

**DELIVERY AND  
OPERATIONS  
BUSINESS REPORT**

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**September – October  
2024**

## Introduction

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Council has responsibilities under legislation to safeguard public health, safety, and welfare. Regulatory activities and responsibilities, such as consents, the enforcement of bylaws, and providing liquor licenses are undertaken for the benefit of our communities and to ensure that everyone can live in and enjoy our district.

Throughout the district there are many facilities managed by Council and made available for public use. These facilities contribute to the liveability of our communities, providing places and spaces for residents to connect and enjoy themselves and to enhance the visitor experience.

These include:

- **Building Services:** This includes processing and inspecting Building Consents and Building Compliance related matters.
- **Environmental Services:** This includes Animal Management, Environmental Health (Food, Alcohol and Health licensing and monitoring), and Compliance Monitoring (Legislation and Bylaw monitoring and enforcement).
- **Resource Consent Services:** This includes processing Resource Consents.
- **Property and Facilities:** This includes Property Management and Technical Operations.



The Delivery and Operations Business report provides a summary of key highlights and noteworthy trends for the September – October 2024

## Executive Summary

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### Building Services

#### Building Consent Authority (BCA)

Building Consent and Code Compliance Certificate compliance for the 2024-25 financial year are 100% respectively.

The BCA had a successful IANZ audit and is returning to a 2-year audit cycle.

With the construction industry in decline presently the BCA has time to refine procedures and look for efficiencies that can save time and resource during busy times. We are currently looking at Artisan as a remote inspection tool.

### Compliance

#### Monitoring and Compliance

Monitoring received 259 Requests for Service (RFS) in September/October 2024.

A total of 161 noise complaints were received and responded to during this period (76 September and 85 October). Response times of 87.3% and 87% were achieved for urban areas and 100% for both months in rural areas.

There were 57 parking tickets issued in September 2024 and 50 in October 2024.

#### Animal Management

835 RFS's were received for Animal Management in the September/October 2024 period, 140 urgent and 756

non-urgent. 34% of the non-urgent RFS related to administrative registration queries. Officers responded to urgent RFS (within 1.5 hours) and non-urgent RFS (within 3 working days).

81 dogs were impounded during September and October 2024. 84 were released from the shelter. In terms of the dogs released, 27 were claimed by their owners, 5 taken by a Rescue Group and 4 were adopted out to a new home. A total of 48 dogs were euthanised due to not being claimed by an owner and not meeting the criteria to be rehomed.

There were 141 infringements issued during September and October by the Animal Management team:

- 98 x failure to register dog - s42
- 30 x not under control – s53(1)
- 4 x Failure to confine – s52A
- 7 x breaching dog control notices – s20 (5)
- 1 x Wilful Obstruction of an Officer – s18
- 3 x Failing to comply with a Menacing Classification – s33EC(1)

Dogs registered at the end of October were: 7,612 out of 10,424 known dogs – (73%)

## Environmental Health

A total of 45 Food Verification audits were completed in September and October 2024.

During September and October 2024, 31 good host visits were completed by the Environmental Health Services team. The level of service target is that 25% of licensed premises are visited once every four years.

A total of 199 Requests for Service (RFS) were received in September and October 2024.

## Resource Consents

### Application Trends

In September we received 134 applications, up by 27 from the month before (August 2024), with October showing a slight decrease receiving 128 resource consent applications.

The decrease in the use of consultants for processing resource consents has been continuing to an almost all time low. Now only those applications where an independent consultant is desirable to mitigate any perceived conflicts of interest are allocated to consultants. Only 3% of current applications are being processed by consultants.

Engineering is a slightly different story, due to limited internal capacity and vacant positions within the engineering team, we continue to heavily depend on consultant engineers for business as usual.

### September Performance Metrics

In September the Resource Consents team issued 52 decisions under the Resource Management Act subject to statutory timeframes and reported to the Ministry for the Environment (MfE).

48 of these consents were processed within statutory timeframes. 4 consents exceeded statutory timeframes and are a result of our team going through legacy applications, this resulted in an 92.31% compliance rate for the month of September.

The team processed a further 35 various applications that are not recorded by MfE.

### October Performance Metrics

In October, the Resource Consents team issued 52 decisions under the Resource Management Act subject to statutory timeframes and reported to the Ministry for the Environment (MfE).

47 of these consents were processed within statutory timeframes. Only 5 consents exceeded statutory timeframes which has resulted in an 90.38% compliance rate for the month of October.

The team processed a further 53 various applications that are not recorded by MfE.

## Improved Efficiency and Future Focus

The substantial improvement in our compliance rate is ongoing and is directly attributed to our now almost fully staffed resource consent planning team and consistently working through the legacy consents.

## Property and Facilities Management

### Property Management

Property Management's focus in September and October was to support both Technical Operations and Property Management teams as many staff were on annual leave for extended periods of time. This was a great opportunity for staff to learn other roles and responsibilities and ensure cover is adequate during these times.

Staff are reviewing the alarm processes within Council. These are currently under review and will be distributed to staff when ready. Staff are also working alongside other teams to determine roles and responsibilities for the Security contract.

The quarterly meeting was held with Te Puna O Kupenuku (occupants of the Rawene Campus). Discussions around the future of the lease continue and staff expect to hear more in the coming months.

Healthy Homes inspections for all tenanted Housing for the Elderly units continue and hope to be completed within the next few weeks.

### Technical Operations

In September and October, we were slightly short on the ground due to a high volume of annual leave so it was important for us to prioritise our work flow and share responsibilities across the wider Property and Facilities team.

Technical Operation's focus for September and October has been the ongoing mobilisation of our Community Facilities contract with Citycare Property Ltd, working through our scheduled tree assessments and historical works, mainly with our buildings.

After identifying the increasing number of requests for service regarding trees, the team carried out bulk tree assessments, which is a new programme of work. These will be done on a six-monthly basis with our next schedule to begin in April.

The bulk tree assessments highlighted three areas for us:

- Trees which required no action from FNDC,
- Trees that require an arborist report to inform next steps
- Trees that do require some notable trimming.

We are currently reviewing the arborist reports on a select number of trees which will inform our decision on whether trees need to be quoted for works. This work will continue over the next couple of months.

Another priority over the coming months will be auditing of our Community Facilities contract, alongside smaller contracts and agreements, and preparing for peak summer season.

Just want to acknowledge the amazing work our Volunteer groups are doing across the district. Shout out to Russell Landcare Trust who have worked hard over the years to protect the foreshore along Long Beach, Russell from erosion and are continuing to plant and maintain that space.

# Building Services

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This section contains performance information for the Building Services department.

## Introduction

The Building Services Department consists of two teams, the Building Consent Authority (BCA) and the Territorial Authority (TA). A territorial authority must perform the functions of a BCA for its own city or district. In addition to these responsibilities, a territorial authority performs the following functions, including any functions that are incidental and related to, or consequential upon these.

### The BCA perform the following functions:

- issue building consents
- inspect building work for which it has granted a building consent.
- issue notices to fix.
- issue code compliance certificates
- issue compliance schedules



### A territorial authority issue:

- project information memoranda
- certificates of acceptance
- certificates for public use
- compliance schedules (and amends compliance schedules)



### A territorial authority also:

- follows up and resolves notices to fix.
- enforces the provisions relating to annual building warrants of fitness.
- performs functions relating to dangerous or insanitary buildings.
- determines whether building work is exempt under Schedule 1 from requiring a building consent



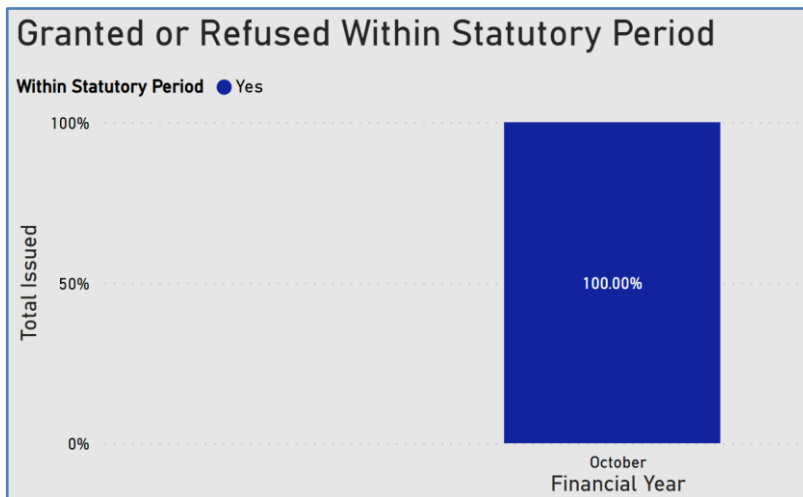
### Power to inspect and enter land.

- Sections 222 to 228 provide details of the powers of entry to undertake an inspection

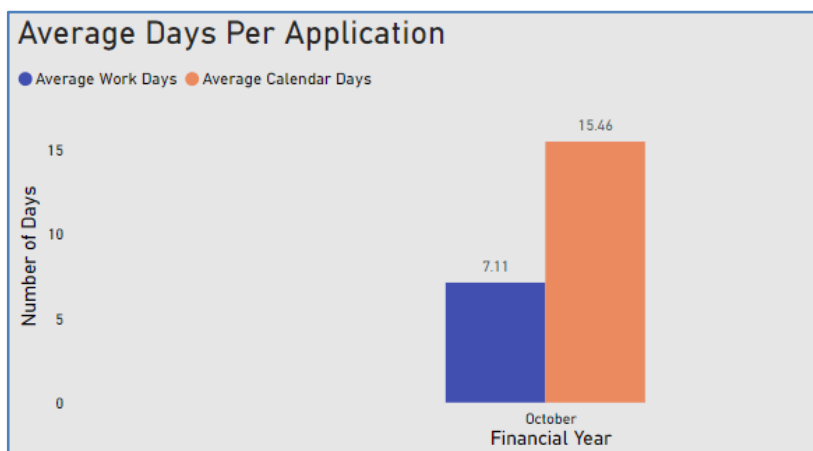
# Building Consent Authority

## Building Consent Processing

The building consent processing unit has achieved 100% compliance for September and October. The BCA received 102 building consents in total in September, and 115 in total for October. September saw 79 granted or refused within the statutory timeframe, and October saw 98.

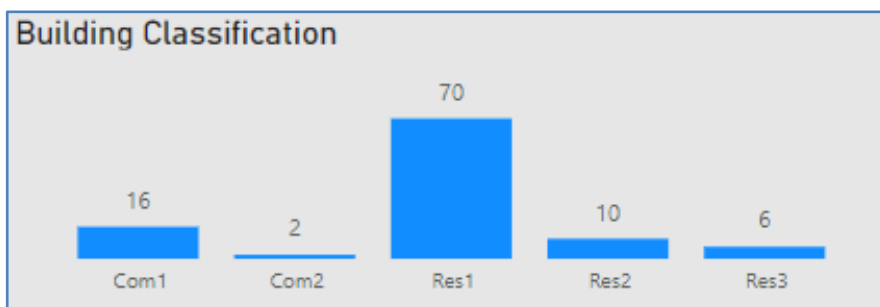


September was a good month for issuing building consents with the average statutory day count to grant a building consent at 8.10 working days. In October the average statutory day count to grant a building consent was at 7.11 working days.



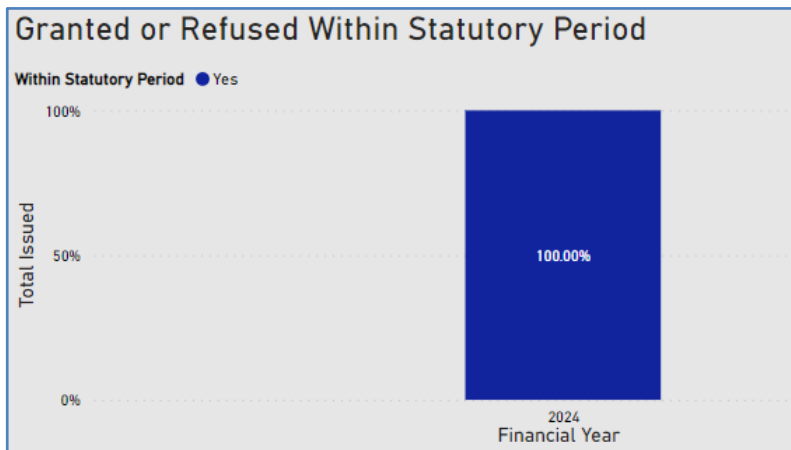
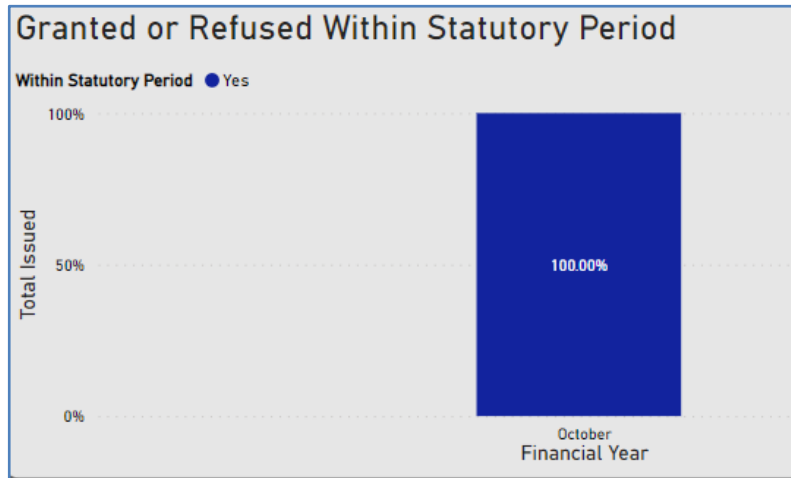
The dashboard below shows the consents currently being processed by the BCA. For October, there are 70 Residential 1 (Res1), 10 Residential 2 (Res2), 6 Residential 3 (Res3), 16 Commercial 1 (Com 1), 2 Commercial 2 (Com 2) and 0 Commercial 3 (Com 3) applications.

Use of contractors (building consultants) for the 2024-25 financial year is currently at 19%.

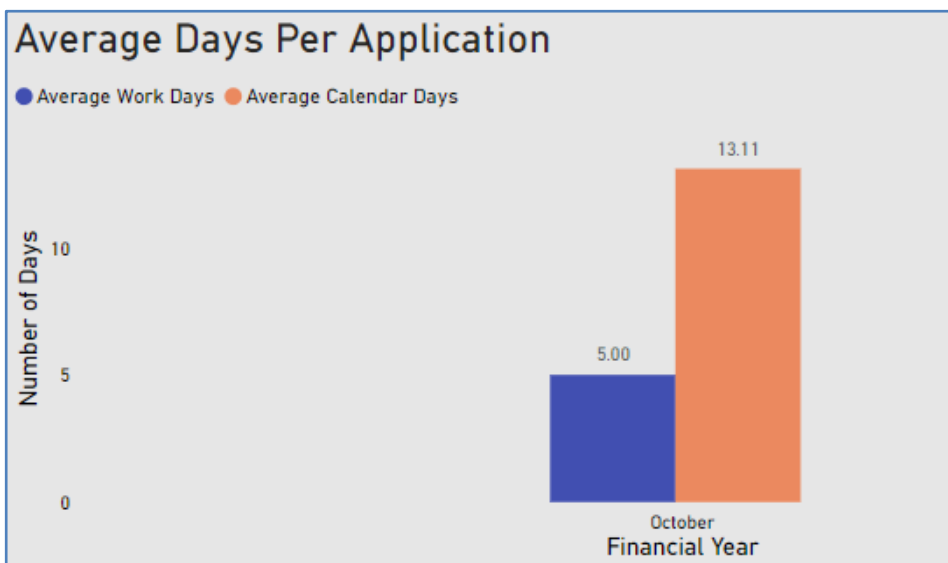


## Code Compliance Certificates

The BCA has achieved a 100% compliance rate for the months of September and October for issuing code compliance certificates. A total of 105 Code Compliance Certificates were issued or refused in September, and 103 certificates have been issued or refused for October. The overall compliance for 2024 is 100% with a total of 457 certificates issued or refused for the financial year.



On average CCC's were issued in 7 days for September, and 5 Days for October.





# Territorial Authority (Building Compliance)

## Building Compliance

The Building Compliance Team (part of the Territorial Authority) are regulators operating under the Building Act 2004 which sets out the rules for the construction, alteration, demolition, and maintenance of new and existing buildings in New Zealand.

