



# Public Health and Safety

Activity Management Plan

**2015 - 2025**

**Draft**

February 2015

## Quality Assurance Statement

<b>Tasman District Council</b> 189 Queen Street Private Bag 4 Richmond 7050 Telephone: (03) 543 8400 Fax: (03) 543 9524	<b>Version:</b>	V3 February 2015
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	<b>Prepared by:</b> <b>Activity Manager</b> Adrian Humphries	
	<b>Approved for issue by:</b>  Dennis Bush-King <b>Environment and Planning Manager</b>	

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## **1. INTRODUCTION**

### **1.1 The Public Health and Safety Activity Management Plan: What is it and why is it produced?**

The Public Health and Safety Activity Management Plan (AMP) covers one of the groups of activities addressed in the Tasman District Council Long Term Plan (LTP). This plan is, therefore, strongly linked to the overall strategic direction for the district.

The purpose of this plan is to outline and to summarise in one place the Council's strategic approach for the delivery of regulatory services under a number of statutes which require local government to implement various administrative responsibilities relating to public health and safety.

The AMP demonstrates responsible management of the function on behalf of ratepayers and stakeholders and assists with the achievement of community outcomes and statutory compliance. The AMP combines management, financial, and technical practices to ensure that the level of service required by the law and expected by the community is provided in the most operationally effective and sustainable manner.

This plan has been prepared in line with the requirements of the Local Government Act 2002 and in accordance with the general principles of Minimum/Core Asset Management recommended in the International Infrastructure Management Manual.

### **1.2 Rationale for The Council's Involvement in Public Health and Safety**

Public Health and Safety is a term that encompasses a large number of Council activities which give effect to various local regulations (bylaws) and central government legislation.

Public Health and Safety comprises the following activities:

- Building Control
- Environmental Health which includes Alcohol Licensing, Food Safety, and Bylaw Administration
- Animal Control
- Civil Defence Emergency Management
- Rural Fire
- Maritime Safety
- Parking Control

The purpose of local government, under the Local Government Act 2002 (section 10(b)) is "to enable democratic local decision-making and action by, and on behalf of, communities, and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective for households and businesses." The Public Health and Safety activity contributes to this by:

- promoting community confidence and trust in the regulatory procedures and decisions
- where possible, protecting the public and businesses from losses due to illness, injury, or restricted use of buildings.
- providing expertise to ensure that all tasks are effectively implemented, and
- applying fairness and sound judgement to all decisions.

As such, the activity contributes to the sustainable development of the district and the wellbeing of the community by ensuring that actions, or non-actions, taken by people in the Tasman district are lawful, sustainable, and safe.

Much of the work done within the activity is carried out in-house where the skills needed to do the job are available. Where the skills are not available or where it has been decided to be more cost effective, the Council subcontracts out the work, while maintaining legal responsibility and a project management role.

While Council does not have a choice about providing most of the regulatory services, there is some discretion over the manner and degree to which the functions are delivered. In the past, the rationale for Council's involvement has been influenced by whether:

1. The community has confidence in the service provided historically by the Council (and so the Council continues to provide the service).
2. The Council already provides the service and to change the mode of delivery would be more costly and less effective.
3. The community expects the Council to play a role in the provision of the service.
4. The Council considers that it can contribute to and/or enhance community well-being by providing the service.

### 1.3 Council's Community Outcomes

The Council's stated vision statement is for ***"Thriving communities enjoying the Tasman lifestyle"***.

This is supported by the Council's Mission statement ***"To enhance community wellbeing and quality of life"***.

The Council has also identified eight Community Outcomes. The way in which the Public Health and Safety activity contributes to community outcomes is shown in Table 1.

**Table 1: Community Outcomes to which the Activity primarily contributes**

Community Outcomes	How the Activity Contributes
1. Our unique environment is healthy and protected.	Managing risk from rural fire, and ensuring recreational boating is safe keeps Tasman special. Effective education and dog control limits negative effects on native fauna.
2. Our urban and rural environments are people friendly, well-planned, and sustainably managed.	The activity ensures that living environments are safe, and that the activities of others do not negatively impact on citizen's lives. Through ensuring buildings are well constructed, safe and weathertight, the activity contributes to the development of the district, and protection of assets in the community.
3. Our infrastructure is efficient, cost-effective, and meets current and future needs.	Parking control ensures parking facilities are available to ensure public access to urban retailers and services.
4. Our communities are healthy, safe, inclusive, and resilient.	This activity safeguards the community's health and wellbeing by ensuring standards of construction, food safety, and registered premises operation are met and that alcohol sale and consumption and nuisances from dogs and stock, and risk from fire do not adversely affect quality of life. Our civil defence and emergency management system is designed to promote safety of people and a resilient community
5. Our communities have opportunities to celebrate and explore their heritage, identity, and creativity.	NA
6. Our communities have access to a range of social, educational and recreational facilities and activities.	Safe boating and providing such things as ski lanes ensures appropriate community access to the coastal waters of Tasman.
7. Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.	We encourage people to be involved in making preparations in the event of a civil emergency and have in place arrangements to cope in the face of climatic or natural hazard events.
8. Our region is supported by an innovative and sustainable economy.	Good regulatory practices contribute to economic well being in the community.

## **2. LEVELS OF SERVICE AND PERFORMANCE MEASURES**

### **2.1 Introduction**

A key objective of this AMP is to match what we do in providing the service to meet public health and safety needs, as required by law and in accordance with expectations of the community and their willingness to pay for the service. Activity management planning requires a clear understanding of why we do what we do. The Levels of Service are intended:

- to inform people of the proposed type and level of service to be offered (now and in the future),
- as a focus for the work required to deliver the agreed level of service,
- to enable people to assess suitability, affordability and equity of the services offered.

