



Regulatory Functions

Purpose

We need to plan for future growth, making sure there is a balance between protecting the existing environment and the economic and social needs of our community. This group of activities enhances the quality of the natural and built environment through planning and regulatory measures and ensures we meet our responsibilities under various legislation.

Legislation associated with this service

- Amusement Device Regulations 1978
- Building Act 2004
- Building Regulations 2006
- Burial and Cremation Act 1964
- Camping Ground Regulations 1985
- Dog Control Act 1996
- Food Act 2014
- Food Regulations 2015
- General Bylaws 2008 (currently under review)
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Health (Registration of Premises) Act 1966
- Health (Hairdressers) Regulations 1980
- Health (Burial) Regulations 1946
- Housing Improvement Regulations 1947
- Impounding Act 1955
- Local Government Act 2002
- Resource Management Act 1991
- Resource Legislation Amendment Act 2017
- Reserves Act 1977

- Sale and Supply of Alcohol Act 2012
- Shop Trading Hours Act 1990
- The Litter Act 1979

Risks and issues

- Qualified staff for building, resource consent and compliance teams are in short supply and difficult to attract
- Increasing volumes of building and resource consent applications means staff are unable to keep up with demand, resulting in failure to meet deadlines
- Increasing complexity and difficulty in resource consents, building consents and compliance responsibilities from increasing coastal hazards and flood hazards
- Complaints regarding consent decisions lead to legal challenges
- Errors when processing a building or resource consent application
- Legislative changes leading to a shifting statutory framework including compressed processing time, and
- Increasing development pressure and general economic growth will lead to greater interest in resource consents and concerns regarding consent decisions and general monitoring and nuisance complaints.

What we will deliver, when

Description	2024/2025	2025/2026	2026/2027
Building control			
Building consents delivered in a timely fashion. With improved training within the building services to support commercial buildings			
Information and consenting processes that enable developers large or small to do business easier			
Working with Northland councils to identify earthquake prone buildings			
Resource consents			
Resource consents delivered in a timely fashion, with training for RMA reform			
Work with legislative changes, e.g. review of Resource Management Act			
Information and consenting processes that enable developers large or small to do business easier			
Compliance			
Review kennel requirements in line with population growth demands			
Consider improvements to existing kennel facilities			
Increase resourcing in Monitoring and Compliance to meet growth demands			
Central government push down with legislation reforms and changes e.g. Ministry of Health, Hazardous Substances New Organisms (HSNO), new bylaws, freedom camping & communicable diseases			



How is climate resilience being considered?

Consents, building control and compliance all feed into the lifespan of planning and development across Kaipara District. These activities occur across different phases and under different timeframes. Quickly growing climate change compliance requirements will increase the challenge of aligning these activities. We will continue to reduce risk of liability by being consistent in regulation and implementation across the lifespan of planning and development. As much as possible, we will improve our understanding of how increasing flooding will increase our monitoring and compliance responsibilities for septic,

raw water and wastewater. This includes better understanding exposure and risk to flooding and prioritising high-risk places for more detailed investigations.

We also understand that these activities have an important role to play in enforcing and supporting Kaipara District's adaptation and mitigation responses. Through these activities, Council can help to reduce risk, reduce negative impacts, and encourage resilience. We will ensure these activities align with and bolster Council's growing climate resilience responses.

Under the RMA there is a specific requirement in Clause 6 to recognise and provide and for the management of significant natural hazard risk.



Building Control

What we do

We are responsible for administering and enforcing the provisions of the Building Act 2004. We maintain accreditation as a Building Consent Authority under the requirements of the Building Regulations 2006 and assess all building consent plans and specifications to ensure the proposed building work complies with the Building Code. This ensures that buildings are constructed and maintained to appropriate standards and specifications.

We provide information on request to applicants who intend to build or develop a property. We meet the building consent application and Code Compliance Certificate timeframes as well as provide certification that consented buildings people visit, work, and live in comply with the New Zealand Building Code. We also inspect and audit buildings in compliance with regulations and take enforcement action where necessary.

Assumptions for this LTP

Council has based its assumptions using calculations and forecast predictions from Infometrics as a control point.

Building consent and resource consent forecast assumptions include major, known subdivision developments;

- Mangawhai Central
- Mangawhai, Metlifecare
- Mangawhai, Black Swamp Road
- Mangawhai, Private Plan Changes
 - Cove Road North Precinct and
 - The Hills
- Dargaville, Private Plan Changes
 - Moonlight Heights
 - Dargaville Racecourse

These factors, combined with economic growth forecast, have shown a progressive increase in the volume of building consents of more than 14% by year-ten based on forecast assumptions.