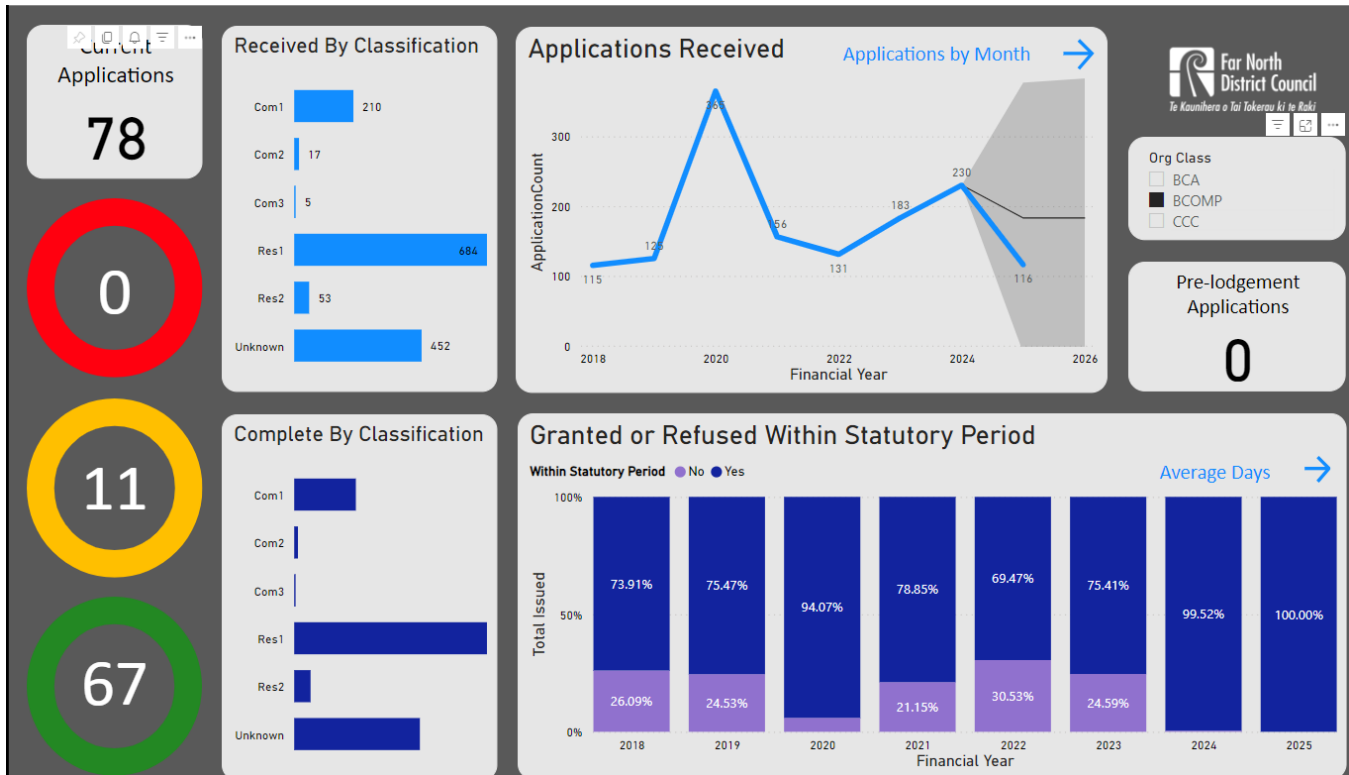
Its purpose is to ensure people can use buildings safely and without endangering the health or the property of others. The team manages the spheres of Building Compliance, Building Warrant of Fitness, swimming pools, Certificates of Acceptance and Exemptions.

Building compliance issues are not always Council's responsibility. Other agencies such as the NZ Police or other government agencies may be responsible or certain matters may be civil matters to be decided either legally or through mediation.

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

Formal enforcement is not taken lightly. It is based on thorough investigation and considers the impact as well as any steps that may have been taken to address the non-compliance.

The dashboard below shows the current applications that are outstanding. Red is out of the 20-day time frame, yellow have 5 days remaining and green have more than 5 days remaining. This is invaluable for monitoring 20-day statutory timeframes. For 2024 we lost 1 application so 99.52% compliant. For 2025 last month reported we had lost an application however this was incorrect reporting, and we are still at 100% for 2025 so far.

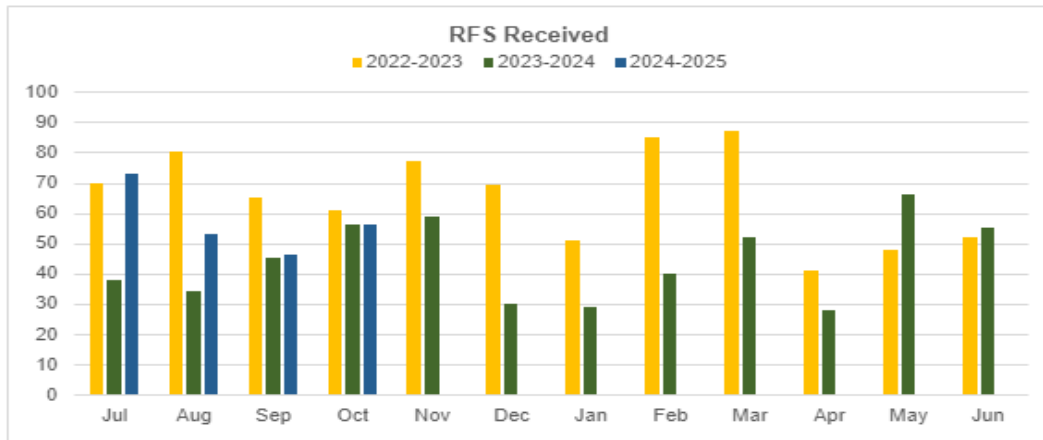


## Requests for Service (RFSSs)

Requests for service range from general requests about legislation and owner obligations, through to requests to investigate suspected breaches of the Building Act 2004.

In September, the compliance team received 46 RFS' these were for various enquiries to do with pools BWOF's and breaches of the building act. We also saw a lot of requests regarding properties people wanted to purchase that were not fully consented.

October saw building compliance handle 56 RFS', with the typical topics of stormwater and alleged illegal building complaints. The Building Compliance team continues to deal with a range of Building Act 2004 non-compliances.



## Swimming Pools

From 1 January 2017, the provisions of the Fencing of Swimming Pools Act 1987 were incorporated into and form part of the Building Act 2004. The Act applies to all residential pools and small heated pools with a depth of 400mm or more.

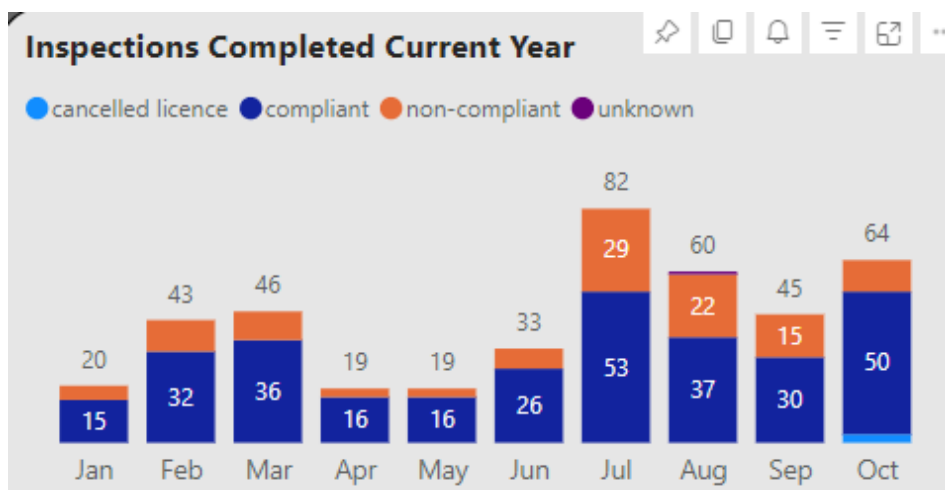
Pools that are filled (or partly filled) with water must have a physical barrier that restricts access to the pool by unsupervised children under the age of 6 years of age. Residential pools, including indoor swimming pools are subject to an inspection every 3 years.

A total of 44 swimming pool inspections were conducted during the month of September, with the completion of inspections on track and as per the allotted inspections for the year.

The swimming pool fail rate was 51% for this period. Higher than usual because of the backlog of old pools we are visiting some of these pools have been off the radar for some time and are in poor condition.

A total of 64 swimming pool inspections were carried out during the month of October, with the completion of inspections on track and as per the allotted inspections for the year.

The swimming pool fail rate was 20% for this period. Council is working hard to provide these homeowners with the knowledge and information to help them achieve compliance and reduce the risk of drowning in the district.



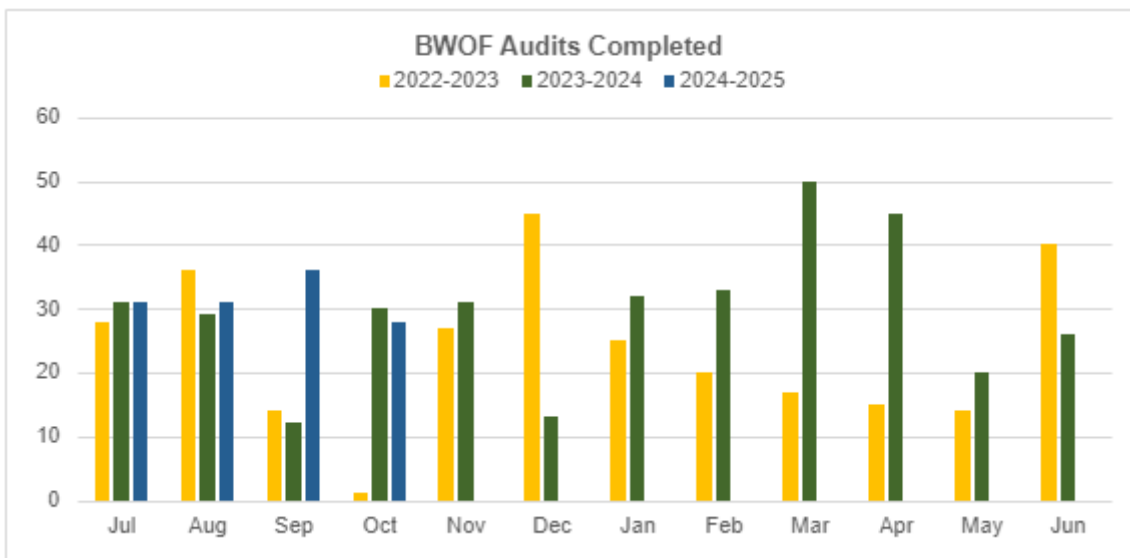
## Building Warrant of Fitness (BWoF)

A building warrant of fitness (BWoF) is an annual certificate that confirms that specified systems in a building have been inspected and maintained and that requirements of the compliance schedule have been met.

Building owners are required to engage an independent qualified person (IQP) to inspect and certify the specified systems, display a copy of the BWoF certificate within the public area of the building and to provide the Council with a copy of the BWoF and IQP certificates of compliance.

The Council undertake BWoF audits of commercial buildings following a risk-based approach. Audits are carried out on a 1, 3, or 5-year cycle, but can also include any requests for service where there are concerns about a building owner's on-going compliance with the regulations.

36 BWoF audits were conducted during September. 28 BWoF audits were carried out during October. The team has had a lot of leave and sickness this month so are a few down on previous months.

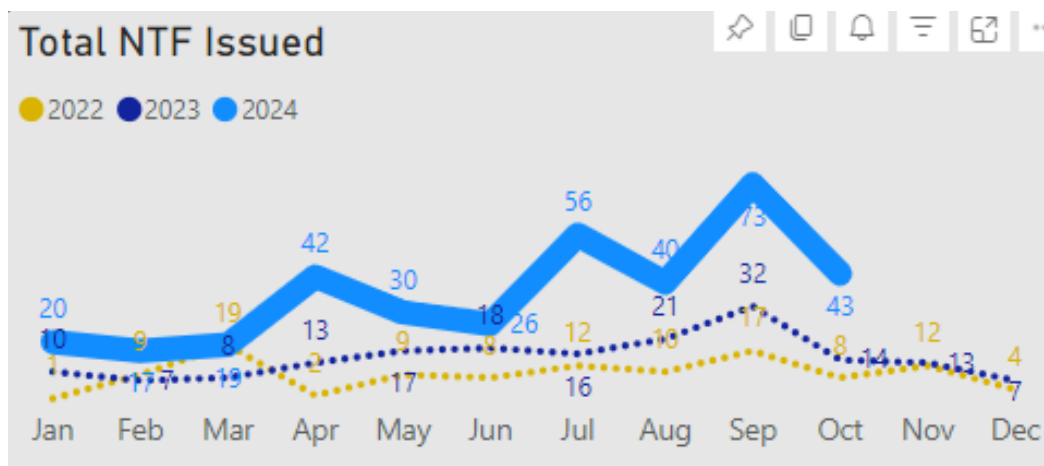


## Notices to Fix

A Notice to Fix (NTF) is a statutory notice requiring a person to remedy a breach of the Building Act 2004 or regulations under that Act. A NTF can be issued for all breaches of the Act, not just for building work.

73 Statutory Notices were served during September for various breaches. The team has worked hard to clear the backlog of notice to fixes and are fully current.

43 Statutory Notices were served during the month of October for breaches of the Building Act 2004.



## Certificates of Acceptance and Exemptions

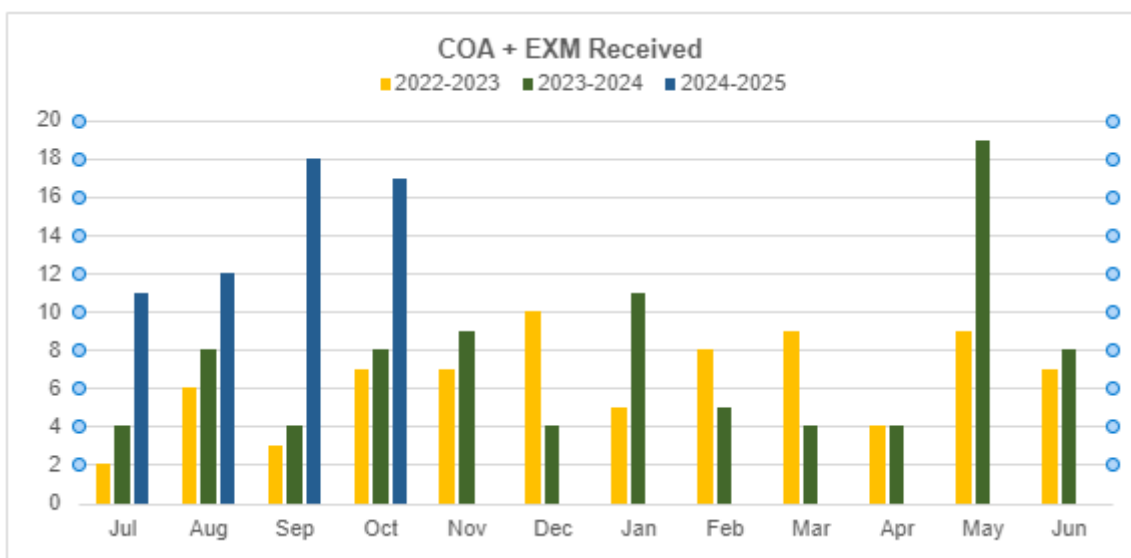
A certificate of acceptance (COA) provides building code certification on work that can be inspected. It excludes work that cannot be inspected, so is not as comprehensive as a Code of Compliance Certificate (CCC). A certificate of acceptance applies where:

- work that requires a building consent was completed without one.
- urgent work is carried out under section 42 of the Building Act
- another building consent authority or building certifier refuses to or cannot issue a CCC.

An exemption is an application to carry out works without a building consent under the Territorial Authority exemption powers. We assess these the same as we do with a building consent.

Council received 18 COA applications during September. The number of COA applications have increased significantly as banks are being a lot more stringent than previously and are making owners legalise work before they will lend.

Council received 17 COA and EXM applications during the month of October the number of COA and exemptions are increasing as we are doing EXM's for tiny home manufacturers in the district.



## Infringements

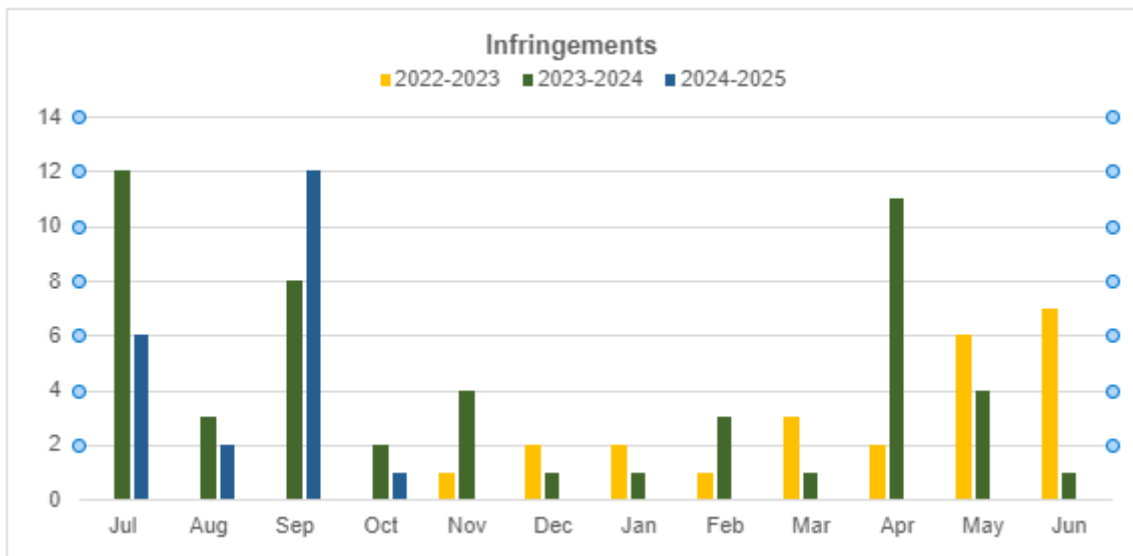
Under Section 372 of the Building Act, an infringement notice may be served on a person if an enforcement officer observes the person committing an infringement offence or has reasonable cause to believe an infringement offence is being or has been committed by that person.

The Building Infringement Regulations contain a clear and unambiguous list of infringement offences. These infringement offences are based on specific existing building offences. The fees are prescribed by regulations, following consultation with territorial and regional authorities, and building sector representatives, with the following principles in mind:

- Higher fees would reflect direct risks to health and safety.
- There should be consistency between offences that are similar in nature.