There are many factors that need to be considered when deciding what level of service the Council will aim to provide. These factors include:

1. Council needs to aim to understand and meet the needs and expectations of the community.
2. Council must meet its statutory obligations as outlined in Section 1.2
3. The service must be operated within Council policy and objectives, as outlined in Section 1.
4. The community must be able to fund the level of service provided.
5. Council accepts that it has been given by Parliament a range of functions and the expectation of Council is that we will perform these regulatory powers and duties exceedingly well and that people who apply for authorisations will get consistent, timely, and correct advice and decisions at a fair cost.

### **2.2 Customer Research and Expectations**

The Council's knowledge of customer expectations and preferences is based on a variety of consultation activities. These are summarised in Appendix 2 and include:

- Public meetings
- Community satisfaction surveys
- Feedback from elected members, advisory groups and working parties
- Analysis of customer service requests and complaints
- Consultation with interested communities on issues and policy planning proposals
- Consultation via the LTP and Annual Plan processes.
- Public submissions on bylaws and key policies.



## 2.3 The Activity Goal and Principal Objectives

The strategic direction is to provide Council's regulatory services in a professional, competent and timely fashion. With respect to each regulatory services activity, our operating intentions with respect to level of service are:

1. For Building Control, to ensure buildings are constructed in a safe manner, illegal building work is either brought up to standard or removed, and that building control activities are delivered in a timely, helpful, and proficient manner.
2. For Environmental Health, to ensure that food provided for sale is safe, free from contamination and prepared in suitable premises, that other public health risks are managed through the appropriate licensing of premises and operations, to reduce and where possible prevent the occurrence and spread of communicable diseases. To ensure the safe and responsible sale and consumption of alcohol in the district by managing all applications in a timely, helpful, and proficient manner, and to ensure that bylaws regulating activities are administered with the aim of safeguarding public health and safety.
3. For Animal Control, to minimise the danger, distress, and nuisance caused by dogs and wandering stock and ensure all known dogs are recorded and registered.
4. For Civil Defence Emergency Management, build a resilient community where the potential effects of "all hazards" have been minimised and the community is ready to respond in the face of natural hazard events and emergencies.
5. For Rural Fire, to safeguard life and property by the prevention, detection, restriction, and control of fire in forest and rural areas.
6. For Maritime Administration, to ensure Tasman's coastal waters are safe and accessible and that all known commercial operators are registered.
7. For Parking Management, to facilitate the public's access to urban retailers and services, respond to any misuse of disabled parking, and remove reported abandoned vehicles.

### 2.3.1 Activity Goal

The Public Health and Safety activity goal is to:

1. See that development of the District achieves high standards of safety, design, and operation with minimum negative impact and public nuisance, and
2. Offer excellent customer service in providing information on development and other opportunities, and
3. Be a good regulator and ensure permit and licensing systems are administered fairly and efficiently and in a way that will protect and enhance our unique environment, promote healthy and safe communities, and support business and enterprise.

### **2.3.2 Principal Objectives**

The principle objectives of the Public Health and Safety activity are to:

- Process consent applications and undertake associated inspections in accordance with, and to ensure compliance with, the various statutory requirements
- Prepare and administer any policies required under the various statutory requirements
- Undertake enforcement where necessary to ensure compliance with statutory obligations
- Provide accurate information and maintain appropriate records arising from the regulatory service activity
- Build a self-reliant community that has reduced vulnerabilities to emergency events and has the ability to respond and recover.

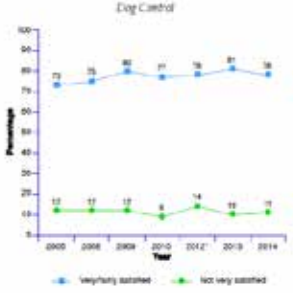
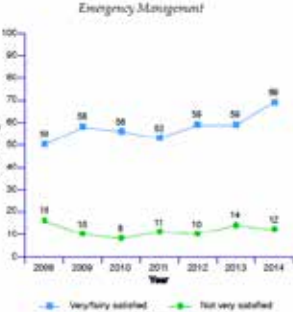
### **2.4 Future Planned Levels of Service and Performance Measures**

The Council will monitor and report its actual performance against the following measures described in Table 2

**Table 1: Performance Measures**

Our level of service – What the Council will do and how it will measure performance over the 10 years from 2015-2025

Levels of Service (We provide...)	Performance Measure (We will know we are meeting the LOS if...)	Current Performance	Forecast Performance																			
			Year 1	Year 2	Year 3	By Year 10																
We provide building control services in a professional and timely manner, to ensure building work is safe and in accordance with the New Zealand Building Code.	Applications for building consent (BC) and code compliance certificates (CCC) are processed within statutory timeframes.	84.8% of building consent applications were processed within statutory time frames.	98% of BCs	100% of BCs	100% of BCs	100% of BCs																
		92.1% CCCs were processed within statutory timeframes.	95% of CCCs	98% of CCCs	100% of CCCs	100% of CCCs																
	The average time taken to process a Building Consent is reduced to 10 working days by 2017.	The average Building Consent processing time during 2013/2014 was 14 working days.	12 working days	10 working days	10 working days	10 working days																
	We maintain Building Consent Authority Accreditation.	Reaccreditation as a Building Consent Authority was achieved February 2014.	Accreditation maintained	Accreditation maintained	Accreditation maintained	Accreditation maintained																
	At least 80% of survey respondents rate their satisfaction with Council's building control work as fairly satisfied or better.	64% of respondents who participated in the 2014 survey of building consent applicants were fairly or very satisfied with building control work.	80%	85%	85%	85%																
		<table border="1"> <caption>% Satisfaction</caption> <thead> <tr> <th>Year</th> <th>Satisfaction Rate (%)</th> </tr> </thead> <tbody> <tr><td>2008</td><td>70</td></tr> <tr><td>2009</td><td>70</td></tr> <tr><td>2010</td><td>80</td></tr> <tr><td>2011</td><td>75</td></tr> <tr><td>2012</td><td>80</td></tr> <tr><td>2013</td><td>75</td></tr> <tr><td>2014</td><td>60</td></tr> </tbody> </table>	Year	Satisfaction Rate (%)	2008	70	2009	70	2010	80	2011	75	2012	80	2013	75	2014	60				
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2008	70																					
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2010	80																					
2011	75																					
2012	80																					
2013	75																					
2014	60																					
We provide an environmental health service that: a. in association with other agencies, fosters the responsible sale and consumption of liquor; and b. ensures that food provided	a. In conjunction with the New Zealand Police, we detect no sale of liquor to minors through random controlled purchase operations run annually. b. All food premises are	Six operations were undertaken. A total of eight offences were detected during four of the six operations.  99.4%	At least two annual operations with no offences detected.  100%	At least two annual operations with no offences detected.  100%	At least two annual operations with no offences detected.  100%	At least two annual operations with no offences detected.  100%																

