

SOUTH WAIRARAPA DISTRICT COUNCIL

26 AUGUST 2015

AGENDA ITEM D1

PLANNING AND ENVIRONMENT GROUP REPORT

Purpose of Report

To update Councillors on the activities of the Planning and Environment Group, work progress against Annual Plan performance measures and items/events of interest.

Recommendations

Officers recommend that the Council:

1. *Receive the information.*

1. Resource Management

1.1 Resource Management Act – Policy/District Plan

Wellington Regional Council Natural Resources Plan

On 29 July 2015 the Wellington Regional Council gave formal notice to Council that it had publicly notified the **proposed Natural Resources Plan** for the Wellington Region. This plan is now open for public submissions. The closing date for these has been set as **5pm on the 25 September 2015**.

This plan combines five previous regional plans (air, land, freshwater, discharge to land and coastal). This represents a significant change from the way the regional council previously managed these resources.

Many provisions in the proposed plan potentially affect Council and a coordinated and carefully considered response should be made to protect Council and its ratepayers from the effects of any undue or over restrictive provisions in the plan.

Of particular interest to Council will be the provisions around wastewater discharges and stormwater as these could have significant implications for Council in terms of new consenting requirements and costs. In addition there are many other provisions that may impact on Council.

Initial discussions have been had with senior staff from MDC and CDC about the forming of a "common" submission while leaving room for each Council to still submit on any matters relevant only to them.

Internally, planning and engineering staff have begun thinking about how much resource this Council needs to direct into the process of building targeted and well founded submissions, not the least of this being to actually read through, study the provisions contained in the document and to interpret these (to figure out how they work in practice) against Council's activities.

This will be a major process given the documents' size, complexity and the range of issues covered.

The closing date is not far away and this will create its own pressures. In that regard the 2 months notification period is too short and should be extended to 3 months. An example of the problems, for instance, is that the current closing date for receipt of submissions means Council has no scheduled meeting to consider any recommended submissions prior to that date.

The only way around this is to extend the timeframes however that decision would need to come from the regional council, or for Council to delegate the signing off of any submission to a panel (e.g. the Mayor, Chief Executive and Group Managers PE and IS or some other combination).

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 2015/16	MOST RECENT RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Ratepayers and residents satisfied with the District as a "better" place to live	65%	71%	NRB Survey
Ratepayers and residents satisfied with the image of the closest town centre shown as "satisfied"	65%	92%	NRB Survey

1.2 Resource Management Act - Consents

SERVICE LEVEL – All resource consents will be processed efficiently.

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET 2015/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Consent applications completed within statutory timeframes	100%	94.1%	NCS
s.223* certificates issued within 10 working days	100%	100%	NCS
s.224* certificates issued within 15 working days of receiving all required information (note no statutory requirement)	85%	100%	NCS

Council received 12 (the previous year 17) resource consent applications between 1/07/2015 and 12/08/2015.

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

1.3 Reserves Act – Management Plans

SERVICE LEVEL – Council has a reserve management plan programme.

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET 15/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Council maintains and updates reserve management plans as required.	1	0	No work is required at present.

It is probable that the current “town square” proposal in Featherston will need to be followed up on, in terms of what the Clifford Square Reserve Management Plan indicates for the land and adjoining area, to better reflect what is built (once complete), however there is no immediate or regulatory need to update this RMP now.

1.4 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 15/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
My LIM contains all relevant accurate information (no proven complaints)	-	-	
My non-urgent LIM is processed within 10 days	100%	100%	

TYPE	YTD 1 JULY 15 TO 12 AUGUST 2015	PREVIOUS YTD 1 JULY 14 TO 12 AUGUST 2014	PERIOD 1 JULY 15 TO 12 AUGUST 2015	PREVIOUS PERIOD 1 JULY 14 TO 12 AUGUST 2014
Standard LIMs (Processed within 10 working days)	23	9	23	9
Urgent LIMs (Processed within 5 working days)	4	8	4	8
Totals	27	17	27	17

As from the 1st of July 2015, the revised fee structure for non-urgent (\$250) and urgent (\$450) LIMs came into force.

While the number of LIMs has reduced due to winter (there is a fall-off every year at this time) and economic conditions, the urgent fee has had the desired effect of shifting the proportion between non and urgent LIMs back into a better balance.

Many Real Estate Companies, who had previously adopted the practice of requesting an urgent LIM on every occasion, are now more circumspect with such requests and the majority of LIMs are now being processed as non-urgent.

This has helped to take processing pressure off technical staff so they can better balance work demands for LIMs with other consent and permit processing tasks which are also subject to statutory timeframes.