Fees range from \$250 (for procedural offences) to \$2,000 (for more serious breaches), with the level of fee reflecting a smaller percentage of the maximum fine already specified in the Building Act.

1 infringement was issued during the month of October for failing to comply with a notice to fix.



# Compliance

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This section contains performance information for the Compliance department.

## Introduction

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The Compliance department covers regulatory and licensing activities and responsibilities for council. The department is directed by primary legislation and FNDC policies and bylaws.

This team is made up of Monitoring and Compliance, Animal Management and Environmental Health (Food and Liquor) and associated Administration support.

Activities and services undertaken include:

- the monitoring of resource consent applications and related consents
- promotion of responsible ownership of dogs, including care and control around people, protected wildlife, other animals, property, and natural habitats
- responsibilities for the sale and supply of alcohol, to minimise alcohol-related harm in our District
- providing verification services for food businesses to ensure that food prepared and sold is safe.
- Investigation, monitoring and enforcement of bylaws, District Plan breaches and parking.



The team provides advice and guidance while delivering compliance, monitoring, and enforcement across the region. By applying a risk-based approach this enables monitoring efforts to be focussed on the biggest risks to the community and target areas where businesses and people are less likely to comply.

Council has responsibilities under legislation to safeguard public health, safety, and welfare. Regulatory activities and responsibilities are undertaken for the benefit of our communities and to ensure that everyone can enjoy our district.

### Contribution to community outcomes



*Communities that are healthy, safe, connected and sustainable*



*A wisely managed and treasured environment that recognises the role of tangata whenua as kaitiaki*



*Proud, vibrant communities*

# Monitoring

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## Introduction

Council is responsible for safeguarding public safety, minimising environmental risk, and protecting social and cultural interests as directed by primary legislation and our policies and bylaws. Monitoring and Enforcement are responsible for the administration and enforcement of these obligations. Monitoring are now utilising business improvement enhancements in the presentation of reports that follow.

Monitoring is responsible for:

- Resource Management Act breaches
- Local Government Act breaches
- Reserves Act breaches
- Litter Act breaches
- Land Transport Act (stationary vehicle offences)
- District Plan breaches
- Bylaw breaches
- Resource consent monitoring
- Noise complaints
- Removal of abandoned vehicles

## Staffing

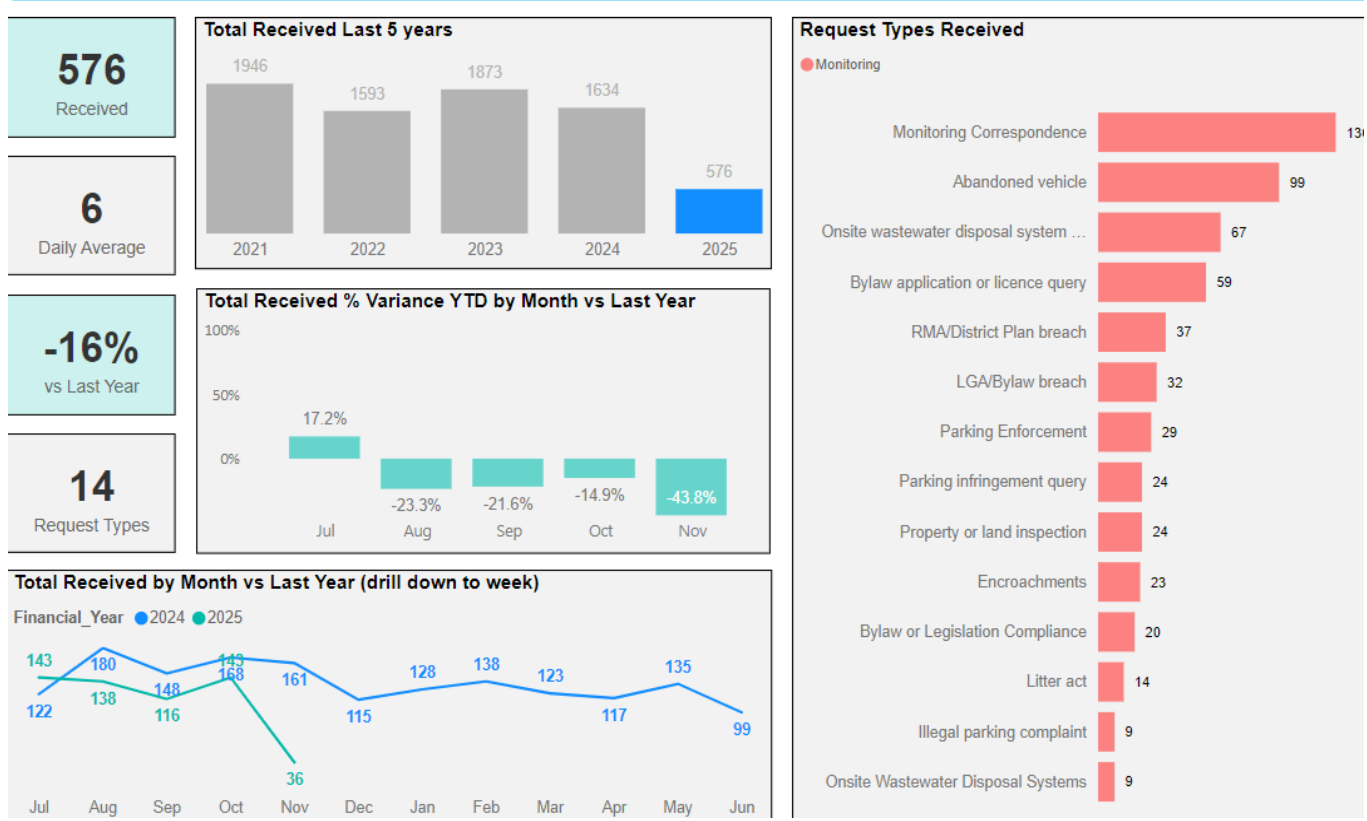
Monitoring comprises of a team leader, five monitoring officers, two resource consent monitoring officers, two administration staff and a parking enforcement officer. There is now also a fixed term (2 years) Encroachment Officer sitting within this team. This role will work toward compliance across the district for historical encroachments on council land, albeit new cases are reported frequently which also require investigative action.

## Requests for Service

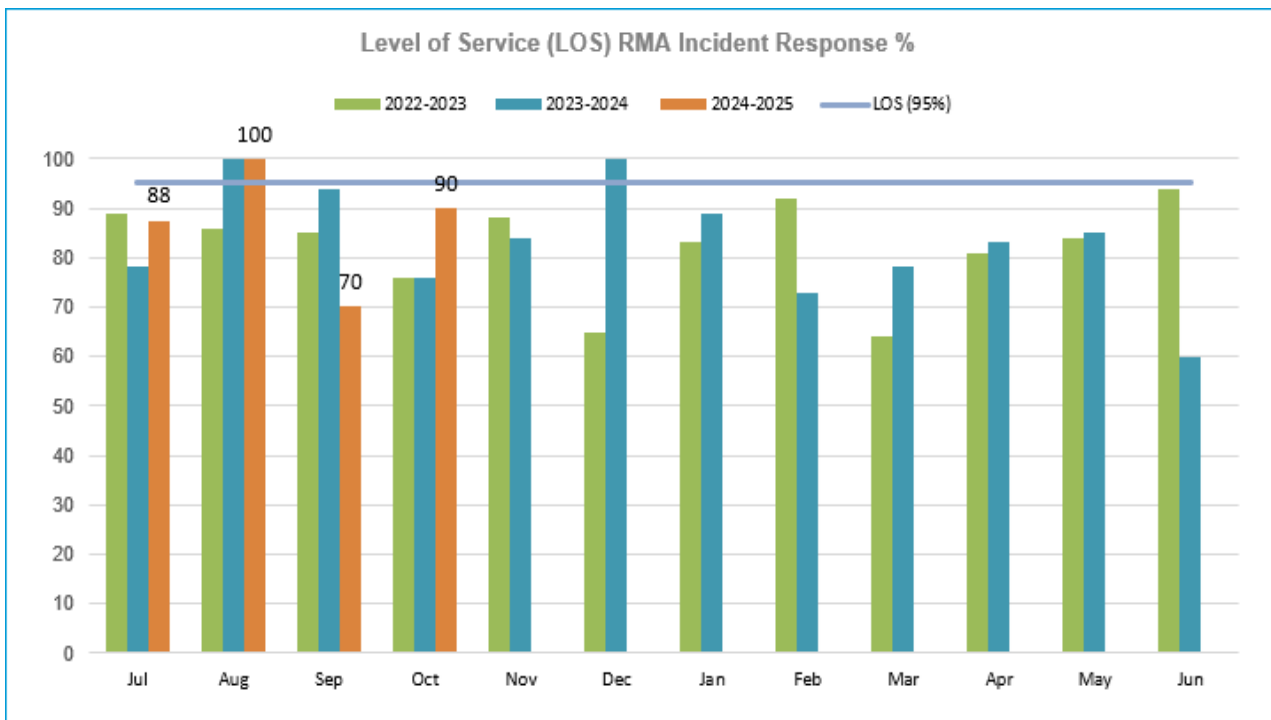
The following graph shows all Requests for Service (RFS) received over the last three financial years by Monitoring. These RFS reflect all responsibilities held by Monitoring. The following sections break down those requests into areas of legislation. There were 116 requests for service in September and 168 in October 2024.



# RFS Received (Current Financial Year to Date)



Monitoring level of service performance measure requires incident response to 95% of all RMA/District Plan breach request for service within 3 days. The below graph displays performance over a three-year period.



In September 2024 there were 10 RFS cases of which 7 met the 'respond by' timeframe.

In October 2024 there were 10 RFS cases of which 9 met the 'respond by timeframe'.

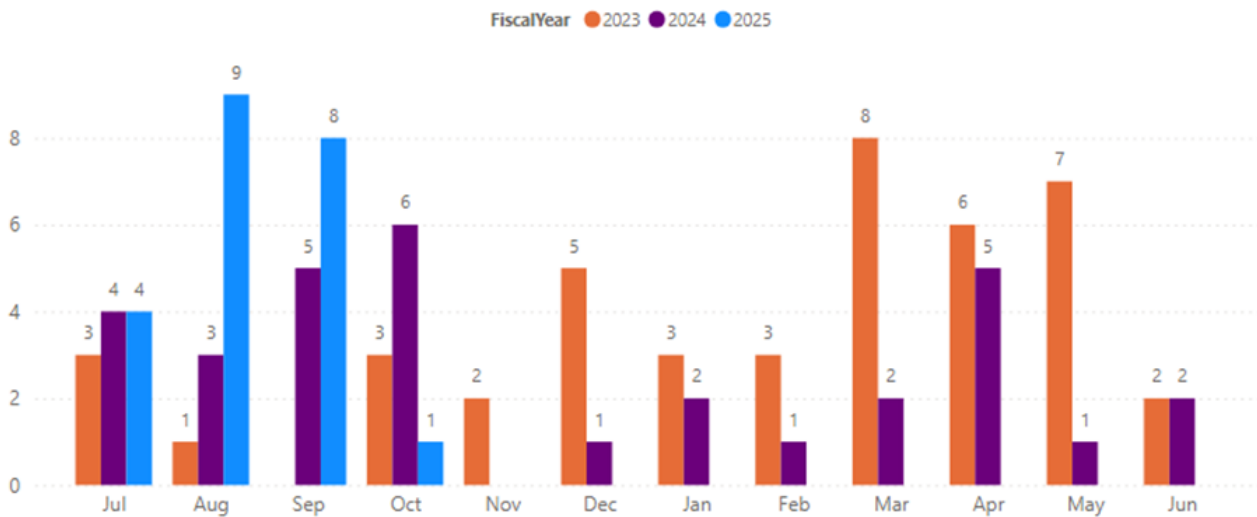
## Resource Management Act 1991

A large amount of the work undertaken by Monitoring falls under the Resource Management Act 1991 (RMA). This section reports the results of those responsibilities.

The LTP level of service for responding to RMA incidents is 93% of customers acknowledged within three working days. As we have moved to reporting via B.I. unfortunately reporting for this measure is currently unavailable for this period and will be updated in future reports.

If an RMA/District Plan RFS results in further investigation, a new application is created in the Council system called a 'GENRMA' and research and evidence is recorded with case notes in support of any legal notices, such as abatement notices and environmental infringement notices. The graph below shows GENRMA lodged by Monitoring over the last three financial years. There were eight GENRMA lodged in September 2024 and one on October

RMA/District Plan Compliance Activity Lodged 'GENRMA'

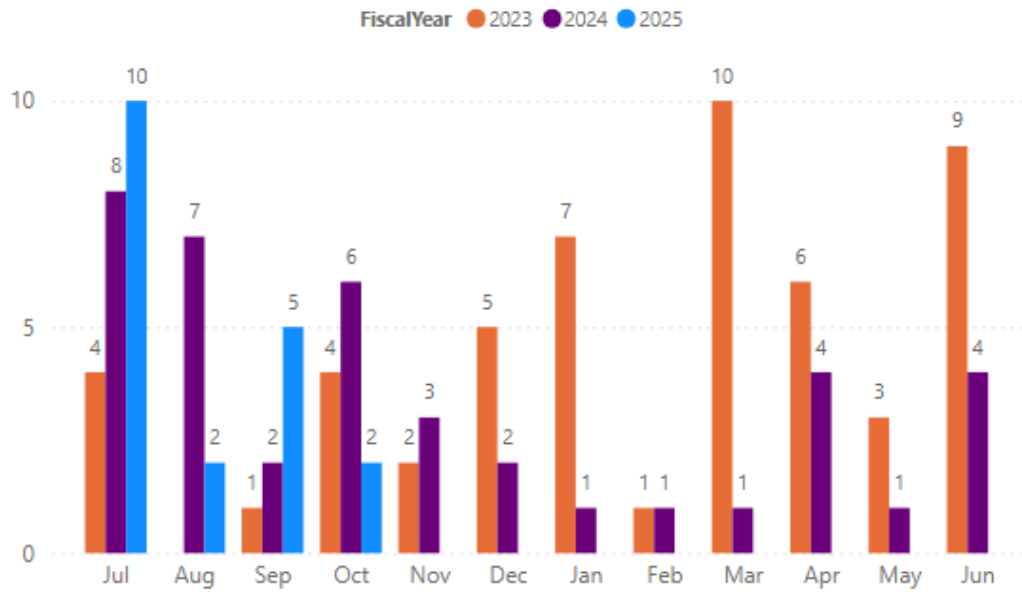


Although Monitoring's policy is to promote voluntary compliance with the District Plan, there comes a point in an investigation where it becomes necessary to escalate the enforcement process.

The RMA allows a warranted monitoring officer to issue an abatement notice to direct an offender to do something or cease something that is causing a breach of the RMA. Usually this means ceasing a breach of a rule in the District Plan. Abatement notices can also be issued for failing to comply with a condition in a resource consent or consent notice, or for creating excessive noise.

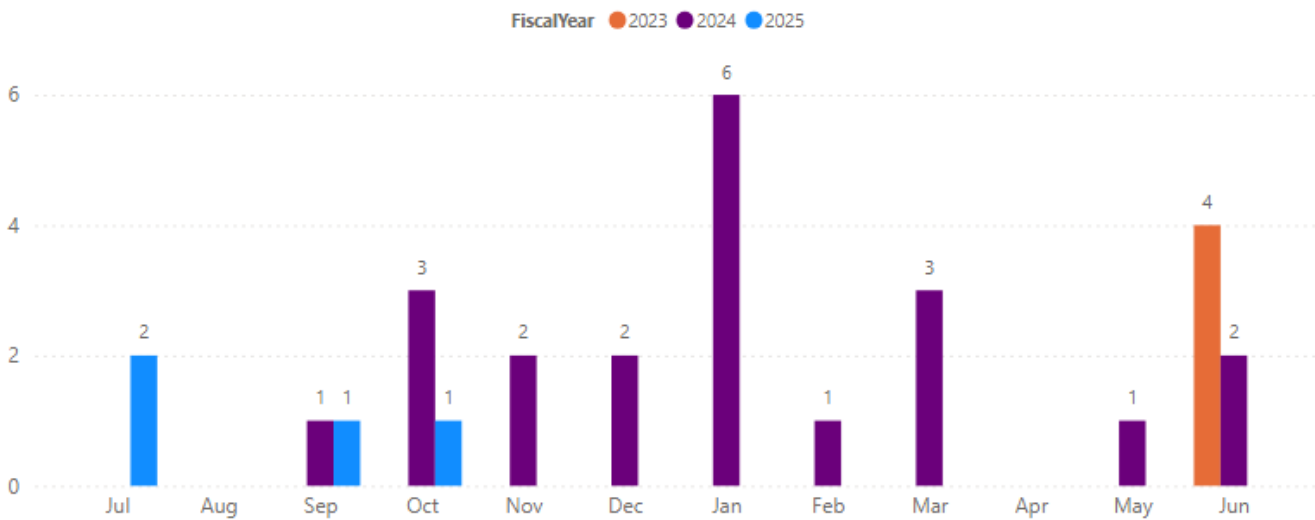
Abatement notices are issued with a specific date by which the offender must comply. If an offender has not complied with an abatement notice and is not showing a willingness to co-operate with Council, an environmental infringement notice (EIN) of \$750 can be issued, or prosecution commenced. There were five abatement notices issued in September and two in October 2024.