for sale is safe, free from contamination and prepared in suitable premises.	inspected at least once annually for compliance and appropriately licensed.					
We provide animal control services to minimise the danger, distress, and nuisance caused by dogs and wandering stock and to ensure all known dogs are recorded and registered.	All known dogs are registered annually by 30 September.  We respond to high priority dog complaints within 60 minutes, 24 hours a day, seven days a week.	98.2%  100%		100%	100%	100%
A civil defence and emergency management system that is designed to promote the safety of people and a resilient community in the event that emergencies occur.	The level of community support for Council's civil defence emergency management activity is rated as fairly satisfied or better through community survey.  The Nelson Tasman CDEM Group Plan is reviewed and kept up to date.	The 2014 residents' survey showed 69% of residents were either satisfied or very satisfied with the activity.  The Nelson Tasman CDEM Group Plan is reviewed and kept up to date		70%	70%	70%
To safeguard life and property by the prevention, detection, restriction and control of fire in forest and rural areas.	The area of forest lost through fire annually does not exceed 20 hectares.	8.2ha of productive forest lost through fire		No more than 20 ha lost through fire annually.	No more than 20 ha lost through fire annually.	No more than 20 ha lost through fire annually.

		<table border="1"> <caption>Hectares of Forest Burnt</caption> <thead> <tr> <th>Year</th> <th>Hectares</th> </tr> </thead> <tbody> <tr><td>2008</td><td>0</td></tr> <tr><td>2009</td><td>0</td></tr> <tr><td>2010</td><td>550</td></tr> <tr><td>2011</td><td>10</td></tr> <tr><td>2012</td><td>50</td></tr> <tr><td>2013</td><td>10</td></tr> <tr><td>2014</td><td>10</td></tr> </tbody> </table>	Year	Hectares	2008	0	2009	0	2010	550	2011	10	2012	50	2013	10	2014	10				
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2008	0																					
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We provide Maritime Administration services to ensure Tasman's harbour waters are safe and accessible and that all known commercial vessel operators are licensed.	All known commercial vessel operators are licensed.	100%	100%	100%	100%	100%																
We provide parking control services to facilitate the public's access to urban retailers and services, respond to any misuse of disabled parking, and remove reported abandoned vehicles.	Compliance by not less than 80 out of every 100 vehicles parking in time controlled areas within the Traffic Bylaw, based on an annual snap survey.	Survey undertaken in November 2013 with 80% compliance - target achieved	80%	85%	85%	85%																
		<table border="1"> <caption>Compliance with Time Limits</caption> <thead> <tr> <th>Year</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>2008</td><td>0</td></tr> <tr><td>2009</td><td>0</td></tr> <tr><td>2010</td><td>0</td></tr> <tr><td>2011</td><td>0</td></tr> <tr><td>2012</td><td>80</td></tr> <tr><td>2013</td><td>78</td></tr> <tr><td>2014</td><td>80</td></tr> </tbody> </table>	Year	Percentage	2008	0	2009	0	2010	0	2011	0	2012	80	2013	78	2014	80				
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2008	0																					
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2014	80																					

Regular reports detailing activity levels within the Public Health and Safety activity, including compliance with the performance targets, will be provided to the Environment & Planning Committee. An annual summary will be provided as part of the Annual Report and trends monitored when reviewing this activity management plan. Council is also required to furnish government agencies with annual reports relating to sale of liquor and dog control and the Department of Statistics gets monthly reports on building activity.

### **3. EXISTING SITUATION DESCRIBED**

#### **3.1 Building Control**

The Building Act 2004, with its associated New Zealand Building Code, set the statutory framework for controlling building development, including plumbing and drainage. Every person who intends to construct a building requires a building consent from the Council<sup>1</sup>. Most additions or structural changes to buildings also require a building consent. The Council is a Building Consent Authority under the Building Act 2004 and is responsible for processing applications for building consents, certificates of acceptance, and code compliance certificates, and carrying out associated inspections. Further information is included in the Council's Building Control Procedures Manual and the Building Control Quality Manual.

As a territorial authority Council is responsible for enforcing compliance with the Building Act, which imposes obligations on the Council to administer annual warrants of fitness for buildings having particular attributes (e.g. emergency warning systems for fire, riser mains, lifts, mechanical ventilation and air conditioning, etc). The Council is also obligated to ensure that prospective builders are aware of the location of services and that areas of natural hazard are identified. As a regional council it processes consents in respect of dams.

The Council's responsibilities are, in the main, delegated to Council's Building Control staff. Council issues around 1,200-1,700 consents a year. Each building consent is accompanied by the issue of a Project Information Memorandum or Territorial Authority Notice which details any information around servicing, natural hazard risk, and other design or locational constraints.

Building Warrant of Fitness (BWOFF) inspections are also carried out to ensure buildings to which the public have access have systems that function correctly and are safe to use.