2. Public Protection

2.1 Building Act – Policy and Administration

Coastal Buildings

Council will be aware that a recent storm triggered a further round of coastal erosion affecting not only Council's road, but also a number of privately owned properties and buildings.

At Whatarangi, this caused a number of buildings to fail and collapse onto the foreshore, while others were left in a precarious position. Strong southerlies have continued to affect the coast and in the latest case (around August 9-10) further erosion of land occurred with additional buildings failing and falling down onto the shoreline.

Complaints about the "hazard" on the foreshore from the destroyed buildings were received after both events. An inspection took place after the first storm to determine whether any buildings should be classed as "dangerous" under the Building Act. It was considered that at least two possibly were and these, along with other nearby properties, were yellow taped with a warning not to enter.

At the same time letters were sent to the affected property owners (all sites subject to the erosion) to advise them of the danger and to seek their comments on how they saw the situation and the possibility that Council might declare their buildings as dangerous under the Act.

Comments have been received from most owners (mainly those least affected objecting to their properties being declared dangerous). The next step will be to formally consider whether any buildings should be declared dangerous. In this respect we intend to seek legal advice before so doing.

With regard to the complaints, these relate to debris on the foreshore which is not this Council's responsibility, either in an operational or legal sense.

Normally the Regional Council and Department of Conservation would be required to manage those effects on the coastline. In this case though there may be some issues around that.

In essence, due to the erosion of the land, the legal titles and therefore ownership of the foreshore, sits with each of the affected property owners. It is in effect private property.

Thus the complainants concerns about safe access along the foreshore do not reflect the actual rights of access, there are no rights of public access along the foreshore at that point.

It is therefore proposed that Council erect a sign at each end of the block of properties affected, pointing out there is no legal access along the coast for the public and in any event they should not enter the area due to the hazards that may be present.

Wind Zones

Some two months back, a consultant (Michelle Grant of LGE Consulting) was engaged to provide Council with an assessment of wind risk under the Building Act. This has always been covered by the Act so it is not a new thing. However Council did not have any local data on which to base its decisions around in terms of what wind loading should be applied to a structure. Our decision to seek this advice followed on from both Masterton and Carterton doing so.

The work done by the consultants has applied the provisions of NZS 3604 and AS/NZS 1170 to the districts wind environment and recommended how the design of a structure should take these standards into account.

It is proposed that at the next Infrastructure and Planning workshop to have the consultant attend and run through some of the detail of the study for Council.

In brief, the work should not result in significant changes to Council's past approach to wind design, although some change is inevitable, but this will be factually based.

For the majority of structures, meeting the standard structural design requirements means they also meet the wind design required.

The only areas where some changes may be needed would be in roof fixings and water tight cladding/window flashing/seals. In addition around Featherston some specific engineering design could be required. In industrial and commercial areas the use of "lightweight" framed and clad structures may also have to change.

The reasons for those adjustments will be covered at the workshop.

Staff and file project

We have recently advertised for a BCO replacement for Adrian Cullen, who has stepped into the Team leader role now. Applications for this position closed on Friday 14 August.

Mr Neil Gerrish, a consultant, is commencing competency assessments of all current building staff. By the end of September/early October this should be completed. This should result in being able to bring back in house more straight forward consent processing (this is currently contracted out) and in time all consent processing. Mr Gerrish has also agreed to take over consent processing currently contracted with another provider, when that contract ends (at the request of the contractor).

The conversion of existing building consents to electronic file project was put on hold while staffing issues were worked through and other issues resolved. In the meantime Council systems administrator has been investigating the computer hardware requirements to drive the file storage project. Meetings with the software provider (Onstream Systems - Trapeze/Vault software) have also taken place.

2.2 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 2015/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Code Compliance Certificate applications are processed within 20 working days	100%	100%	NCS – Continued monitoring of processing days. Year to date, one CCC accidentally went over the 20WD's.
Building consent applications are processed within 20 working days	100%	100%	NCS – Continued monitoring of processing days.
Council maintains its processes so that it meets BCA accreditation every 2 years	Yes	Yes	Next IANZ review is programmed for January 2016
Earthquake prone buildings reports received	100%	143/227	The government is proposing to make changes where by the assessments will need to be completed by a fixed date. We are awaiting this decision.

TYPE	NUMBER	VALUE
Commercial (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings)	3	\$102,000
Industrial (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery)	6	\$247,650
Residential (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters.	38	1,856,038
Other (public facilities - schools, toilets, halls, swimming pools)	2	17,000
Totals	49	\$2,222,688

Council is still dependent on external contractors for the processing of Building Consent applications. All inspection services are being provided by staff.