## Abatement Notices Lodged



There were one Environmental Infringement Notices issued in September and one October 2024

## Environmental Infringements Issued



## Resource Consent Monitoring

The resource consent monitoring role remains extremely busy with several areas being addressed. Current workflow includes:

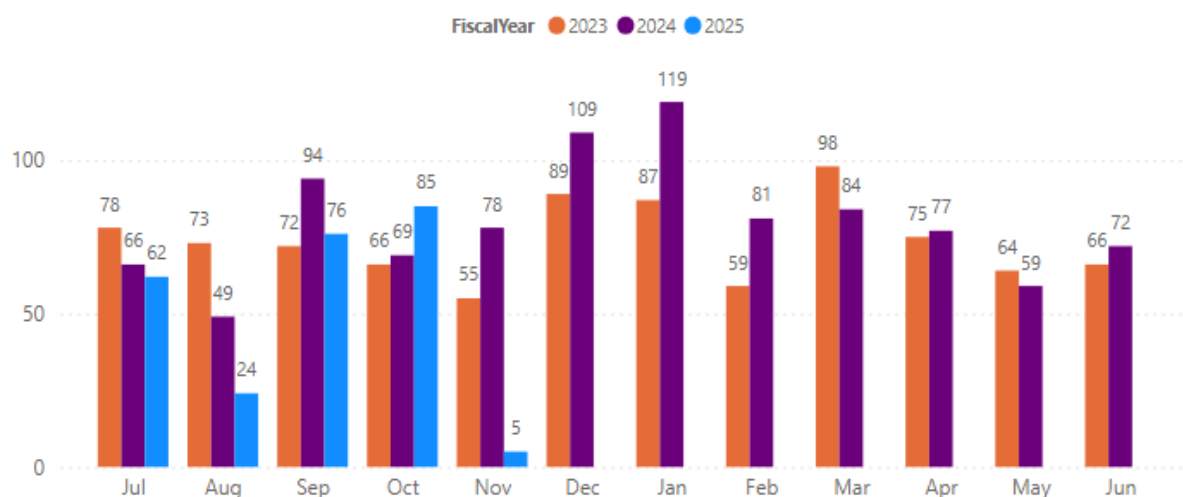
- Historic back log of un-monitored Monitoring Resource Consent (MRC) applications
- Review of legacy consents that do not have an associated MRC application.
- Business improvements
- Responding to RFS

There were 19 new Resource Consent Monitoring cases lodged in September 2024 and 21 in October 2024.

## Noise

The control of noise pollution also falls under the RMA and is included in the Long-Term Plan (LTP) as a level of service (LOS). First Security are contracted by Council to attend noise incidents. As warranted officers they are authorised to enter land, issue excessive noise directives (ENDs) and seize sound making equipment (when accompanied by a constable). The graph below shows the number of noise complaints received and responded to by First Security.

### Noise Complaints Received



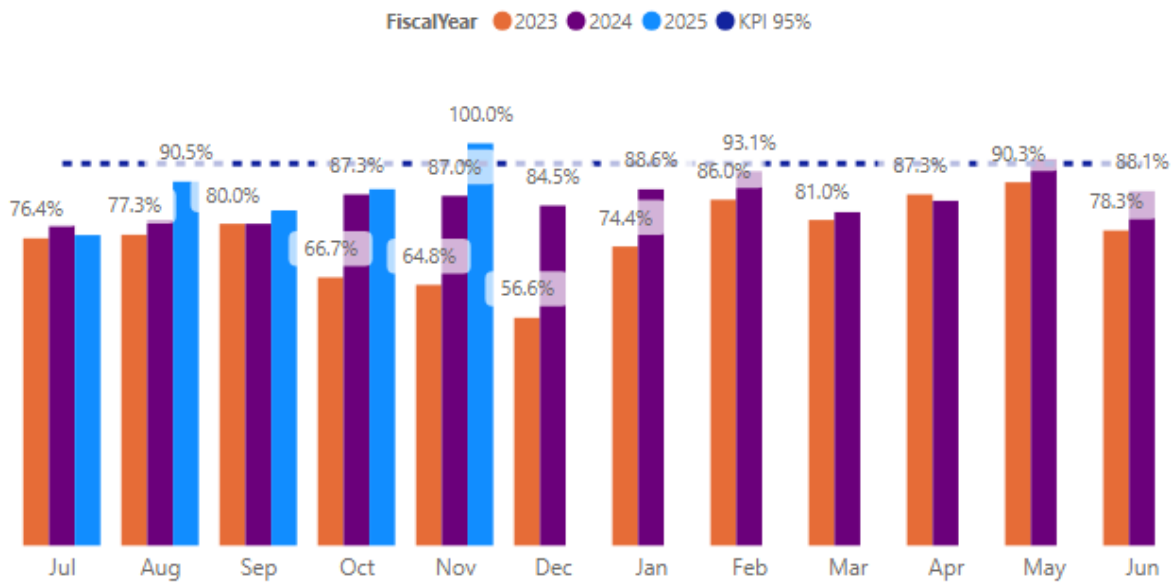
In the RMA, the term excessive noise means any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted). Noise assessment by First Security is subjective, rather than with measuring devices as the RMA only requires the noise to be deemed unreasonable. The action taken by First Security's officers vary depending on their assessment at the time. The table below shows First Security officers' action taken in September and October 2024.

### Noise Complaints - Action Taken - Current Financial Year

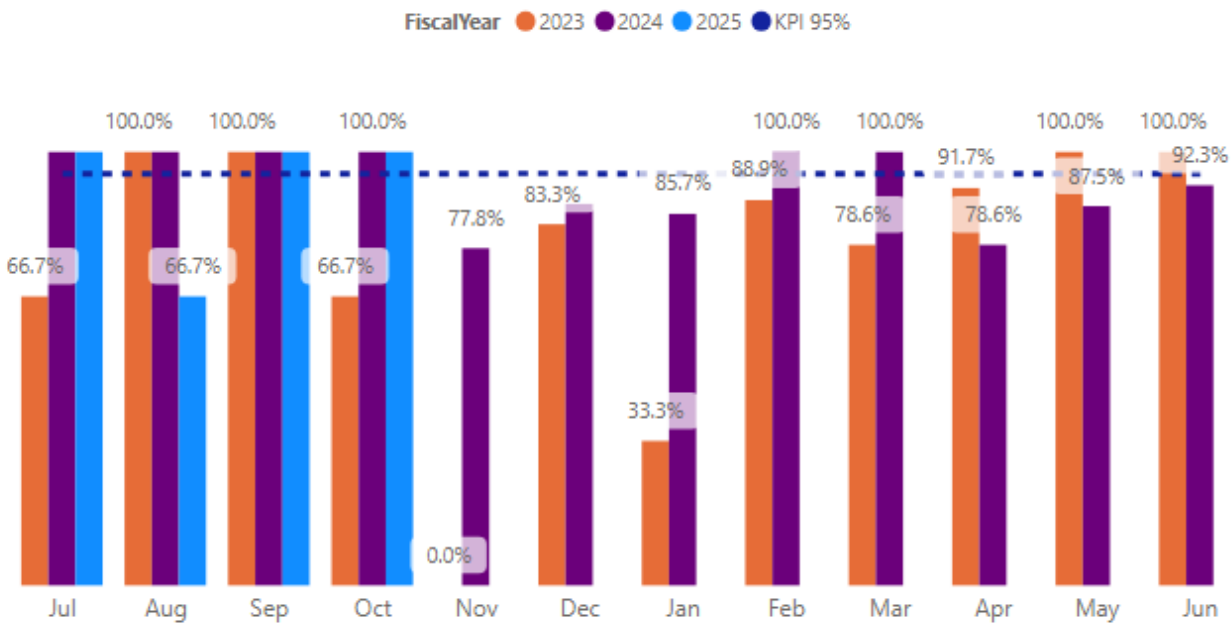
Infringement Status	Jul	Aug	Sep	Oct	Nov	Dec	Total
Abatement Notice Issued	0	0	0	0	0	0	0
Excessive Noise Directive Issued	27	8	28	34	2	0	99
No Action Taken	34	14	47	49	3	0	147
Seizure Performed	0	1	1	0	0	0	2
Verbal Warning Issued	1	1	0	2	0	0	4
<b>Total</b>	<b>62</b>	<b>24</b>	<b>76</b>	<b>85</b>	<b>5</b>	<b>0</b>	<b>252</b>

As per the Long-term Plan Levels of Service (LOS), First Security have a key performance indicator (KPI) of 95% of calls in the urban area attended within one hour and 95% of calls in the rural area within two hours. This is a challenging KPI due to the size and remoteness of the district. The two graphs below show attendance times in relation to the LTP LOS KPI for 'urban on time' and 'rural on time' noise call outs in September and October 2024.

## Noise Response Times KPI - Urban On Time



## Noise Response Times KPI - Rural On Time

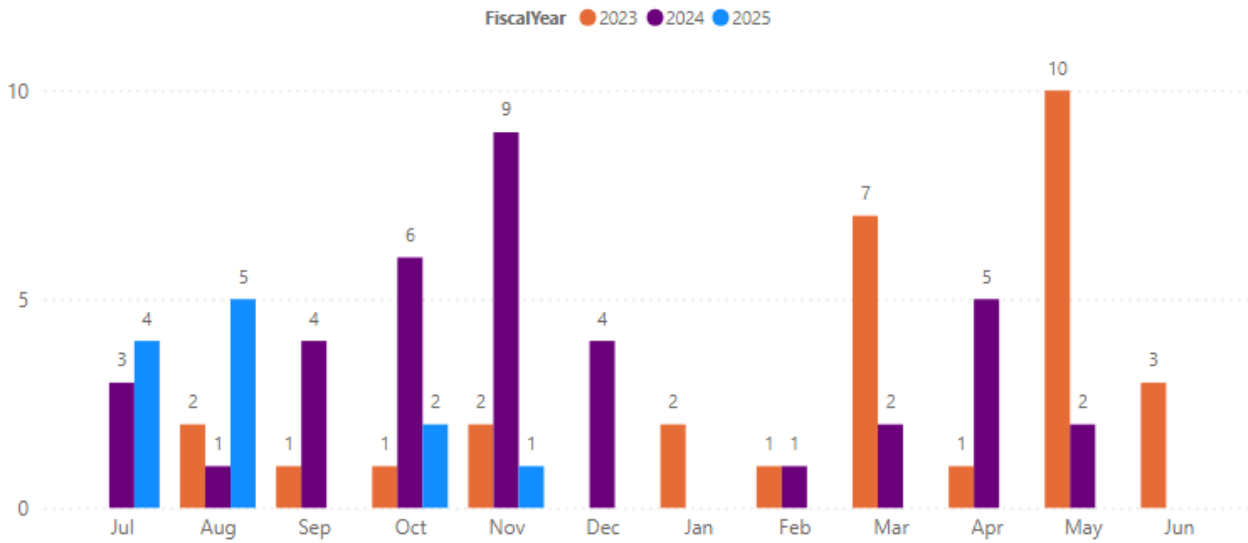


### Local Government Act 1974/2002

The Local Government Act (LGA) is the legislation behind most of the bylaws administered by Monitoring. The LGA can also be used for issues such as encroachments onto public places and roads.

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

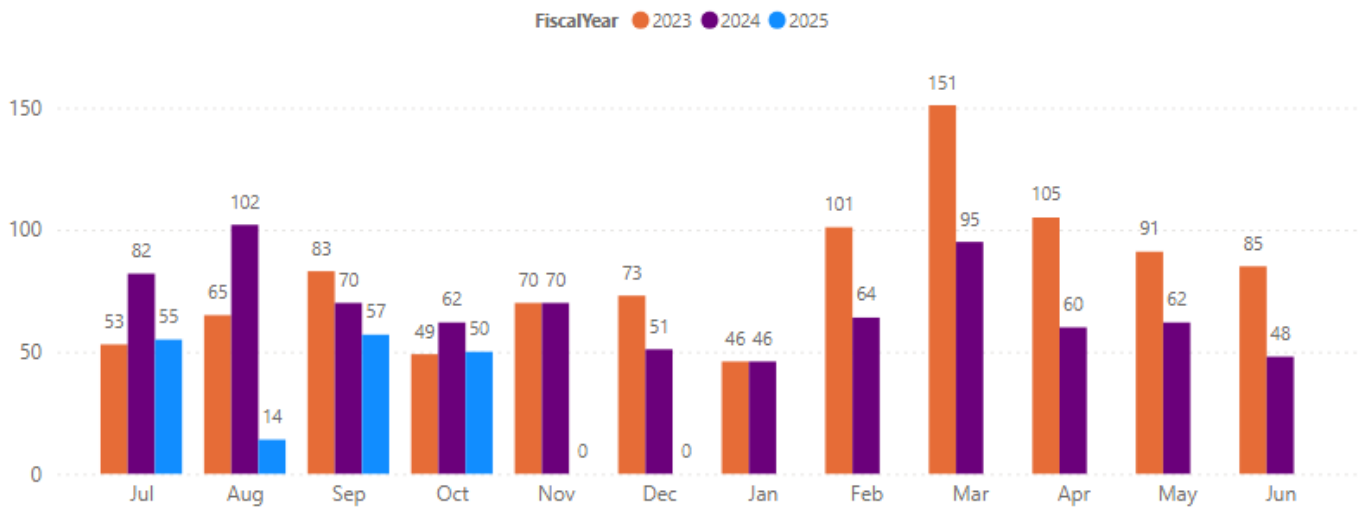
## LGA/Bylaw Compliance Activity Lodged



## Parking

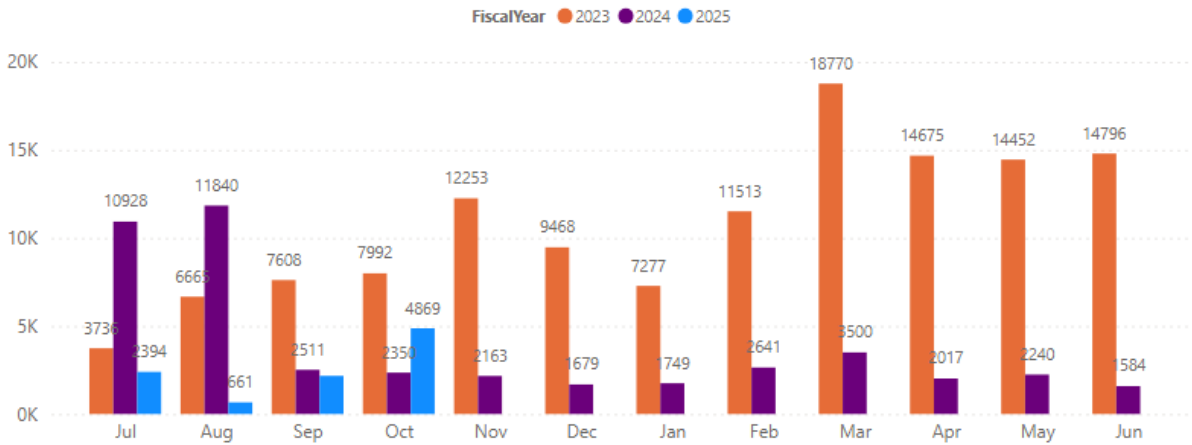
There were 57 parking tickets issued in September 2024 and 50 in October 2024.

### Parking Infractions Issued



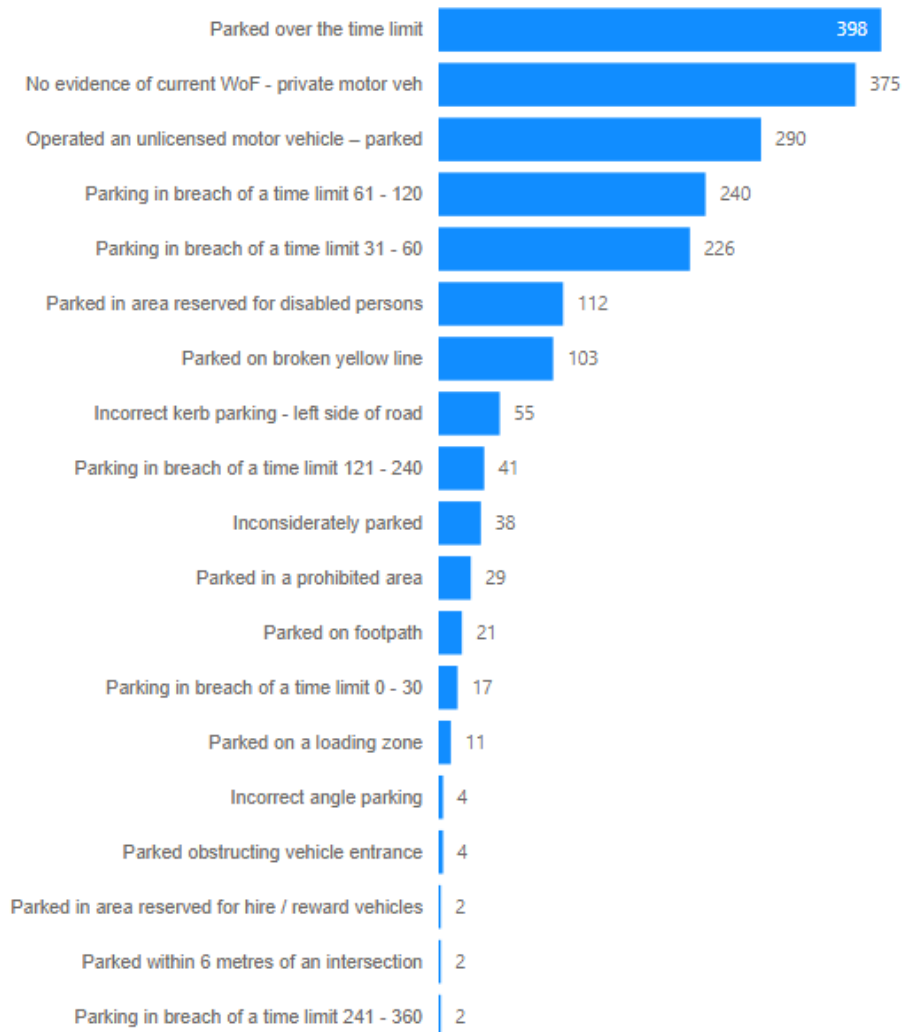
The graph below shows parking infractions by dollar amount.