The Fencing of Swimming Pools Act obliges Council to ensure that all swimming pool owners adequately fence swimming pools unless an exemption is granted by Council. This function is principally exercised in relation to processing general building consent applications. Inspection of amusement devices is an additional responsibility.

Also covered under this activity is the processing of applications for Land Information Memoranda provided for under the Local Government Official Information and Meetings Act 1989. In the last three years since 2011 numbers of LIMs have increased from 467 to 723 annually.

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<sup>1</sup> Unless otherwise exempted – see First Schedule, Building Act 2004

The Council is exposed to considerable liability in the exercise of its building control functions. The Building Act, however, provides that civil proceedings may not be brought against the Council 10 years or more after the date on which any proceedings would be based. We currently have four cases before the Weathertight Homes Resolution Service. We also have around 2,000 historic building consents that do not have a Code Compliance Certificate. As resources have permitted we have sought to reduce this backlog.

Electronic processing of consents was introduced in April 2014. After experiencing problems in maintaining timeliness, it is expected electronic processing will be beneficial to applicants and Council.

Some external assistance is used when workload peaks and when internal staff are absent to try and maintain timeliness. The operation of this activity is relatively large in terms of staff numbers and budgetary considerations, and is crucial in terms of the contribution it makes to the sustainable development of the District. In addition to reporting the number of building consent applications processed, this activity is also monitored against the length of time it may take to process applications. A building consent authority has 20 working days from the date of when the application for a building consent was received to decide whether to refuse or grant the application (sections 40-52 of the Building Act).

## **3.2 Environmental Health**

### **3.2.1 Sale and Consumption of Alcohol**

In New Zealand the sale of alcohol is controlled by the Sale and Supply of Alcohol Act 2012. The aim of the Sale and Supply of Alcohol Act 2012 is to ensure that “the sale, supply, and consumption of alcohol should be undertaken safely and responsibly”, and that “the harm caused by the excessive or inappropriate consumption of alcohol should be minimised”.

Council oversees the administration of the Sale and Supply of Alcohol Act 2012 through its District Licensing Committee (DLC). Council staff process license applications for consideration by the DLC, carry out associated inspections, and enforcement of the Act.

The Council has a provisional Local Alcohol Policy used by staff and the DLC in administering Council responsibilities.

This activity has no assets. There are links between this activity and the planning and building activities that require co-operation. This co-operation factor makes it unlikely that contracting out of this activity would be cost-effective. Also, the fact that the activity is conducted in-house ensures a quick response for applicants. The activity currently discharges its function quickly and efficiently.

### **3.2.2 Food Safety and Other Registered Premises**

Council is obliged to ensure that premises that prepare and sell food meet the requirements of the Health Act 1956 or the Food Act 2014 and are inspected. Council therefore monitors food outlets under these Acts and other premises such as camping grounds, mortuaries and hairdressers, to ensure they meet health standards under specific health regulations. Currently we administer a food safety Voluntary Implementation Programme and are working with 26 operators who have in place Food Safety Plans. In 2016/17 (depending on Regulations produced under the new Food Act) the requirement will be that all food operators must operate under the Food Act and those currently registered under the Health Act must have transferred to the risk based systems. The activity is also charged with investigating notifiable infectious diseases, insanitary housing and other health related matters.

Council has a Gambling Venue Policy as required under the Gambling Act 2003 but has chosen not to pass a bylaw controlling prostitution. In relation to the latter and to the extent that we can, Council relies on general powers under the RMA. The Council also has a Local Approved Products Policy prepared under the Psychoactive Substances Act 2012.

The activity uses internal staff. Annually over 400 licenses are issued following compliance inspections.

The Government is currently involved in reviewing the Health Act.

### **3.2.3 Bylaw Administration**

The Local Government Act 2002 requires that all Council's bylaws be reviewed or otherwise they expire. The Council is currently reviewing its bylaws and debating what new bylaws may be required to improve our service. The Chapters which the Regulatory Services section is responsible for administering and which have recently been reviewed are:

- Dog Control Bylaw
- Control of Liquor in Public Places Bylaw
- Freedom Camping Bylaw
- Freedom Camping (Motueka Beach Reserve) Bylaw
- Navigation Safety Bylaw
- Trading in Public Places Bylaw
- Traffic Control Bylaw

This activity has no assets. This service is currently provided in-house with enforcement assistance provided during summer by external contractors to help monitor freedom camping activity. This balance is considered the best option given its small scale nature and the need for co-operation and communication with relevant Council staff.

## **3.3 Animal Control**

Council administers the Dog Control Act 1996 and the relevant bylaw which requires that dogs are registered, cared for, and kept under proper control. Dog Control responsibilities mostly entail investigation of complaints about unregistered dogs,



nuisances caused by dogs e.g. barking and aggressive behaviour by dogs towards persons, stock, and other animals, and resolving those complaints through education and where necessary enforcement. Council is also responsible for the administration of the Impounding Act 1955 to ensure that wandering stock is controlled.

Registration records are included on a National Dog database to which the Council is required to subscribe. There are also provisions governing the classification and the microchipping of dogs.

Council has in place a Dog Control Bylaw and Policy. The Council operates a Dog Pound in Richmond.

The animal control service, except for the administration support, has been contracted out to Control Services (Nelson) Ltd.

### **3.4 Civil Defence Emergency Management (CDEM)**

Under the Civil Defence Emergency Management (CDEM) Act 2002 Council is responsible for the effective delivery of civil defence emergency management in its area. This is a wide ranging obligation that requires work to *reduce* the risk of hazards, to be *prepared* for emergencies, and to *respond* and *recover* from emergency events.