Contribution to community outcomes



	Affordable Living	Dependable Roads	Healthy Environment	Prosperous Economy	Vibrant Communities
Improved fees and charges	Teal	Light Gray	Light Gray	Blue	Light Gray
Appropriate team complement and resources for the BCA and TA	Teal	Light Gray	Light Green	Light Gray	Light Gray
Improve building industry relationships through engagement and sharing of building compliance guidance	Light Gray	Light Gray	Light Gray	Light Gray	Dark Blue
Proactively improving our external reputation Introduce targeted customer feedback surveys for BC applications, at granting of BC for processing and issue of CCC for inspections. Feedback to be analysed with any remedial action carried out	Light Gray	Light Gray	Light Gray	Light Gray	Dark Blue
Scope possibility of robust and sustainable remote and or virtual inspections to improve speed and efficiency of building inspection work (successful scoping exercise to involve investment in virtual inspection technology)	Teal	Light Gray	Light Gray	Light Gray	Light Gray
Promote better building waste minimisation practices during building construction	Light Gray	Light Gray	Light Green	Light Gray	Light Gray



Performance measures	LTP Year 1 Target 2024/2025	LTP Year 2 Target 2025/2026	LTP Year 3 Target 2026/2027
Percentage of building control customers who rate request for service received for building consent application processing and inspections as very satisfied or satisfied.	78%	79%	80%
Percentage of building consents processed within 20 working days.	100%	100%	100%
Percentage of Code Compliance applications processed within 20 working days.	100%	100%	100%
Percentage of illegal activity/unauthorised work complaints investigations initiated within 3 working days. <i>(100% to be initiated within five days)</i> Measured by: Core application overdue service request report.	93%	93%	94%

Changes in levels of service

There will be no changes to the level of service.

Significant negative effects

Currently no significant negative effects.



Resource Consents

What we do

We provide advice on resource consent applications for subdivisions and land use. We aim to meet resource consent application processing timeframes and process Land Information Memorandums (LIMs) within statutory timeframes. We also ensure compliance with resource consent conditions and provide timely approval for granting section 224(c) certificates for new land titles.



Contribution to community outcomes



	Affordable Living	Dependable Roads	Healthy Environment	Prosperous Economy	Vibrant Communities
Appropriate team complement and effective management of consultants	High	Low	Medium	High	Low
Improve customer relationships through engagement and sharing of resource management guidance	Low	Low	Low	High	High
Proactively improving our external reputation	Low	Low	Low	High	High
Introduce targeted customer feedback surveys for RC applications. Feedback to be analysed with any remedial action carried out	Low	Low	Low	High	High
Use technology to improve efficiency and customer service with the scoping and implementation of an online RC application lodgement platform	Low	Low	Low	High	High
Training and working with other northern local government for RMA reform	Low	Low	Medium	Low	High

Performance measures	LTP Year 1 Target 2024/2025	LTP Year 2 Target 2025/2026	LTP Year 3 Target 2026/2027
Percentage of non-notified resource consents processed within 20 working days.	100%	100%	100%
Percentage of Land Information Memorandums (LIM) processed within 10 working days.	100%	100%	100%
Percentage of s224(c) certificates for new land titles processed within 10 working days.	100%	100%	100%

Changes in levels of service

There will be no changes to the level of service.

Significant negative effects

Currently no significant negative effects.



Compliance

What we do

We provide registration, verification, and inspection services to monitor and enforce standards of public health for; preparation of safe and suitable food; mobile trades; hairdressing salons; camping grounds, offensive trades, funeral parlours, and hazardous substances in public and non-workplaces. We protect the environment and water ways from effluent and illegal wastewater nuisance through enforcement.

To ensure the safe and responsible sale, supply, and consumption of alcohol, we process, assess, and grant applications for alcohol licences and manager certificates.

We respond to dog, stock, noise, and parking complaints as well as provide advice and monitor recreational water quality. We educate and assist animal owners to act responsibly to minimise any danger, to alleviate any health nuisance in the community.

Meeting our environmental monitoring and compliance objectives and statutory obligations which is to educate and protect the environment our communities wish to thrive in.

We carry out consent conditions for monitoring and compliance purposes also investigate potential District Plan breaches/regulatory complaints and take enforcement action where necessary.

Contribution to community outcomes



	Affordable Living	Dependable Roads	Healthy Environment	Prosperous Economy	Vibrant Communities
Make legislative compliance easier through communication of processes	Teal	Light Grey	Light Green	Blue	Dark Blue
Plan for growth to ensure responses are timely and can meet agreed levels of service	Teal	Light Grey	Light Green	Blue	Dark Blue
Meeting central government led changes to compliance and reform	Light Grey	Light Grey	Light Green	Light Grey	Dark Blue
To enable communities to thrive, be connected, resilient, healthy, and inspiring. By supporting communities, we seek to make it easy to get things done within the legislative requirements	Light Grey	Light Grey	Light Green	Light Grey	Dark Blue
The environment can directly and indirectly impact on our health and well-being. We manage development to ensure natural and physical resources are safeguarded and positive environmental outcomes are achieved. We must balance growth with climate adaptation in mind	Teal	Light Grey	Light Green	Blue	Dark Blue
A prosperous economy is integral to achieving our wider goals for the district. We need to ensure our Council/district is investment-friendly, supports sustainable growth and that the benefits lead to broad based prosperity for the communities. We promote growth and business whilst equally supporting the tourism industry	Light Grey	Light Grey	Light Grey	Light Grey	Dark Blue