## Parking Infringements Amount \$



The graph below shows a breakdown of parking infringements by offence type 2023 to present date.

## Parking Infringements by Offence Type

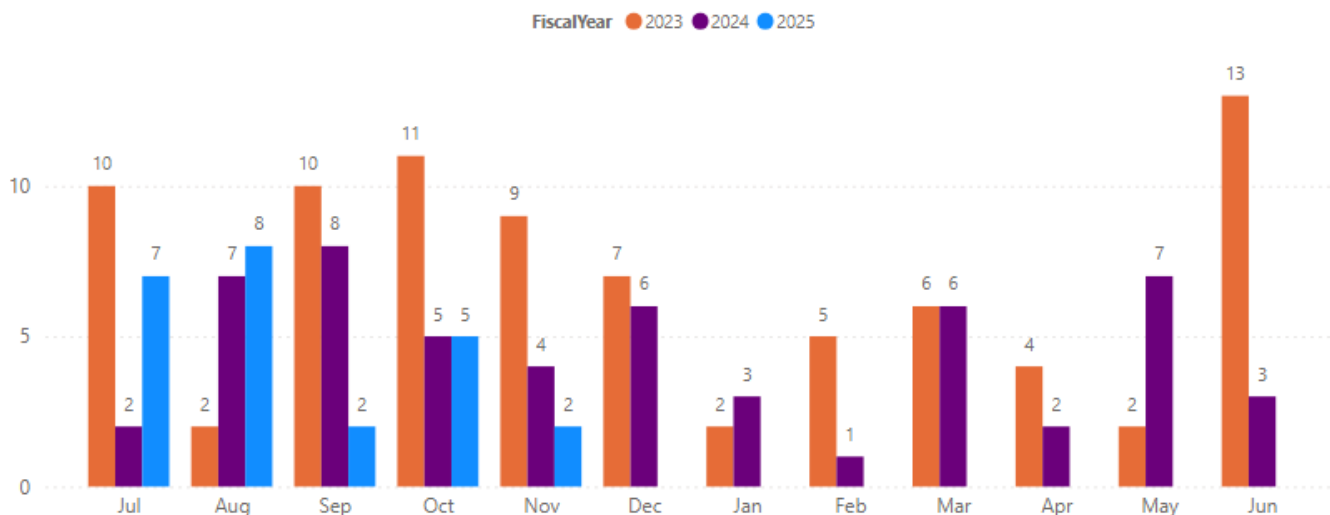


## Vehicle Crossing Applications

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

There were 2 applications in September 2024 and 5 in October 2024.

### Vehicle Crossing Applications Lodged



## Customer Service – Ask Nicely

Monitoring team had 22 surveys sent out in September with a response rate of 31.8%. 4 satisfied and 2 not satisfied.

3.33

▲ 0.72

01 Sep 2024 - 30 Sep 2024

Company — Goal: Off



TOTAL RESPONSES  
9

SATISFIED  
4

NEUTRAL  
3

NOT SATISFIED  
2

SURVEYS SENT  
22

RESP. RATE  
31.8%

Monitoring team had 33 surveys sent out in October with a response rate of 39.4% 6 satisfied and 0 not satisfied.



# 3.75

▲ 0.42

01 Oct 2024 - 31 Oct 2024

Company — Goal: Off



TOTAL RESPONSES  
12

SATISFIED  
● 6

NEUTRAL  
● 6

NOT SATISFIED  
● 0

SURVEYS SENT  
33

RESP. RATE  
39.4%

## Animal Management

### Introduction

Animals, in particular livestock and dogs, play a significant role in the far north lifestyle. Council understands the economic and social benefits of animals, but Council has a duty to contribute to the safety of our communities and the welfare of those animals. The goal of animal management is to reduce the risk of potential negative impacts by encouraging responsible dog ownership and working with farmers to minimise wandering stock.

### Requests For Service (RFS) Responses

- 469 RFS's were received for Animal Management in September, 79 urgent and 390 non-urgent.
- 427 RFS's were received for Animal Management in October, 61 urgent and 366 non-urgent.
- Officers responded to urgent RFS (within 1.5 hours) and non-urgent RFS (within 3 working days).

### Impounded Dogs

38 dogs were impounded in September 2024. 47 were released from the shelter which included 9 carried over from the previous months impounding. In terms of the dogs released 14 were claimed by their owners, 3 taken by a Rescue Group and 2 dogs adopted out to a new home. A total of 28 dogs were euthanised in September due to not being claimed by an owner and not meeting the criteria to be rehomed.

33 dogs were impounded in October 2024. 27 were released from the shelter. In terms of the dogs released 13 were claimed by their owners, 2 taken by a Rescue Group and 2 dogs adopted out to a new home. A total of 20 dogs were euthanised in October due to not being claimed by an owner and not meeting the criteria to be rehomed.

### Infringements

There were 68 infringements issued in September by the Animal Management team:

- 45 x failure to register dog - s42
- 19 x not under control – s53(1)

- 2 x Failure to control and confine – s52A
- 1 x Wilful Obstruction of an Officer – s18
- 1 x breaching Menacing Classification – s33EC(1)

There were 73 infringements issued in October by the Animal Management team:

- 53 x failure to register dog - s42
- 11 x not under control – s53(1)
- 5 x breaching dog control notices – s20 (5)
- 2 x Failure to control and confine – s52A
- 2 x breaching Menacing Classification – s33EC(1)

The end of October 2024 saw a total of 7612 dogs registered across the district. This is a 73% compliance rate with 80% registration compliance being the LOS indicator

## Notices

The Officers issued 47 Notices to Register (NTR) a dog in September and 69 in October. An NTR is issued providing a person time to register their dog which may result in an Infringement Notice issued for non-compliance

The Officers issued 62 Notices to Occupant/Owner (NTO) in September and 83 in October. An NTO is issued where an Officer has entered a property, and no persons have been at home and/or a notice of seizure following the seizure of a dog. NTO's are a notice issued pursuant to the Search and Surveillance Act 2012 and the Dog Control Act 1996

## Environmental Health Services

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### Introduction

The safety and well-being of our communities, visitors and our environment is one of the primary functions and responsibilities of Council. We are accountable to our communities and have several obligations under primary legislation. Environmental Health Services are responsible for the administration and enforcement of these obligations.

Environmental Health Services (EHS) is responsible for:

- Food business registrations and health licensing
- Providing food verification services
- Inspections of licensed premises
- Investigating health nuisances
- Carrying out host responsibility inspections of licensed premises and
- Processing alcohol applications

### Levels of Service

Level of service 8.2.1. Food Control Plan and National Programme audits completed as scheduled.

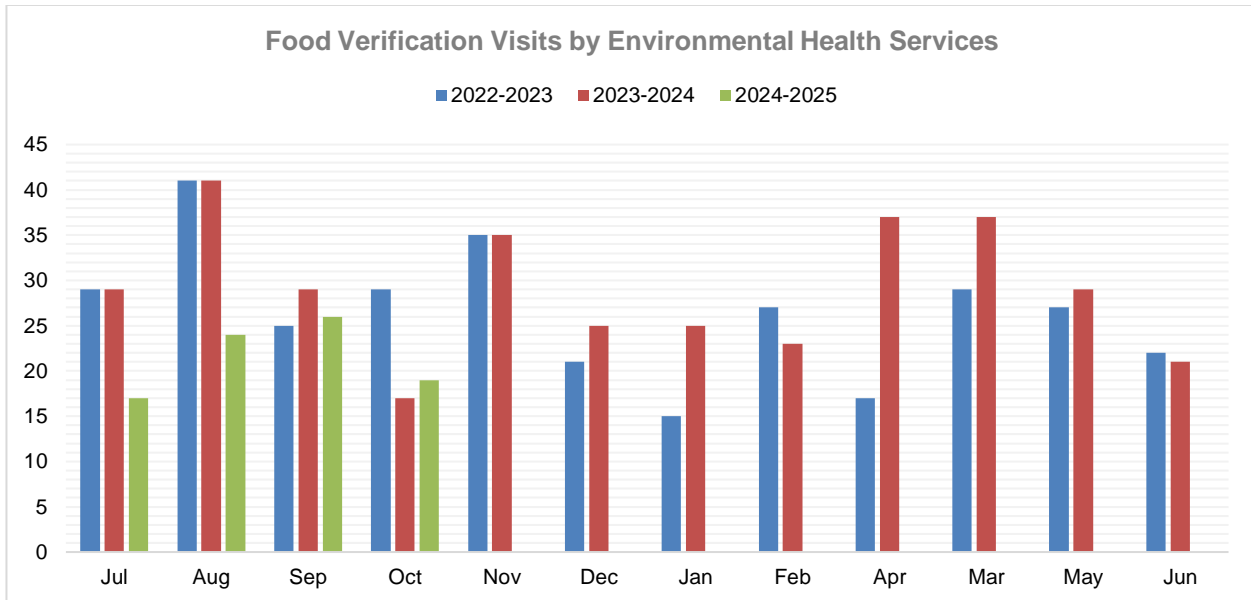
The level of service for environmental health was amended to better express Council's commitment to the community.

Target: ≥95%

During September 2024, 27 verifications were scheduled. Of the 27 scheduled verifications, 26 were completed. 1 verification did not take place as the Operator cancelled. The verification will be rescheduled.

During October 2024, 21 verifications were scheduled. Of the 21 scheduled verifications, 19 were completed. 2 verifications did not take place as the Operator cancelled. These verifications will be scheduled.

The following graph shows the number of verifications completed in September and October.



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

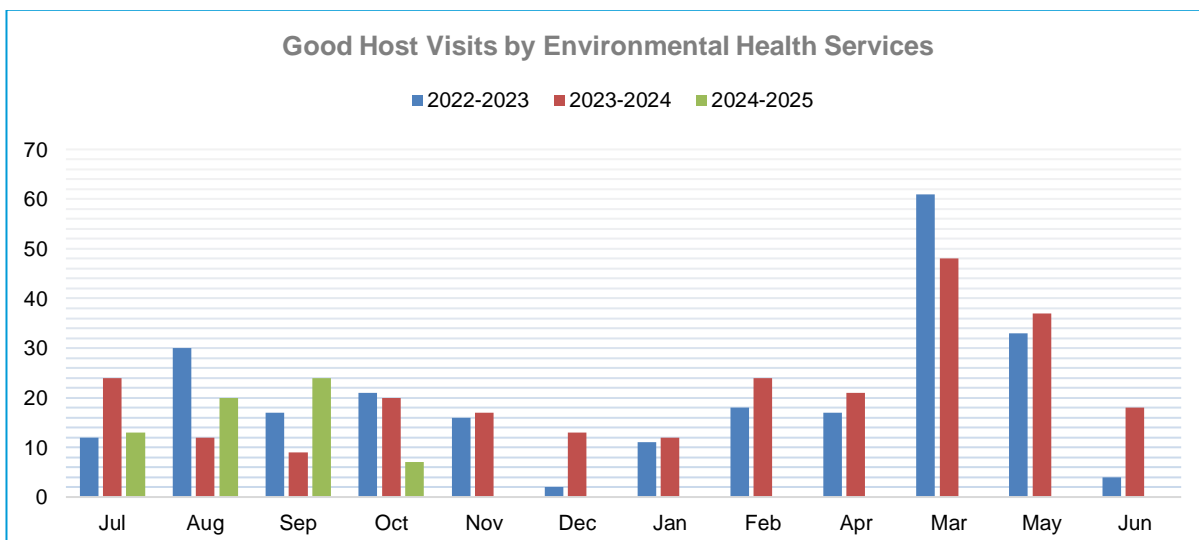
**Target:** ≥75%

At present there are 259 licensed premises in the Far North District. 25 of these premises hold more than one alcohol licence and therefore will be visited on one occasion rather than separate visits, which will mean that EHS will complete 234 visits during 2024-2025. The EHS have **170** GHV to complete by 30 June 2025.

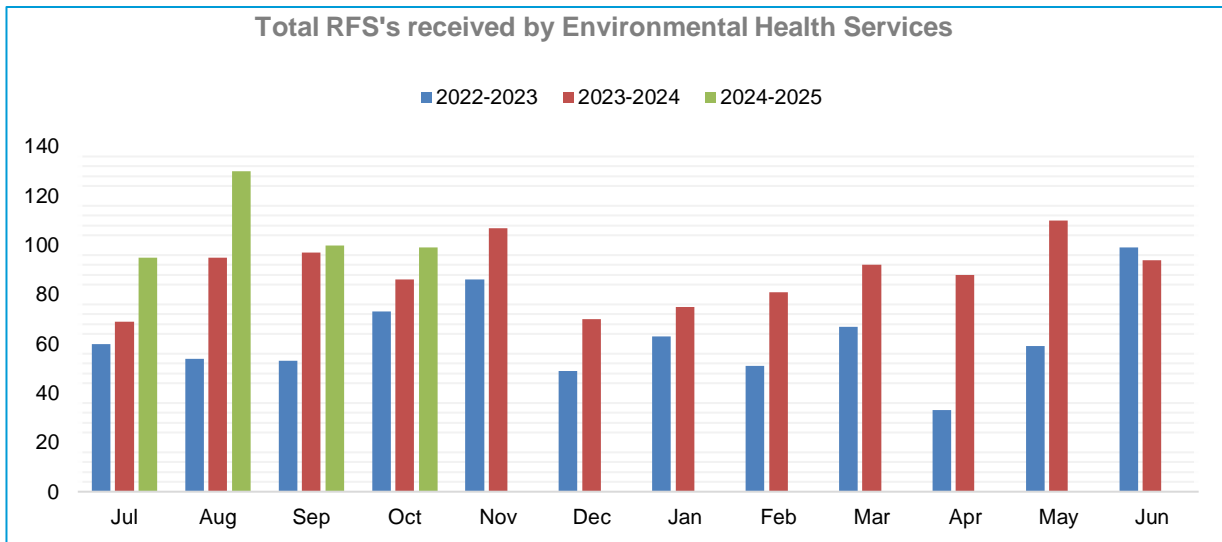
During September 2024, 24 visits were completed by EHS.

During October 2024, 7 visits were completed by EHS.

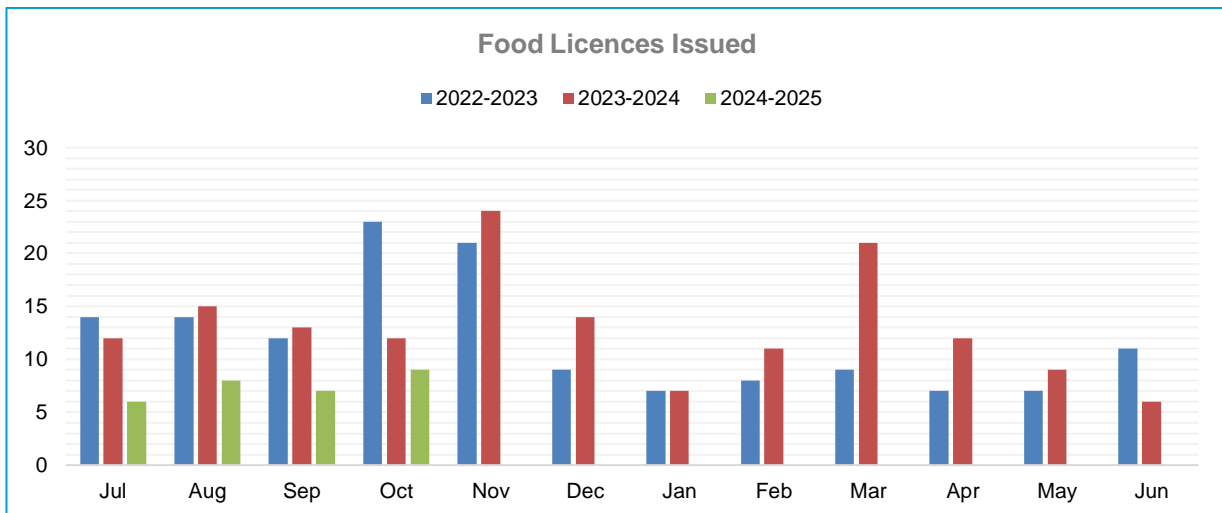
The following graph shows the visits completed in September and October:



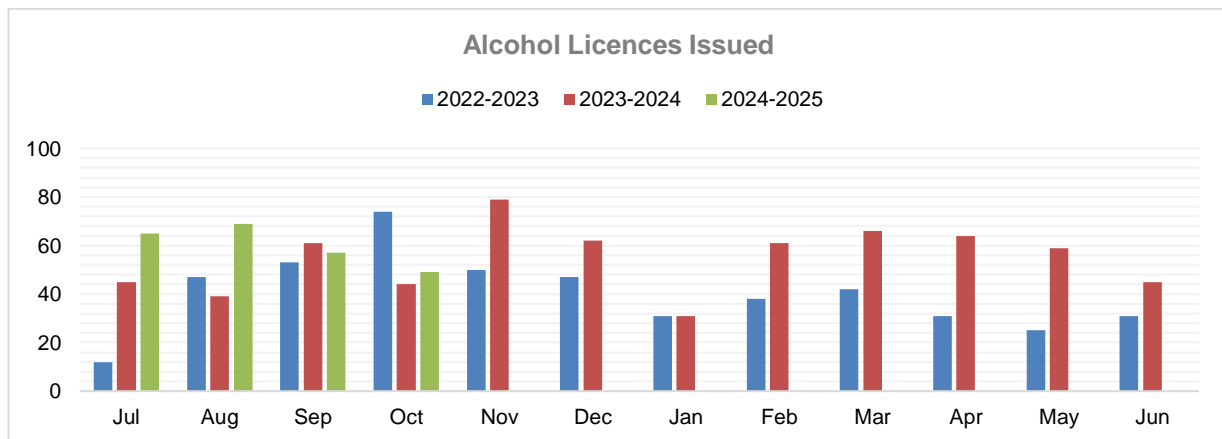
## Requests for Service



## Food Registrations Issued



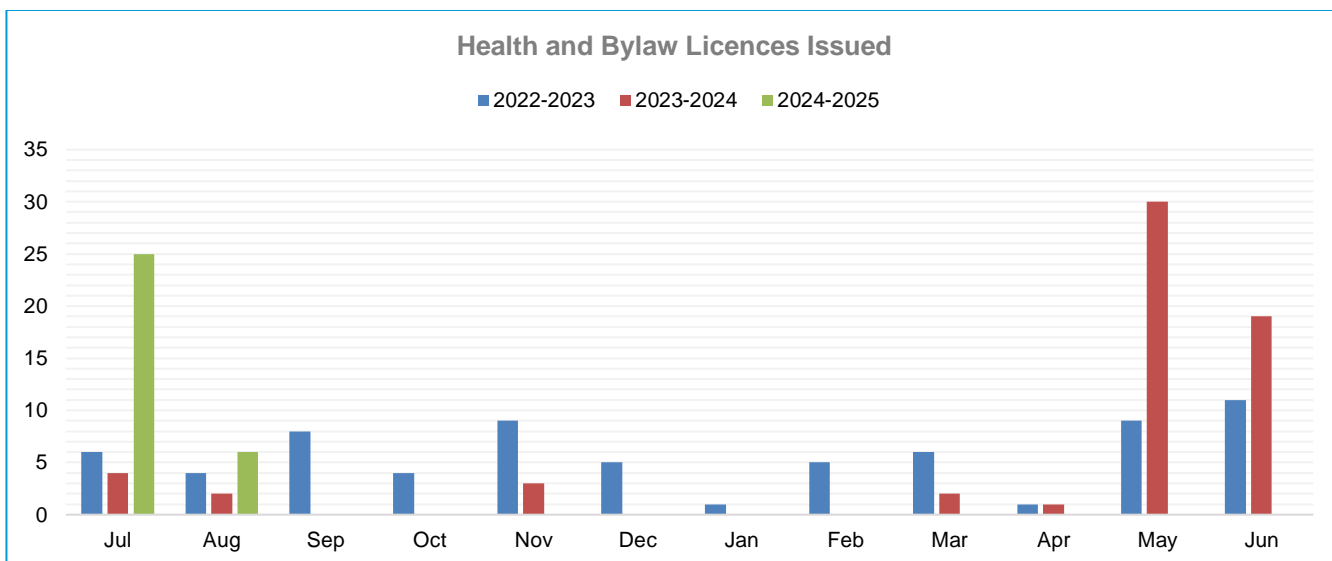
## Alcohol Licences Issued



## Health Licensing

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

There were no health licences issued in September or October:

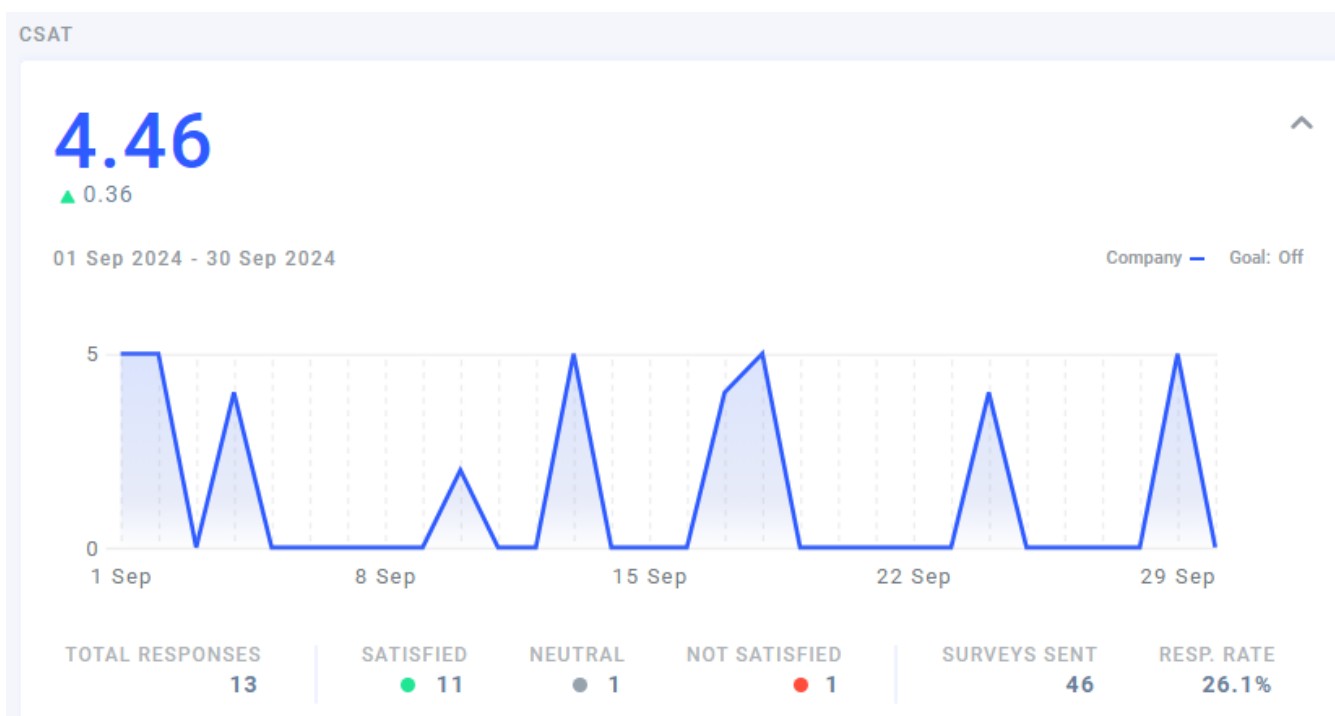


Environmental Health will continue foot patrols across the district to identify businesses who may be operating without the necessary approval. Those identified will be required to obtain the necessary approval from Council.

## Customer Service – Ask Nicely

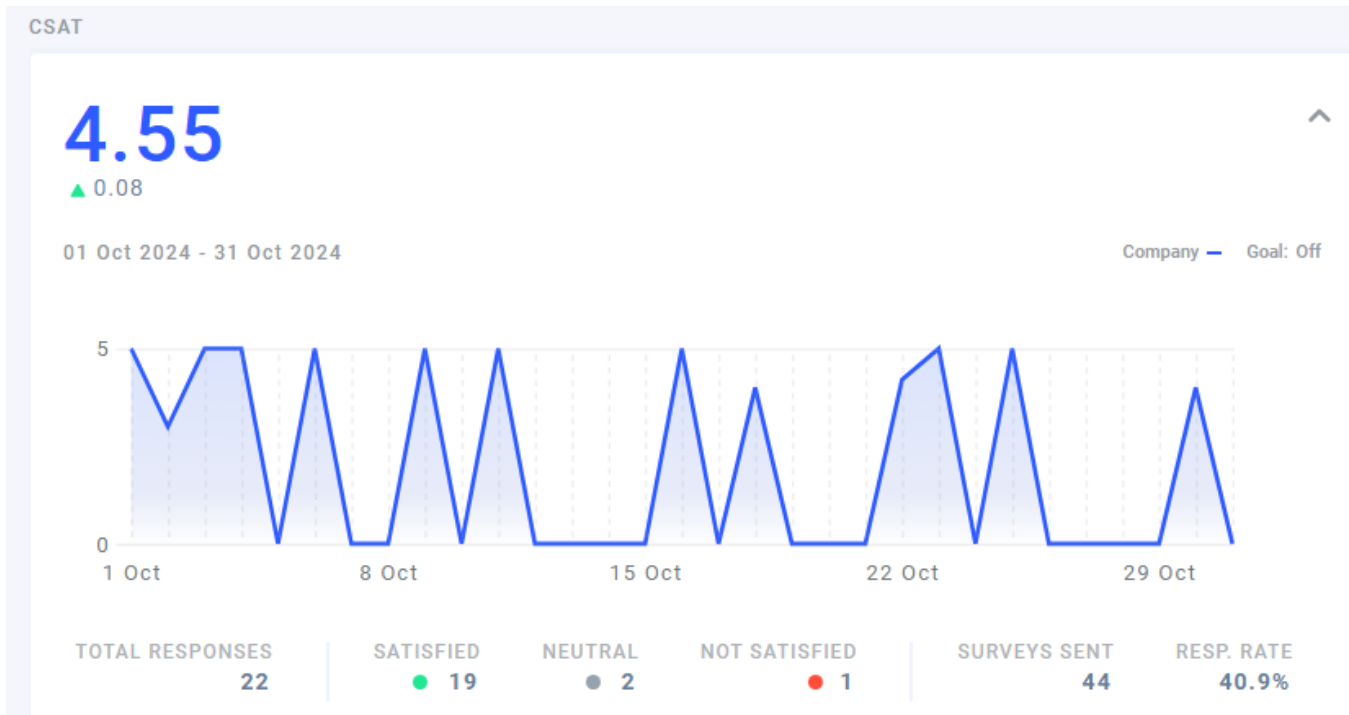
In September 2024, the Environmental Health Services team had 46 surveys sent out with 13 responses received, giving the team a response rate of 26.1%. There were 11 satisfied customers, 1 neutral customer and 1 customer who was dissatisfied.

For September 2024 the Environmental Health Services team achieved an average rating of 4.46 out of 5.



In October 2024, the Environmental Health Services team had 44 surveys sent out with 22 responses received, giving the team a response rate of 40.9%. There were 19 satisfied customers, 2 neutral customer and 1 customer who was dissatisfied.

For October 2024 the Environmental Health Services team achieved an average rating of 4.55 out of 5.



# Resource Consents

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This section contains performance information for the Resource Consents department.

## Introduction

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The Resource Consents Team is responsible for performing the Council's statutory duties, functions, and responsibilities in relation to the regulatory consenting functions under the Resource Management Act (RMA), Local Government Act (LGA) and other legislation.

Whether they relate to RMA, LGA, or other statutory consenting functions, most applications move through a process that includes the following phases:

Pre Lodgement Process	• Responding to public enquiries and holding pre-application meetings
Applications Received	• Log and acknowledge applications, notifying iwi and interested parties
Initial Review & Allocation	• Review applications and assign to planners and technical experts
Detailed Assessment	• Evaluate against District, Regional, and National planning provisions
Decisions & Approval	• Grant or decline consent applications (with or without notification or hearing)
Post-Approval	• Detailed engineering approvals and ensure compliance with conditions

A critical function of Council is enabling the sustainable use, development, and protection of the natural and physical resources in our District. This is underpinned by the Resource Management Act 1991.

### Contribution to community outcomes



*Communities that are healthy, safe, connected and sustainable*



*A wisely managed and treasured environment that recognises the role of tangata whenua as kaitiaki*



*Proud, vibrant communities*



## Resource Consents

Figure 1 below illustrates the total number of applications received under the Resource Management Act 1991 (RMA) and the Local Government Act, by month, over the last six years. Planning support lodged 134 applications in September 2024, and a slight decrease of 128 applications in October 2024.

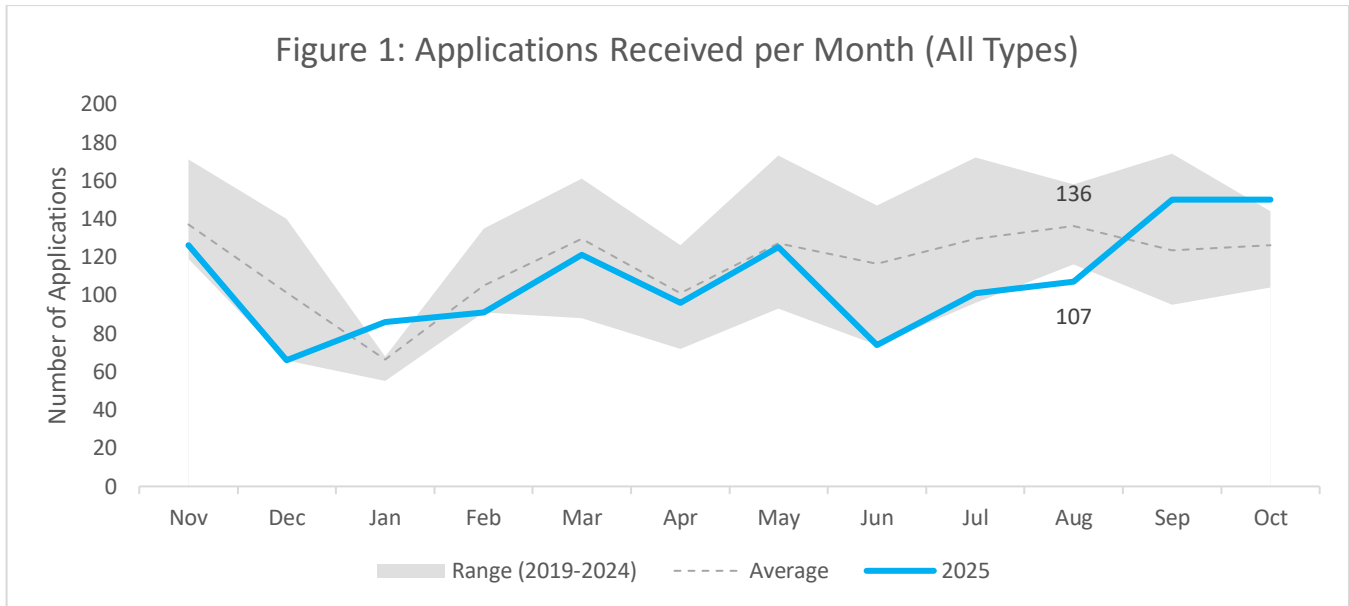
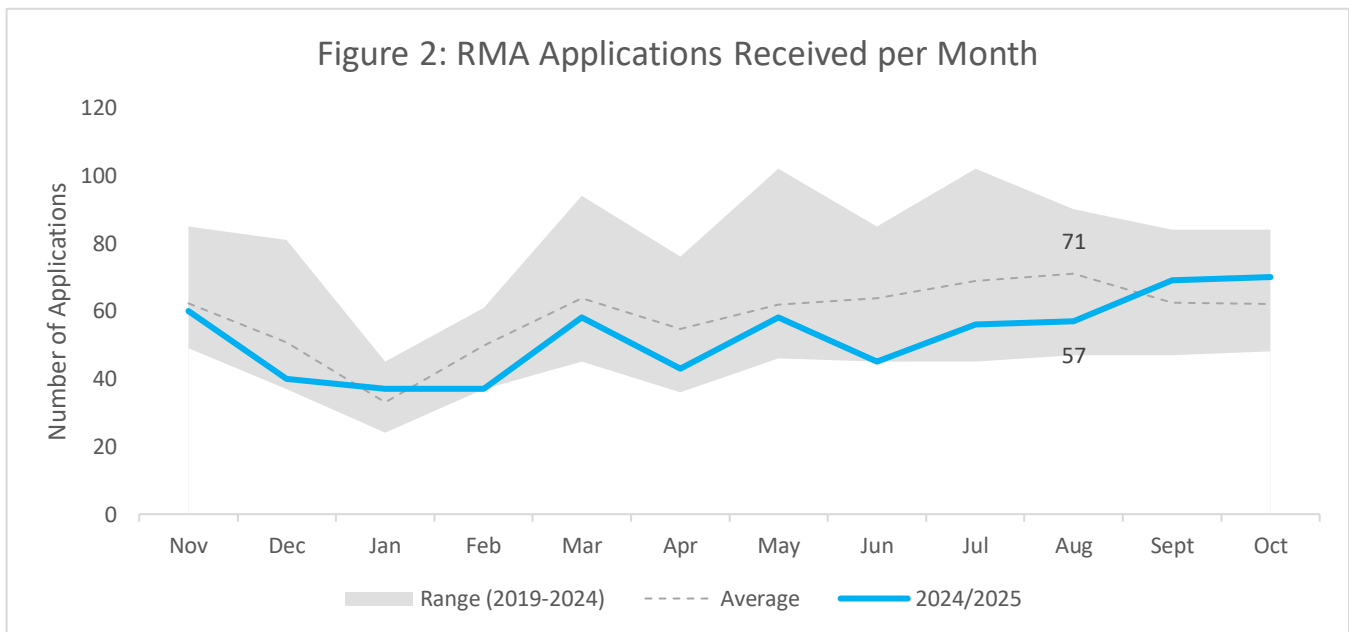
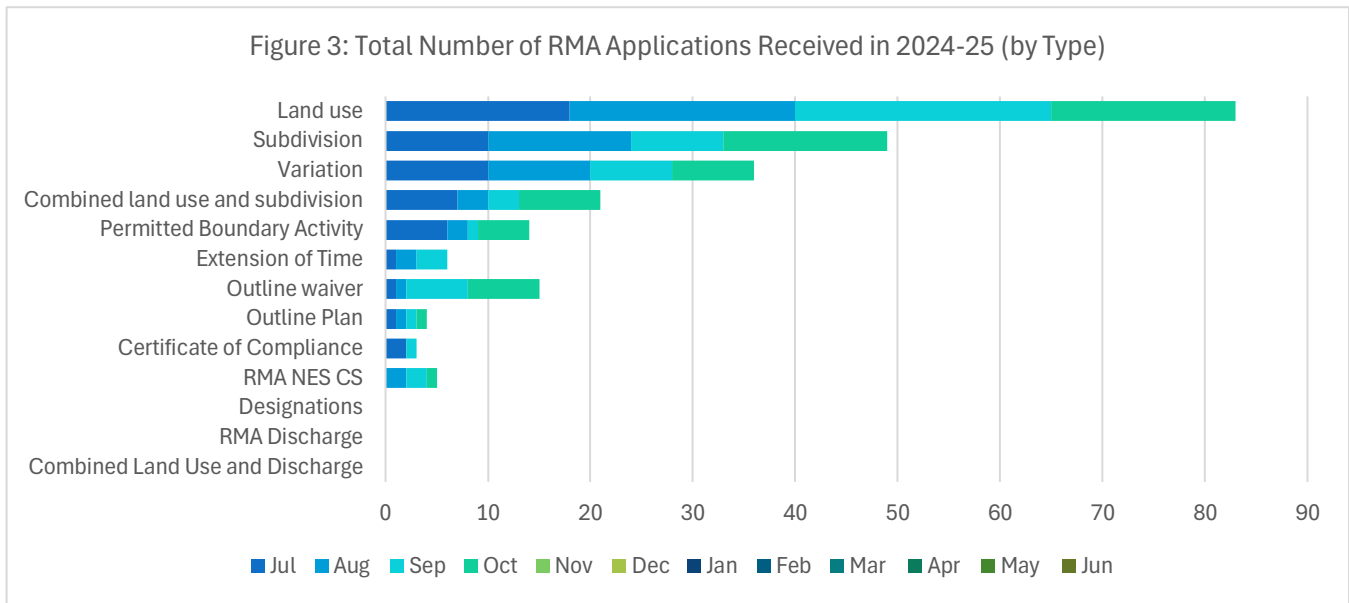


Figure 2 shows the total number of RMA applications\* received each month since 2019. A total of 69 resource consent and associated applications were lodged in September 2024 and 70 in October 2024.