Tasman District Council and Nelson City Council have combined to form a joint “CDEM Group” which has the aim of creating a community that is more resilient to emergency events. As required by legislation, the CDEM Group has prepared a joint plan (*Nelson Tasman CDEM Group Plan 2012*), which is due for review in 2017. Regular training exercises are held and programmes are in place to develop community capability to respond to an emergency event. This involves working closely with other organisations such as emergency services, the District Health Board and lifeline utilities (e.g., power, telcos).

Council contributes funding to a joint Emergency Management Office (EMO), administered through Nelson City Council. The EMO, housed in a purpose designed building in Richmond, is responsible for providing CDEM advice, planning, and training. In addition to contributing to the joint costs, there are internal costs to Council in staff involvement and training.

### **3.5 Rural Fire**

Council is a Rural Fire Authority under the Forest and Rural Fires Act 1977. In 2004 all rural fire authorities operating in Tasman District and Nelson City combined to form the Waimea Rural Authority (WRFA) which has awarded a management contract to Rural Fire Network. As a stakeholder in the enlarge fire district Council appoints a representative to the WRFA and also contributes operational funding for the management and delivery of rural fire services. The Council is also responsible under the operating agreement to provide fire appliances, fire equipment and supplies in nominated locations. It owns and is responsible for the fire stations at Ngatimoti, Brightwater (land is leased), and St Arnaud and leases buildings in Wainui, Appleby, Marahau, and Upper Takaka. Capital plant details are recorded in Appendix 3. The WRFA has in place a Fire Plan which sets out the framework for

reducing fire risk, being ready for an event, responding to and recovering from a fire event.

### **3.6 Maritime Administration**

Under the Maritime Transport Act 1994 the Tasman District Council has responsibility for navigation and safety within harbour waters which in Tasman's case correspond to the 12 nautical mile outer limit of the territorial sea. This involves the control and monitoring of such things as ski-lanes, moorings, launching ramps and channels throughout the District. The Council is also legally responsible for the control of activities within harbour limits as defined under our Navigation Safety Bylaw. The Council employs a Harbourmaster and also has a number of launch wardens to promote safe boating behaviour. We are obliged by Maritime New Zealand (MNZ) to undertake a Port and Harbour Risk Assessment - this job remains incomplete but is a low priority given the relative low risk.

A coastal structures survey has been completed and allows Council to prioritise actions for enhancing marine safety whilst still controlling expenditure.

We license commercial operations and currently issue 36 certificates annually.

Under the Maritime Transport Act 1994, the Council must plan for, and have in place, contingency measures to deal with oil spills in the coastal areas of Tasman, within the territorial sea. The Council has an Oil Spill Contingency Plan that has been prepared as a joint plan with Nelson City and we have a number of staff with current training certificates. This work is largely cost-recovered from MNZ.

### **3.7 Parking Control**

Council provides services for Parking Warden duties in the control of parking restrictions throughout the district to ensure compliance with parking bylaws mandated under the Land Transport Act 1998. This activity has been contracted out to Control Services (Nelson) Ltd, except that all administration work in processing infringement notices, reminder notices, and lodgement of unpaid notices with the court is carried out by in-house staff. The activity has no assets.

The Council is also responsible under the section 356 of the Local Government Act 1974 for the removal of abandoned vehicles.

## **4. FUTURE ISSUES**

### **4.1 Factors Affecting Delivery and Demand for Activity**

Council recognises that future demands for regulatory services will be influenced by:

- Population growth and demographics
- Changes in community expectations
- Technological change
- Changes in legislation and policies
- Environmental changes such as climate change
- Disruption caused by potential restructuring

The impact of these influencing factors on the demand for regulatory services and the effect on the current mode of delivery is discussed below.

#### **4.1.1 Population Growth**

The rate of population growth anticipated in the District is likely to be reflected in a proportionate increase in activity levels within this function. Council has used a growth model which projects forward expected growth in population and dwellings. The effect of this growth is likely to require additional resources over time to cope with additional activity levels and demand for services.

#### **4.1.2 Trends in Community Expectations**

In the 2014 community surveys there has been no indication by the community for a change in the Council's role in the Public Health and Safety Activity except that more timely processing of consents would require better process or more resources. Feedback on our regulatory services is mixed; at one extreme asking for more and better regulation and enforcement and at the other end for less intervention and 'red tape'. Changes in community expectations over time may lead to an increase or decrease in levels of service. An increasing area of land is now dedicated to parking, much of which is time controlled parking. Many perceive this as "free" parking. There is no push for parking meters although a Parking Strategy Review is underway.

#### **4.1.3 Technological Change and Industry Practice**

Technological change has the ability to impact on the scope of service and the manner of delivery but there are no predicted technological changes that will have a significant effect on the activity in the medium term. We are already moving to capture information using improved devices and storage technology but these are regarded as marginal changes. New building methods or products may impact on how the service is managed.

#### **4.1.4 Changes in Legislation and Policies**

Changes to Public Health and Safety Activity policies may be driven from a number of directions. They could be internally driven through greater emphasis on better and more efficient service or externally by other organisations such as the Government. Council will continue to monitor these factors when reviewing and developing forecasts and strategies.

#### **4.1.5 Environmental Changes such as Climate Change**

Changing patterns of weather and through long term climate change or the occurrence of natural hazards will affect the work of Council. There is an expectation that Local Government will respond proactively to the consequences of climate change. Government scientists have given a strong and consistent message to the Civil Defence Emergency Management sector that climate change is likely to result in an increase in the frequency, geographical range, and intensity of adverse weather events. A study commissioned from NIWA by Tasman District Council confirms there are implications for our own region.

#### **4.1.6 Disruption Caused by Potential Restructuring due to Central Government Policies**

As well as the potential for amalgamation with other local government bodies there are always a number of proposed changes to the way in which regulatory activities are performed being debated in Parliament. The Health Act is currently under review. Council will respond to any new obligations and adopt any new procedures required and will seek to minimise any cost to ratepayers.