Demand for inspections remains high at this time, however work flows will be carefully monitored to detect any fall off.

If a reduction in new work occurs, staff will be re-directed to tasks that have not been able to be undertaken due to staff shortages over the past 6-12 months, but which must still be completed.

These include carrying out Building Warrant of Fitness audits, swimming pool compliance checks, and dealing with overdue Code Compliance Certificates.

Time will also be allocated to getting the file project operational if available.

2.3 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 15/16	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	Education programme targeting schools is in progress using the Christchurch City Council Dog Smart programme and radio dog education campaign.
Complaints about roaming and nuisance dogs are responded to within 4 hours	100%	100%	

Registration is currently in progress. All dogs were required to be registered before 1 August 2015. Penalty fees have now been applied and bylaws officers will be actively following up with dog owners on dogs that have yet to be registered.

As at 12th August 2015 there are 2577 registered dogs with 1474 owners. (88 percent registered). There are currently 306 unregistered dogs, with 190 owners.

Of the unregistered dogs 33 have paid but tags are yet to be issued because of incomplete application information.

No infringements have been issued during this period.

No unpaid infringements were sent to the Courts during this period.

The following table provides a snapshot of dog control incidents for the period.

INCIDENTS REPORTED	
Attack on Pets	0
Attack on Person	0
Attack on Stock	0
Barking and whining	5
Lost Dogs	6
Found Dogs	0
Rushing Aggressive	1
Wandering	21
Welfare	4
Total	37

2.4 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 15/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Stock causing a traffic hazard is responded to within 1 hour	100%	100%	
Council responds to complaints regarding animals within 40 hours	100%	100%	

INCIDENTS REPORTED	TOTAL
Stock	7

2.5 Resource Management Act – afterhours Noise Control

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

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PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 2013/14	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
% of calls received by Council that have been responded to	100%	100%	

AFTER HOURS NOISE CONTROL COMPLAINTS RECEIVED	YTD	PREVIOUS YTD	PERIOD (3/7/15- 15/8/15)	PREVIOUS PERIOD
Total	4	9	4	12

2.6 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 2015/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises that sell alcohol that are checked prior to renewal to make sure they comply with the Sale and Supply of Alcohol 2012	100%	100%	All premises inspected at new or renewal application.

Rugby World Cup

No applications for special licences for this event have been lodged with the District Licencing Committee.

ALCOHOL LICENCE APPLICATIONS PROCESSED	YTD 1 JULY 15 TO 12 AUGUST 16	PREVIOUS YTD 1 JULY 14 TO 12 AUGUST 15	PERIOD 1 JULY 15 TO 12 AUGUST 16	PREVIOUS PERIOD 1 JULY 14 TO 12 AUGUST 15
On Licence	3	2	3	2
Off Licence	5	5	5	5
Club Licence	0	0	0	0
Manager's Certificate	15	12	15	12
Special Licence	4	5	4	5
Temporary Authority	1	1	1	1

2.7 Health Act - Safe Food

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 2015/16	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises failing to comply with Food Hygiene regulations that are re-inspected within a 3 month period and enforcement is affected if offence continues	100%	100%	All premises are inspected and no enforcement action has been required

Food Act

Annual food premise inspections under the Food Hygiene Regulations have mostly been completed. Annual audits for premises currently voluntarily operating under the new risk based food control plants is now the main workload focus.

Staff are also currently focussing on and working with the food sectors that will be required to transition from the requirements of the Food Hygiene Regulations 1974 to the new Food Act 2014. This will be a significant workload.

The Environmental Health Team Leader chaired the August Wellington Regional food cluster meeting. This group of managers and team leaders from each of the greater Wellington councils meet on a quarterly basis with Ministry of Primary Industries to develop and implement common processes procedures and standards across the region and is particularly important now with the implementation of the new Act next year.

Ministry of Primary Industries have advised that the proposed Food Act Regulations contain three differences from the original regulations. Information about this will be sent out to TA's in a letter shortly. This letter will explain such things as the registration of food businesses and required frequency of these under the National Programme.

Cost recovery under the new Food Act. MPI will shortly be sending TA's information on guidance about cost recovery under the Act.

System improvements

New electronic templates for Food Control Plan audits have been trialled recently. Further developmental work is required to make this system more efficient.

2.8 Bylaws

Two litter complaints were received between 1/7/2015 to 12/8/2015. Two letters regarding overgrown trees and hedges were issued. Two abandoned vehicles were reported. Three general complaints were received.

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