an Officer decision to declare a dog dangerous under the Dog Control Act has been made. Due to availability issues for various parties involved, this hearing has been delayed, but is now likely to take place in the first or second week of November. Council's hearings committee will consider the review request. The particular case is complex and has already been subject to judicial decisions at the District Court.

### 2.3 Public Places Bylaw 2012 - Stock Control

*SERVICE LEVEL – Stock don't wander on roads, farmers are aware of their responsibilities.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Stock causing a traffic hazard is responded to within 1 hour	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 2 incidents
In cases where multiple stock escapes (more than 1 occasion) have occurred from a property taking compliance or enforcement or prosecution action against the property owner	100%	100%	No incidents
Council responds to complaints regarding animals within 48 hours.	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 1 incident (previously reported)

INCIDENTS REPORTED	TOTAL (1 SEPTEMBER 2017 TO 30 SEPTEMBER 2017)
Stock	0

### 2.4 Resource Management Act – afterhours Noise Control

*SERVICE LEVEL – The Council will respond when I need some help with noise control.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
% of calls received by Council that have been responded to within 1.5 hours	100%	100%	K:\resource\Health\Resource Management\Noise Control Complaints\Year Records 2010-2017.xls

Activity levels to date are lower than for last year, as is shown in the following table. The cause of this variation is unclear from the data, but may reflect the lack of clear dry weather so far this spring. Better weather tends

to bring people outdoors for events which in turn gives rise to noise complaints.

AFTER HOURS NOISE CONTROL COMPLAINTS RECEIVED	YTD 1 JULY 2017 TO 30 SEPTEMBER 2017	PREVIOUS YTD 1 JULY 2016 TO 30 SEPTEMBER 2016	PERIOD 1 SEPTEMBER 2017 TO 30 SEPTEMBER 2017	PREVIOUS PERIOD 1 SEPTEMBER 2016 TO 30 SEPTEMBER 2016
Total	13	22	3	4

## 2.5 Sale and Supply of Alcohol Act - Licensing

*SERVICE LEVEL – The supply of liquor is controlled by promoting responsible drinking.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises are inspected as part of licence renewals or applications for new licences.	100%	100%	All premises inspected at new or renewal application.
Premises that are high or medium risk are inspected annually, while low risk premises are audited no less than once every three years.	100%	22.6%	There are 31 premises that are high or medium risk. Of these, 7 have been inspected. The premises yet to be inspected have been scheduled to have an unannounced compliance check during the 2017/18 reporting period.
Compliance activities are undertaken generally in accord with the Combined Licencing Enforcement Agencies agreement.	100%	0%	The CLEG is yet to meet this year to agree the programme.

Over the last few months there have been a number of interpretative issues arising from the implementation of the Sale and Supply of Alcohol Act. These have mainly been around the supply of alcohol at events and re-licencing processes.

We have sought legal advice in relation to these matters. That advice has generally indicated that the Licencing Inspectors have correctly used and interpreted the Act and in some cases, adopted usages that while not specifically provided for in the Act, are practical and legally sustainable.

These types of issues can arise at any time particularly with relatively new legislation, and staff have tried to accommodate alternate views where that is practicable and legal.

However these problems have resulted in views being expressed that the Council is not acting reasonably and is wrong. There is little that can be done to address those opinions other than by obtaining and having and making available the independent legal advice in support of Councils licencing inspector's position, which we do.

The Chair of the District Licencing Committee (Mrs Julie Riddell) has also been kept fully informed of these matters so that she can when,

ALCOHOL LICENCE APPLICATIONS PROCESSED	YTD 1 JULY 2017 TO 30 SEPTEMBER 2017	PREVIOUS YTD 1 JULY 2016 TO 30 SEPTEMBER 2016	PERIOD 1 SEPTEMBER 2017 TO 30 SEPTEMBER 2017	PREVIOUS PERIOD 1 SEPTEMBER 2016 TO 30 SEPTEMBER 2016
On Licence	4	4	1	1
Off Licence	2	7	1	3
Club Licence	1	3	1	0
Manager's Certificate	35	31	10	8
Special Licence	10	10	2	4
Temporary Authority	0	0	0	0
<b>Total</b>	<b>52</b>	<b>55</b>	<b>15</b>	<b>16</b>

determining applications under the Act, take account of them if raised by a party such as the applicant or Police or Medical Officer of Health.

## 2.6 Health Act - Safe Food

*SERVICE LEVEL – Food services used by the public are safe.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises have appropriate FMP in place and meet the risk based standards set out in the Plan.	100%	100%	NCS data
Premises are inspected in accord with regulatory requirements.	100%	100%	NCS data

## 2.7 Bylaws

From 1 Sept 2017 to 30 Sept 2017, one notice was issued relating to trees and hedges obstructing a public place. There were no complaints relating to litter. Three abandoned vehicle complaints were received and dealt with.

Contact Officer: Murray Buchanan, Group Manager, Planning and Environment