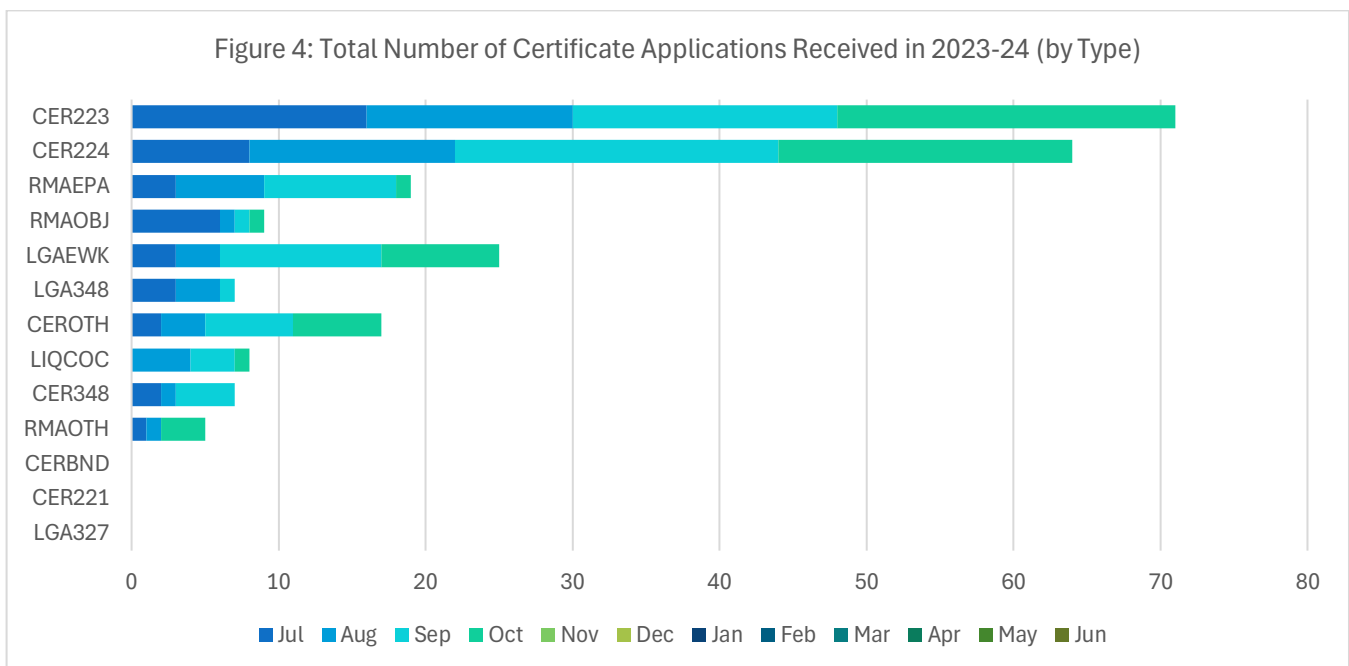
\*Refers to RMA applications lodged that have statutory timeframe reporting but excludes certificates.

The types of RMA applications required to be reported to the Ministry for the Environment (MfE) in relation to compliance with statutory timeframes vary in complexity. Figure 3 below illustrates the relative volumes of each application type for the 2024-25 financial year to the month of October.



### Certificate Applications Received

In addition to the statutory application consenting functions, the RC Team performs numerous compliance certification functions under the RMA, LGA, and other legislation. Figure 4 details the cumulative number of certificate and other applications (by type) received monthly for the current financial year as of November.



Note: Figure 4 above includes CERBND (1) applications which are not included in the BI reporting presented in the applications lodged section above.

## Decisions Issued

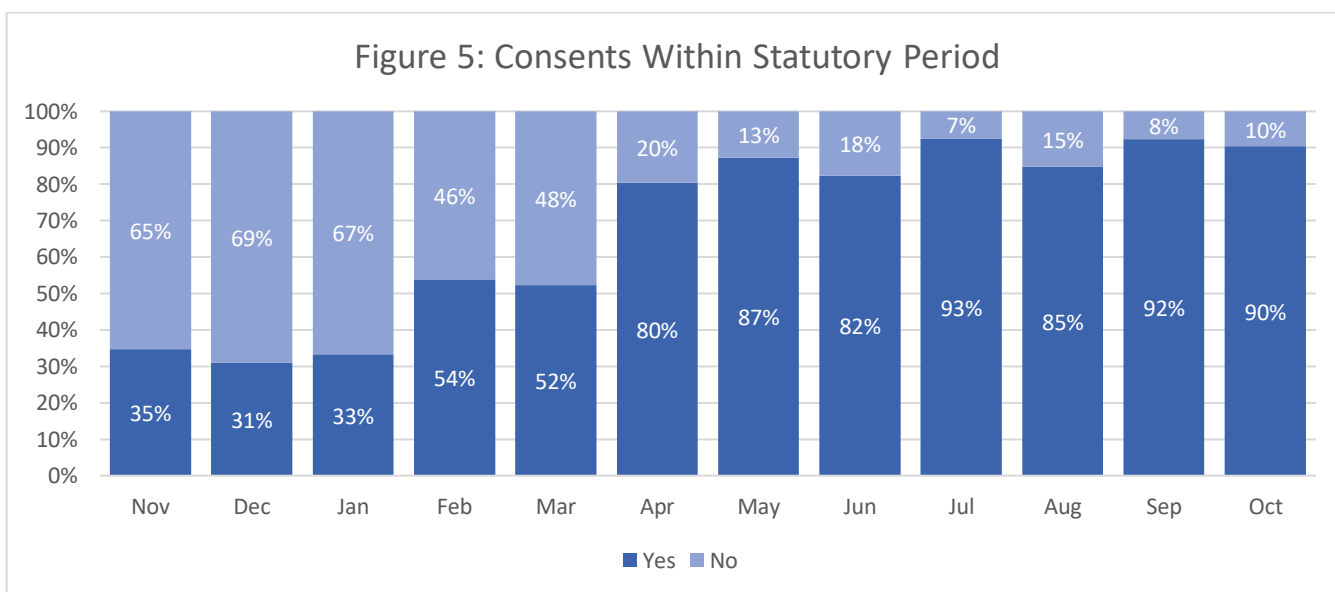
### September Decision Metrics

The Resource Consents team issued 88 decisions under the RMA and LGA in September, 52 of these decisions, were RMA applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MfE). Four consents were outside statutory timeframes and 48 consents within statutory timeframes in July, resulting in **93.31% compliance rate**.

### October Decision Metrics

The Resource Consents team issued 109 decisions under the RMA and LGA in August of these decisions, 52 were RMA applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MfE). Five consents were outside statutory timeframes and 47 consents within statutory timeframes in October, resulting in **90.38% compliance rate**.

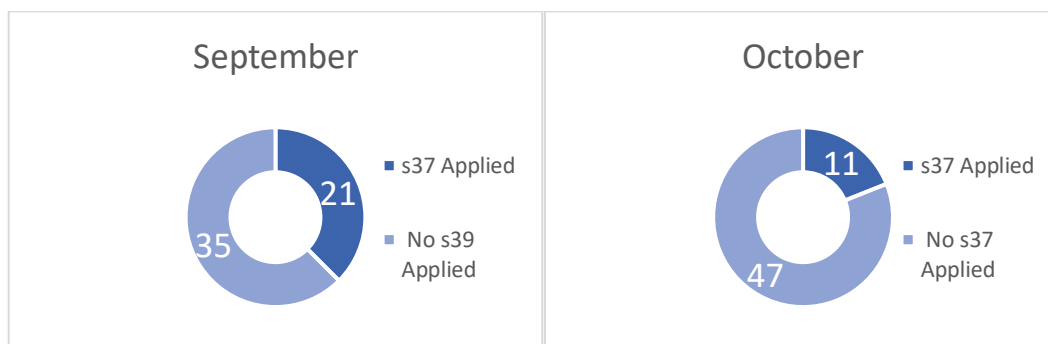
The Resource Consents Performance graph below\* shows compliance for the previous 12 month rolling period:



\*NOTE: This is a snapshot as of 4 November 2024 and may be subject to change due to objections, corrections, or administrative amendments.

### Application of s37 to extend time frames

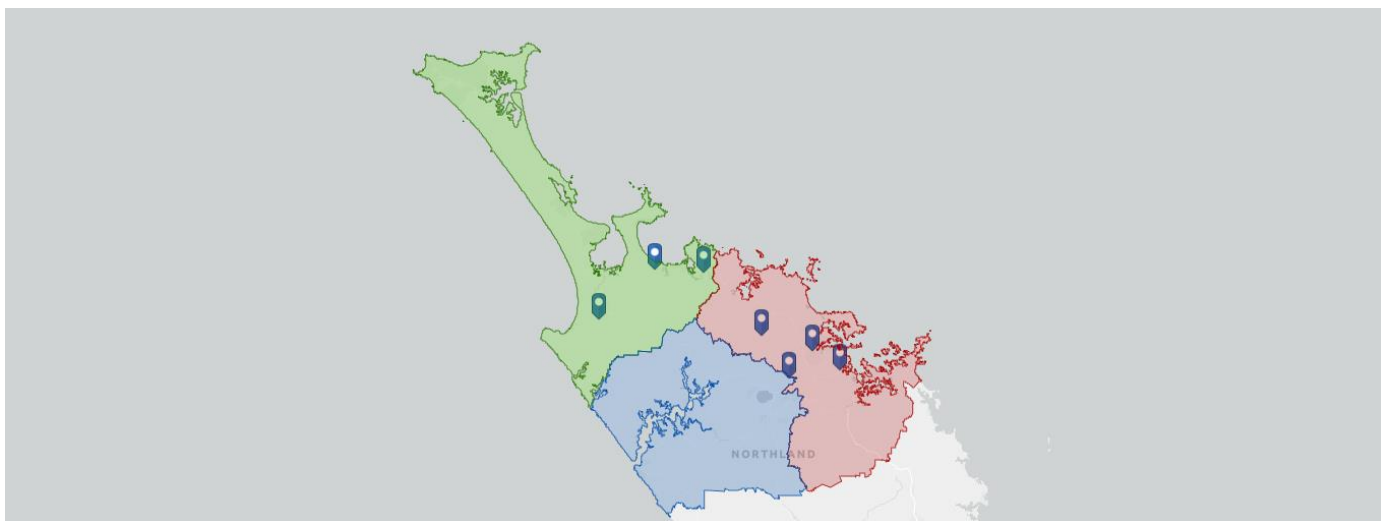
Of the 56 RMA applications being processed in September 2024, 21 of them had applied s37, and of the 58 RMA applications signed off in October 2024, 11 had applied s37 of the Resource Management Act to extend timeframes. Refer Figure 6 and 7 below.



Figures 6 and 7: application of s37 during July and August 2024.

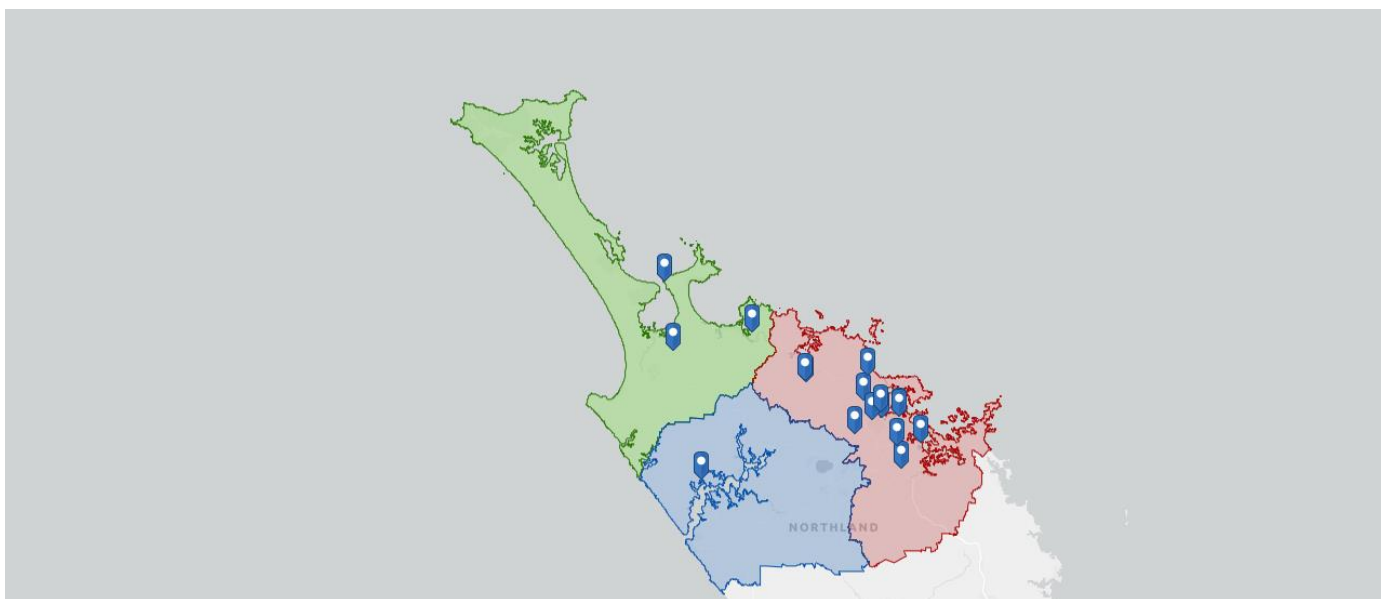
## Location of Subdivisions Completed

A total of 7 subdivision completion (s224) certificates were issued in September 2024. The breakdown by Ward was 2 in Te Hiku, and 5 in Bay of Islands-Whangaroa, as illustrated on the map below:



**Figure 8:** Location of subdivision development by ward for September 2024.

In October a total of 17 subdivision completion certificates were issued. Of these, 3 were in Te Hiku, 1 in Kaikohe-Hokianga, and 13 in Bay of Islands-Whangaroa, as shown on the map below:



**Figure 9:** Location of subdivision development by ward for October 2024

## Trends, News and Success Stories

### Discounts

The amount paid out in Discounts under the Resource Management (Discount on Administrative Charges) Regulations 2010 has been steadily declining each month. The last two months saw 11 invoices have discounts applied, but only three of those we recently issued decision from September (overall discounts applied for these three consents was \$14,230.41).

### RMA & Environmental Court Hearings

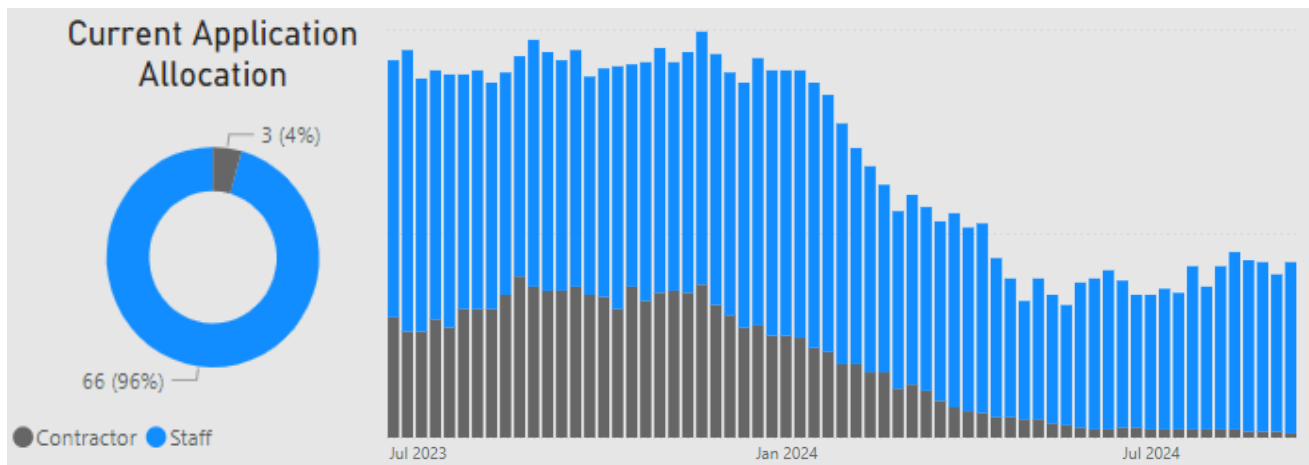
There were no RMA Hearings held in September or October 2024.