### **5. MANAGEMENT OF THE ACTIVITY**

#### **5.1 Operating and Resource Issues**

Much of the work in the activity area is carried out by Council staff and where necessary external consultants. Delegations are in place to allow staff to act as the Council's agents. Reporting is through to the Environment and Planning Committee.

The most important issues include:

1. Managing workload efficiently to provide quality customer service
2. Recruiting and retaining competent staff
3. Enforcing fairly and appropriately existing regulations as non-compliance can cause future problems and inconsistent administration can be unfair to those who do comply.
4. Having in place monitoring systems to track performance and that the activity contributes to achieving community outcomes.
5. Managing on-going exposure to litigation risk
6. Maintaining capability including when having to respond to new government regulatory initiatives.
7. Responding to occupational safety and health requirements.
8. Rising public expectations about improved service and coverage.

#### **5.2 Risk Management / Business Continuity / Emergency Management**

A formal Integrated Risk Assessment has been undertaken and the results applicable to the Public Health and Safety Activity are summarised in Appendix 5.

Staff are located at Richmond, Motueka and Takaka service centres. The key area of risk is the threat of disruption to services resulting from loss of significant numbers of staff over a prolonged period or from such events as fire in buildings or earthquake damage. Council's Business Interruption insurance covers "loss consequent upon interruption to the business as a result of damage to property insured by the Material Damage policy, resulting in losses or increased costs...". Other risks relate to litigation risks associated with challenges to Council decision-making, loss of skill and knowledge as staff leave, and a failure to properly integrate the activity with other Council functions.

Council has a daily backup-to-tape schedule in place for all information stored on the computer system and a mirror system which is updated at 10 minute intervals is located off-site at the Richmond Library. These arrangements appropriately backup all critical data, include an increasing number of scanned files, which can be retrieved if required. Hard copies of all applications and reports are kept within the Records System which is fire-proofed.

In the event of a natural disaster most of the business would cease in its current mode of operation as staff would be involved in responding to the event e.g. Building inspectors and health inspectors out ensuring public health and safety. The Council has in place a Dangerous, Earthquake Prone and Insanitary Buildings Policy and a Dangerous Dams Policy to address earthquake risk as required under the Building Act 2004.

Through CallCare, Council's after-hours phone contractor, there is continuous 24-hour coverage to react to emergency situations. Council operates a Customer Services Request system where requests/complaints are logged, investigated, then actioned as necessary and closed out.

As the agency responsible for Civil Defence, Council has in place a Civil Defence Emergency Management Plan which sets in place a system for preparing for and responding to events. Key Council staff are critical in the event of an incident requiring an emergency response.

### **5.3 Significant Effects**

There are no significant negative effects from the activities, apart from the cost of providing the public benefit component of the services.

### **5.4 Significant Assumptions and Uncertainties**

The most significant assumptions and uncertainties that underlie the approach that has been outlined in the is Plan are:

- a) A reasonable degree of reliability can be placed on the population and other growth projections that have been used in this plan. However, these remain projections, and need to be carefully tracked to ensure that they remain true to what is actually happening.
- b) It is possible that the income from fees and charges may not be as great (or may be greater) than what has been projected. Any variation from the forecast in that area may indicate that development is occurring faster (or slower) than what was expected, and this may force a re-think of the timing of any changes in the delivery of the service.
- c) Regulatory activities, because of the associated compliance costs are always likely to be a target for Government review. Except for changes in food safety regulation, no allowance has been made for changes in legislation.
- d) There will be a growing challenge to maintain the volunteer/community involvement in Council's civil defence as volunteerism is in decline.

## **6. FUNDING THE ANNUAL NET COST**

The current funding sources available for regulatory services include:

- general rate
- fees and charges recovery
- fines
- sundry income

### **6.1 Funding Issues**

The Revenue and Financing Policy in the LTP holds the planned funding approach to these activities. Generally, the following applies:

#### **6.1.1 Building Control**

Council considers that the administration of the Building Act solely benefits the individual consent holder. This activity is therefore to be funded by way of fees and charges payable by the applicants for building approvals. Currently the ratio is a Public 5%, Private 95% split. There are costs which cannot always be attributable to a consent holder, e.g. enforcement and insurance claims and these costs are absorbed as best they can as costs of doing business. Any shortfall in recoveries means the difference will have to be from rates. There are some territorial authority functions which are not easily recovered from consent holders such as policies on earthquake prone buildings and general compliance work.

#### **6.1.2 Environmental Health**

Council considers that while the prime beneficiaries from the provision of public health services are the individual or user groups, this activity does provide protection for the community as a whole. It has therefore determined that the funding of the activity of Environmental Health will be by way of fees and charges to those applying for health licences for food and other premises, together with a contribution from the rates to fund those activities that cannot be recovered from an individual. In relation to the sale of alcohol Council considers that the administration of the Sale and Supply of Alcohol Act 2012 solely benefits the individual and user groups. This component of the activity is therefore to be funded by way of fees and charges payable by the applicants for licences. There are also other general policy and monitoring costs which are not attributable to any one person. Currently the ratio is a Public 50%, Private 50% funding split.

#### **6.1.3 Animal Control**

The main beneficiary of the provision of animal control is the individual; however, it is also acknowledged that the community as a whole is also a significant beneficiary. The Council has determined that the funding of dog control should be by way of fees to those registering dogs and recoveries from offending owners. Stock control will be funded by recoveries where possible but unrecovered costs will be funded from general rates. Currently the ratio is a 5%:95% (Public: Private) funding split.

#### **6.1.4 Civil Defence Emergency Management**

The public benefits from Council undertaking civil defence emergency management responsibilities: we work to reduce risks, community preparedness is enhanced, and our ability to respond and recover is maintained 24/7. Public 100%, Private 0% split.