Performance measures	LTP Year 1 Target 2024/2025	LTP Year 2 Target 2025/2026	LTP Year 3 Target 2026/2027
Percentage of food premises verified when required under the Food Act.	100%	100%	100%
Percentage of alcohol premises inspected annually.	100%	100%	100%
Percentage of resource consent complaints regarding unconsented works and noncompliance with the District Plan and resource consent investigation initiated within 5 working days.	100%	100%	100%
Percentage of all granted resource consents are monitored each year to ensure they comply with relevant conditions.	25%	25%	25%
Percentage of noise callouts to be responded to by phone within 30 minutes.	90%	95%	95%
Percentage of all dog attacks and or wandering stock are responded to by phone (within one hour) as a Priority 1.	95%	95%	95%



Changes in levels of service

Now	Proposed	Notes
Some work currently carried out under central government and other agency funding (such as freedom camping, communicable diseases, etc).	Legislative changes means council can enforce certain freedom camping activities without a bylaw. It is anticipated this will be an expectation of our community. Potentially investigations of communicable diseases will need to be carried out and funded by local authority.	Central government indicated or enacted legislation.
No bylaw.	Create a bylaw together with the associated funding to implement a comprehensive inspection, permitting and monitoring scheme to support public health and safety for beauty and tattoo parlours.	To meet the requested and recommended level of responsibility by the Medical Officer of Health and to more appropriately support the broader requirements of the Health Act.
Minimal cover of legislative requirements.	To meet statutory requirements for Hazardous Substances New Organisms (HSNO) and hoarding.	At present, only able to cover the bare minimum with current resourcing. Increased issues arising in these areas particularly with growth.
Being a small council we can only provide a baseline service.	Increase level of service to meet growing expectations of residents who have experienced different levels of service in the areas they move to Kaipara from.	We aim to meet and improve levels of service to satisfy community expectations. Kaipara has gone from a 'rural community' feel, to city expectations. This need is also in response to rapid population growth. Increased population means there will be increased parking, dog, noise, freedom camping, health, and nuisance issues.

Significant negative effects

Identified significant negative effect/issue	Mitigation
<p>Hazardous substances, freedom camping, communicable diseases (food and waterborne), cyanobacteria (blue green algae) algal blooms, recreational water quality testing, hoarding and insanitary conditions. Forestry environmental working group. General nuisance issues under the Health Act.</p> <p>Environment and communities detrimentally affected</p>	Gain further expertise in these fields within Council.

Prospective Funding Impact Statement

Regulatory Functions	Annual Plan	Budget	Budget	Budget
For the year ended: 30 June	2023/2024 \$'000	2024/2025 \$'000	2025/2026 \$'000	2026/2027 \$'000
Sources of operating funding				
General rates, uniform annual general charges, rate penalties	2,723	2,656	2,674	2,765
Targeted rates	0	0	0	0
Subsidies and grants for operating purposes	68	0	0	0
Fees and charges	5,409	5,564	5,715	5,833
Internal charges and overheads recovered	0	0	0	0
Interest and dividends from investments	0	0	0	0
Local authorities fuel tax, fines, infringement fees and other receipts	7	11	11	11
Total operating funding	8,207	8,230	8,399	8,609
Application of operating funding				
Payments to staff and suppliers	6,451	6,284	6,485	6,735
Finance costs	4	13	9	8
Internal charges and overheads charged	1,747	1,928	1,899	1,860
Other operating funding applications	0	0	0	0
Total applications of operating funding	8,202	8,224	8,393	8,602
Surplus (deficit) of operating funding	4	7	7	7
Sources of capital funding				
Subsidies and grants for capital expenditure	0	0	0	0
Development and financial contributions	0	0	0	0
Increase (decrease) in debt	-4	-6	-6	-6
Gross proceeds from sale of assets	0	0	0	0
Lump sum contributions	0	0	0	0
Other dedicated capital funding	0	0	0	0
Total sources of capital funding	-4	-6	-6	-6
Applications of capital funding				
Capital expenditure	0	0	0	0
Capital expenditure - to meet additional demand	0	0	0	0
Capital expenditure - to improve the level of service	0	0	0	0
Capital expenditure - to replace existing assets	0	0	0	0
Increase (decrease) in reserves	0	0	0	0
Increase (decrease) of investments	0	0	0	0
Total applications of capital funding	0	0	0	0
Surplus (deficit) of capital funding	-4	-6	-6	-6
Funding Balance	0	0	0	0