#### **6.1.5 Rural Fire**

Council considers that this activity is undertaken to benefit the wider public generally in avoiding the consequences of uncontrolled fires. Therefore it is a public cost although some subsidy assistance is available from the National Rural Fire Authority and recoveries can be achieved in certain circumstances from those who cause fires. Currently the ratio is a Public 95%, Private 5% split.

#### **6.1.6 Maritime Administration**

Council considers that the harbourmaster function is of benefit to the community as a whole through promoting safe navigation and boating activity. It receives a small contribution from commercial operators through license fees and some recovery from Maritime New Zealand for oil-spill training and administration. Some funding also comes as a recovery from Council's involvement with the Abel Tasman Foreshore Reserves Committee. The balance of funding comes from rates. Currently the ratio is a Public 75%, Private 25% split.

#### **6.1.7 Parking Management**

Council considers that this activity is undertaken to ensure that individuals adhere to parking regulations; therefore it should be funded by those individuals who are in breach of regulations and bylaws through the use of fines and penalties. Where appropriate, users of parking facilities should be charged directly.

The removal of abandoned vehicles is funded from general rates - while recoveries from owners are desirable it is mostly not possible or practicable to find those responsible.

Overall the ratio is a Public 30%, Private 70% funding split.

### **6.2 Schedule of Fees and Charges**

The fees and charges are reviewed annually and increased at least by the CPI.

### **6.3 Maintenance and Operating**

The operation and maintenance expenditure over the next 10 years is summarised in Appendix 4. Costs are principally labour and contract costs associated with what is essentially an administrative, policy, and regulatory functions. The annual direct cost over the 10 years is predicted to remain relatively consistent as is the level of service with the exception of providing a new Harbourmasters vessel in 2016/2017.

## **6.4 Renewals, Capital Expenditure and Depreciation**

The only assets owned by this activity is a building (used as a dog pound) which was upgraded in 2010 and managed through Council's Property portfolio, the harbour masters vessel which is due replacement in 2015/16, and appliances and depots associated with rural fire management. Appendix 3 includes more detail on the plant assets. Other vehicles used in the activity are managed as part of the business overheads. Fire stations and the dog pound are also covered in further detail in the Property Activity Management Plan.

## **6.5 Future Programme**

Unless the Government or Council introduce new rules and regulations, no significant new business costs are expected.

## **7. PLAN IMPROVEMENT AND REVIEW**

This AMP is a living document that is relevant and integral to daily management of the activity. To ensure the plan remains useful and relevant an on-going process of AMP monitoring and review activity will be undertaken including a comprehensive review at intervals of not less than three years and each review will be completed to coincide with the next review of the Long Term Plan.

Service level improvements envisaged will be achieved through process refinements, productivity gains, and the application of resource effort as required.

## **8. CONCLUSION**

The Council will undertake its regulatory activities in accordance with its legal obligations. It will endeavour to improve processes to ensure public health and safety are safeguarded and that compliance costs are kept to a reasonable minimum.



## **APPENDIX 1: An Overview of the Council's Management Practices, Data Systems and Decision-Making Processes**

### **1.1 Accounting / Financial Systems**

Council Accounting and Financial systems are based on Napier Computer Systems (NCS) software and GAAP Guidelines. Long term financial decisions are based on the development of 10-year financial plans. These 10-year plans are updated every three years on a cycle driven by the LTP.

The development of the AMP is therefore subject to the policies contained in the LTP which is available under separate cover.

### **1.2 Information Management Systems**

Council is one of a number of local authorities that uses the NCS computer system as a proprietary information management package that stores information concerning consents and licenses. Data held within the system also contributes to the National Dog Database housed in the Department of Internal Affairs. The related document management system is 'Silent One'.

Hard copy information is stored on file for each affected property or consent and held in the Council's Records Room.

### **1.3 Geographical Information System**

The Council operates an integrated GIS system which can spatially display regulatory data and is used in carrying out the Public Health and Safety activity.

### **1.4 Delegations and Appointment Register**

Council has a Delegations Register which codifies delegations to Council committees, councillors and staff. Council also has in place an Appointment Register detailing the warrants of authority held by staff.

## **APPENDIX 2: Stakeholders and Consultation**

### **1. Consultation**

#### Purpose of Consultation and Types of Consultation

Council consults with the public to gain an understanding of customer expectations and preferences. This enables Council to provide a level of service that better meets the community's needs.

The Council's knowledge of customer expectations and preferences is based on:

- feedback from surveys
- public meetings
- feedback from elected members, advisory groups and working parties,
- analysis of customer service requests and complaints and
- consultation via the Annual Plan and LTP process.

Council commissions customer surveys on a regular basis. These surveys assess the levels of satisfaction with key services. Council at times will undertake focussed surveys to get information on specific subjects.

### **2. Stakeholders**

Stakeholders are those individuals and organisations that have interest in the management and / or operation of the activities. Stakeholders include, but are not limited to:

- Consent Applicants
- Relevant Government Departments
- Adjoining local authorities
- iwi
- Industry groups
- Recreational and other community groups

## APPENDIX 3: Asset Valuations

### Background

The Local Government Act 1974 and subsequent amendments contain a general requirement for local authorities to comply with Generally Accepted Accounting Practice ("GAAP").

The Financial Reporting Act 1993 sets out a process by which GAAP is established for all reporting entities and groups, the Crown and all departments, Offices of Parliament and Crown entities and all local authorities. Compliance with the New Zealand International Public Sector Accounting Standard 17; Property, Plant and Equipment (PBE IPSAS 17) and PBE IPSAS 21 (Impairment of Non Cash Generating Assets) is the one of the current requirements of meeting GAAP.

The purpose of the valuations is for reporting asset values in the financial statements of Tasman District Council.

Council requires its asset register and valuation to be updated in accordance with Financial Reporting Standards.

The valuations summarised below have been completed in accordance with the following standards and are suitable for inclusion in the financial statements for the year ending June 2014.

Depreciation of assets must be charged over their useful life. However the plant equipment identified is nearly always held on for periods well beyond its depreciated life. There is a replacement cycle which is based on suitability, age, and maintenance costs. .

Location	Type	Year	Valuation \$ (June 2014)	Planned Replacement
<b>Fire Appliances</b>				
Motueka VRFF	Isuzu 4x4	1984	0	2015/16
Motueka VRFF	Mitsi Triton – CFS 524	2004	6,400	2035
Appleby VRFF	Isuzu 4x4 – CBY 762	1996	0	2023/2024
Ngatimoti VRFF	Isuzu – JCS420	2009	15,500	2016/17
Ngatimoti VRFF	Nissan Nivara - CGE628	2004		
Brightwater VRFF	Dennis Urban appliance	1994	4,000	2019/20
Brightwater VRFF	Izuzu – NC7304		14,000	2030
St Arnaud VRFF	International KT4852	1995	0	2014/15
St Arnaud VRFF	Isuzu	2007	24,000	2031
Upper Takaka VRFF	Isuzu	2008	42,500	2033
Upper Takaka VRFF	Hino	2011	77,800	2038
Marahau VRFF	International	1981	200	2015/16
<b>Harbourmaster Vessel</b>				
Legato	Stabicraft	2005	54,000	2015/16

## APPENDIX 4: 10 Year Financial Summary

### Summary - Public Health

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Fees & Recoveries	3,461	3,501	3,461	3,461	3,461	3,461	3,461	3,461	3,461	3,461
Wage Timesheet Allocation	1,615	1,615	1,615	1,615	1,615	1,615	1,615	1,615	1,615	1,614
Maintenance	44	44	44	44	44	44	44	44	44	44
General Operating Costs	649	668	655	663	664	674	671	667	660	660
Contract Services	715	695	725	695	725	695	725	695	725	695
Loan Interest	2	10	9	5	2	-1	-4	-8	-11	-14
Depreciation	123	127	129	124	120	126	118	116	115	112
<b>Expenditure</b>	<b>3,148</b>	<b>3,159</b>	<b>3,178</b>	<b>3,147</b>	<b>3,170</b>	<b>3,153</b>	<b>3,169</b>	<b>3,129</b>	<b>3,148</b>	<b>3,112</b>
Capital	341	145	56	41	41	71	41	41	41	41
Fees & Recoveries	3,461	3,501	3,461	3,461	3,461	3,461	3,461	3,461	3,461	3,461
Expenditure	3,148	3,159	3,178	3,147	3,170	3,153	3,169	3,129	3,148	3,112
Capital	341	145	56	41	41	71	41	41	41	41

Please note all numbers are unindexed and do not include overhead costs

## **APPENDIX 5: Risks Management Profile**

The Integrated Risk Assessment undertaken has identified corporate and organisation risk, the significance and impact, and identified treatment measures to reduce the risk where that is possible.

Because the majority of expenditure under the Public Health and Safety Activity is staff related, our greatest risk lies in not having sufficient competent and trained resources to undertake the responsibilities at the agreed level of service. Failing to monitor and address these risks could lead to litigation and loss of public confidence and reputation. Treatment measures are diverse and wide ranging and include staff recruitment and retention policies, staff training and competency assessments, quality assurance and audit processes, and professional indemnity and public liability insurance.

The current risks around loss of information were assessed as high with a reasonable target risk being moderate. While we have in place fire proof storage, GIS and electronic archives which are appropriately backed up, the need for an integrated document management system, including electronic scanning of documents and files has been identified as an area of improvement.

Inadequacies in managing the small number of contracts in this Activity were identified as another area of moderate risk with a target risk of low. Treatment measures identified the need for more or better Standing Operating Procedures.

At the sub-activity level there operational risks associated with implementation. For instance, by definition rural fire is all about managing fire risk; building inspectors are daily subjected to potential hazards through site inspections; the primary capital-related risk is a breakdown in the harbour master's vessel. In such cases systems and procedures are in place to mitigate and manage such risks.

The full assessment is located at [P:\LTCCP\RISK MANAGEMENT](#).

## APPENDIX 6: Glossary of Activity Management Terms

Activity	An activity means the good or service provided by Council to achieve a desired outcome. Cf Section 5, LGA
Activity Management Plan	Activity Management Plans are key strategic documents that describe all aspects of the management of an activity. The documents feed information directly in the Council's LTP, and place an emphasis on long term financial planning, community consultation, and a clear definition of service levels and performance standards.
AMP or AM Plan	See Activity Management Plan.
Annual Plan	The Annual Plan provides a statement of the direction of Council and ensures consistency and co-ordination in both making policies and decisions concerning the use of Council resources. It is a reference document for monitoring and measuring performance for the community as well as the Council itself.
Level of Service	The defined service quality for a particular activity (i.e. water) or service area (i.e. Water quality) against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost.
Long Term Plan	The Long Term Plan (LTP) is the primary strategic document through which Council communicates its intentions over the next 10 years for meeting community service expectations and how it intends to fund this work. The LTP is a key output required of Local Authorities under the Local Government Act 2002.
LTP	See Long Term Plan.
LGA	Local Government Act 2002
Objective	An objective is a general statement of intention relating to a specific output or activity. They are generally longer-term aims and are not necessarily outcomes that managers can control.
Performance Indicator (PI)	A qualitative or quantitative measure of a service or activity used to compare actual performance against a standard or other target. Performance indicators commonly relate to statutory limits, safety, responsiveness, cost, comfort, asset performance, reliability, efficiency, environmental protection and customer satisfaction.
Performance Monitoring	Continuous or periodic quantitative and qualitative assessments of the actual performance compared with specific objectives, targets or standards.
Risk Management	The application of a formal process to the range of possible values relating to key factors associated with a risk in order to determine the resultant ranges of outcomes and their probability of occurrence.