We had one Environmental Court Hearings from two residents opposing the same resource consent decision Council issued: Geary & Nock v FNDC and Bingham v FNDC.

Two residents, whose properties are accessed via a shared Right of Way (ROW), appealed the Council's decision to grant consent for a medical center development at 1526 SH10, Kerikeri. The appellants were concerned about the potential for increased traffic and the building's impact on their privacy. The parties reached a settlement at mediation. The applicant has agreed to investigate redesigning the medical center as a two-storey building, which would address concerns about the building's footprint and proximity to the appellants' properties.

### Processing Timeframes

The decrease in the use of consultants for processing resource consents has been continuing to an almost all time low. Now only those applications where an independent consultant is desirable to mitigate any perceived conflicts of interest are allocated to consultants. Only 3% of current applications are being processed by consultants.



**Figure 10:** Proportional split of applications allocated to staff versus consultants (2023-24 Financial Year)

The RC Team continues to be dedicated to increasing performance across all aspects of the business, and the metrics show the results of this effort. The number of days taken to process applications (whether measured in working days or calendar days) continues to decrease.

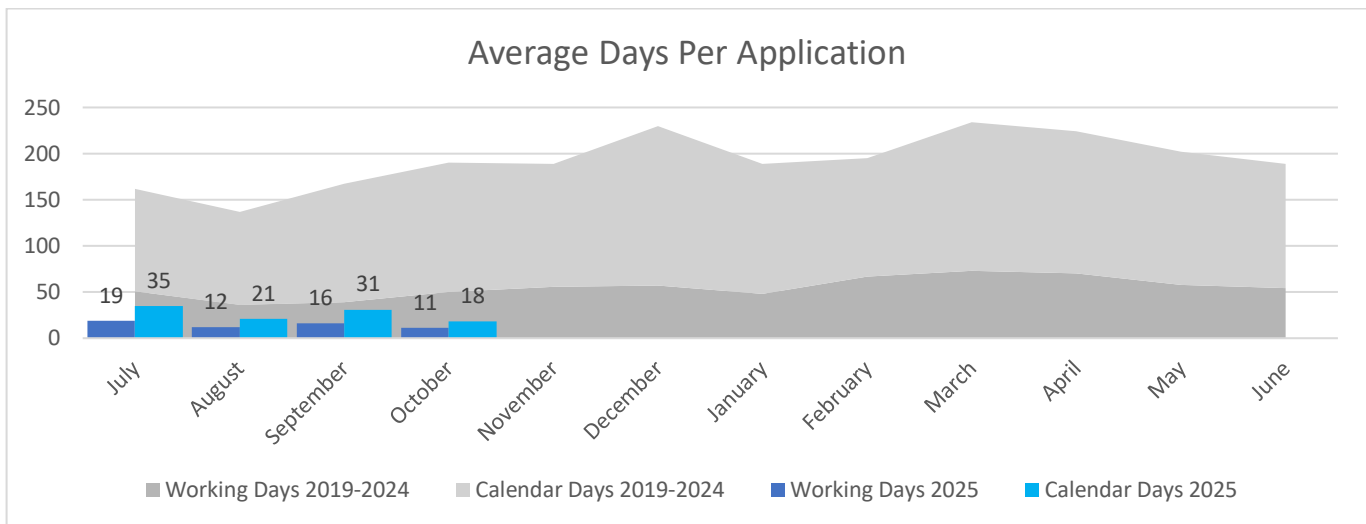


Figure 11: Average Working Day per application

## Staffing

We welcome Smitha Bhaskar RC Engineer, who started on 29<sup>th</sup> October 2024. Smitha worked for Kaitaia Contractors Ltd until recently with 6 years of experience in construction and land development project monitoring. She is a qualified Civil Engineer with a masters in construction management which will benefit us in the final inspections of developments.

We congratulate Swetha Maharaj who has moved into a permanent Senior Planner position, from her intermediate role. Swetha has stepped up over the past few months covering the senior role while a staff member is on maternity leave, as well as covering her team leader when he has had to take leave. We also congratulate Gio Alagao who has moved into a permanent Intermediate role. Gio has been with FNDC for almost 3 years and has been a solid and reliable staff member. This is a well-earned promotion. We would also like to congratulate Eden Nathan who has moved to the permanent Resource Planner role. Eden is an excellent planner and this a well-deserved promotion for Eden.

There are currently 3 positions vacant across the teams, which are being actively recruited to:

- Senior Engineer Resource Consents (Permanent)
- 1x Resource Consents Engineer (Permanent)
- 1 x Senior Planner Resource Consents (Permanent)

We farewell one of our resource consent planners Angela Fusitu'a as she supports her soon to be husband to play rugby in New Orleans. We wish her the best on her new endeavour overseas.

## Training and Conferences

In September and October, our team participated in several valuable training sessions to enhance our skills and knowledge. The courses included attending some critical NZPI courses needed for their roles. To date 90% of the planners have all attended and completed courses for Assessment Environmental effects, Notification Issues and Planning for Māori Values, beginners, intermediate and advanced.

Our engineers have attended stormwater training to improve our ability in reviewing technical reports.

## Customer and Relationships

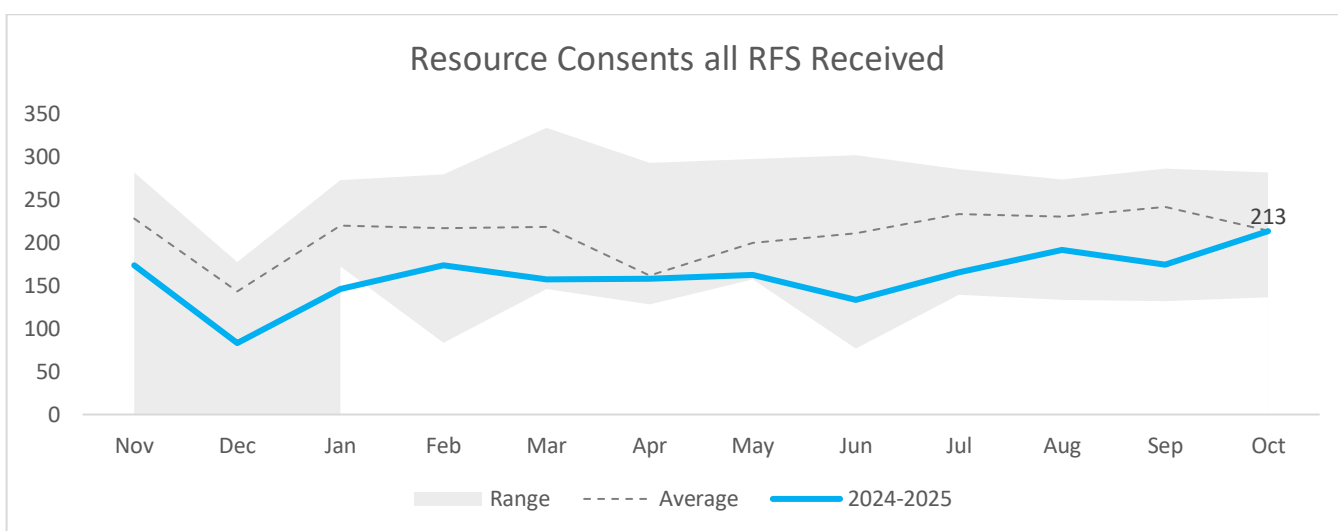
### Ask Nicely Results

Resource Consents sent out 60 customer service surveys in September 2024 with 15 responses received, giving the team a response rate of 26.70%. There were 9 satisfied customers, 4 customers dissatisfied, and 2 neutral customers.

Resource Consents sent out 58 customer service surveys in October 2024 with 19 responses received, giving the team a response rate of 29.3%. There were 17 satisfied customers, and 2 neutral customers.

### Request for Service Responses

The Duty Planner and our admin staff are constantly under time pressure to answer Requests for Service (RFS) and are helped by planners when RFS's become backlogged. The figure below indicates the number of RFS received aggregated across both teams with September receiving 174 requests for service and an increase in October to 213.



## Housing and Major Developments

### Current larger housing projects

Despite the slowed economy, the Far North District remains a hot pot of development activity. The Resource Consents Team is currently handling 26 large-scale applications, including 4 Papakāinga developments. These Papakāinga applications span a mix of larger developments up to 30 units and 7 smaller-scale projects, each with up to 6 units. Additionally, two large-scale Kāinga Ora developments are under review, with projects ranging from 15 to 90 lots.

## Coalition Government updates

### RMA reform

The Government has made several recent announcements outlining the next steps in its resource management reform programme. Among these were proposed changes to the Fast-track Approvals Bill and the introduction of a second bill to make targeted amendments to the Resource Management Act (RMA). The proposed second RMA bill will be focused on addressing the most immediate resource management issues to enable growth in infrastructure, renewable energy and housing and other development sectors.

The changes will be bundled into four packages.

An Energy and Infrastructure package – which includes the Government’s Electrify NZ plan, announced on 26 August – will see amendments to the NES for Telecommunications Facilities, and an NPS for infrastructure introduced.

A Housing package will include amendments to the NPS - Urban Development and NPS - Highly Productive Land and other changes aimed at enabling housing and papakāinga development and changes to the way heritage buildings are managed in urban planning. In this regard the Resource Management (Freshwater and Other Matters) Amendment Act 2024 was introduced on 25 October 2024. Among other things, this legislation excludes the hierarchy of obligations in the National Policy Statement for Freshwater Management (NPS-FM) from consideration in resource consenting, while a review and replacement of the NPS-FM is undertaken.

Farming and the Primary Sector includes proposals relating to freshwater, indigenous biodiversity, commercial forestry and marine aquaculture.

Emergencies and Natural Hazards, focusses on providing a comprehensive, nationally consistent framework for addressing the risks posed by these hazards, including increased risk from climate change.

### **Fast Track Bill Changes**

The Government announced it was recommending changes to the Fast-track Approvals Bill (FTA Bill). The key changes are:

Final decisions on projects will not sit with Ministers but with the Expert Panel.

Expert Panels will include expertise in environmental matters; will include an iwi authority representative when required by Treaty settlements; and will include Māori development expertise in place of mātauranga Māori.

Timeframes for comment at the referral and panel stages will be extended to give parties, including those impacted by a proposed project, more time to provide comments.

### **Highly Productive Land Policy Amendments**

Changes to the National Policy Statement for Highly Productive Land 2022 (NPS-HPL) came into effect on 13 September to enable a consenting path for new renewable energy projects, indoor primary production (such as poultry and piggeries) and greenhouses.

### **Granny Flat Changes**

FNDC provided feedback on options to make it easier to built granny flats on properties with existing homes on them. It’s proposed that self-contained granny flats up to 60m<sup>2</sup> could be built without the need for a building or resource consent, to save time and reduce costs. Final policy decisions will be made by Government later this year, and the legislative changes are expected to be in place from mid-2025 RMA Reform Implications

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# Property and Facilities Management

This section contains performance information for the Property and Facilities Management department.

## Introduction

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The Property and Facilities Management department consists of two teams: Property Management and Technical Operations.

Throughout the district there are many facilities managed by Council and made available for public use, such as playgrounds, parks and reserves, sports fields, public toilets, visitor destinations and town centres. These facilities contribute to the liveability of our communities, providing places and spaces for residents to connect and enjoy themselves and to enhance the visitor experience.

Facilities include:

- Cemeteries
- Civil and community buildings
- House for the Elderly
- Recreation
- Town maintenance, public toilets, and car parks.



Council disposal facilities across the district provide refuse and recycling services to protect the health of our communities and environment. Our responsibility is to manage refuse appropriately and to provide facilities that meet the needs and expectations of communities.

Key facts about solid waste management:

- 15 refuse/recycling transfer stations
- 1 landfill at Russell
- 1 Resource Recovery Centre at Kaitaia
- 10 community recycling centres



### Contribution to community outcomes



*Communities that are healthy, safe, connected and sustainable*



*Proud, vibrant communities*



*Connected communities that are prepared for the unexpected*



*A wisely managed and treasured environment that recognises the role of tangata whenua as kaitiaki*

# Property Management

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## Introduction

The Property Management team, which consists of 6 staff manage the daily oversight of all residential and commercial leases including leases over Reserves, burials and events. The team works closely with Facilities Operations and Asset Management & Project Delivery teams to deliver consistent outcomes for the community.

The Property Management team perform the following functions:

- Commercial and community lease management
- Housing for the Elderly property management
- District Facilities contract management and payment
- Property management administration
- Financial reporting and support
- Support acquisition and disposal of land
- Burial and event management

## Leases

There are currently 21 historical expired leases.

## Upcoming reports

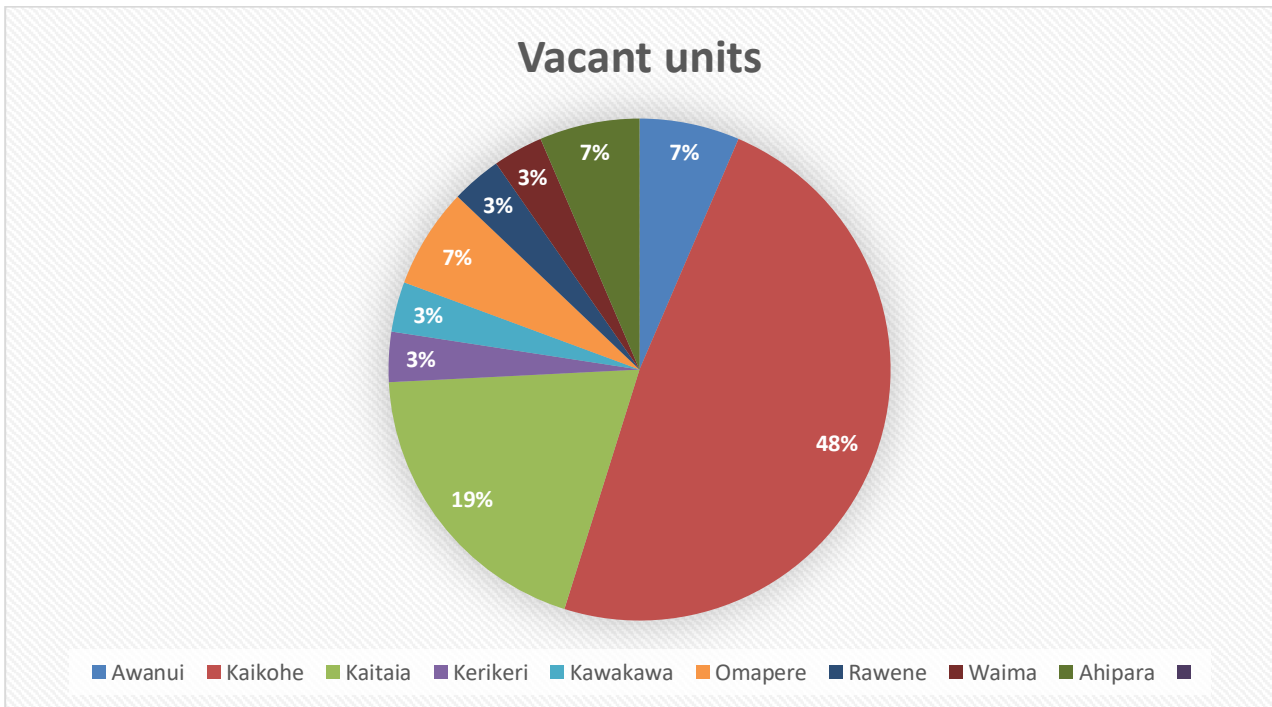
- **Council (November):** OCS Contract Variation and Renewal
- **Council (December):** Facilities Management FNDC Swimming Pools and Initiation of public consultation over the granting of a ground lease for Sportsville

The following leases will be presented for final execution to Elected Members on 14<sup>th</sup> November:

- Deed of Sublease - McVicar properties Limited & Bay of Islands ITM, Purdy Street, Kaikohe
- Deed of Ground lease – ANT Trust over Tangonge Domain, Kaitaia
- Deed of Renewal – The Kaitaia People Centre Nga Hoa Awhina Inc over 6 South Road, Kaitaia
- Deed of Ground lease – Russell Tennis Club over 27 York Street, Russell

## Housing for the Elderly

We currently have 31 vacant pensioner units:



Healthy Homes Inspections commenced 2<sup>nd</sup> September. All currently tenanted units will be assessed, and issues will be remedied as the reports are presented to FNDC staff. As units are being assessed, they will be tenanted where possible

## Cemeteries & Events

Event requests have increased as we are entering the summer season. The following permits have been issued:

- Banana Boat Swim beach to bay, Russell Village Green 30th November
- Gypsy Fair, Kerikeri Domain, 29th November
- Kerikeri Cricket Club, Kerikeri Domain 7th November to 21st March, Liquor License approved
- Russell Flower Show, 1st and 2nd November, Kerikeri Domain
- Kerikeri Half Marathon, Kerikeri Domain 15th November

Permits yet to be approved:

- Kaikohe Christmas in the Park 29th November - waiting on Health and Safety Application
- Kerikeri Christmas in the Park 7th December - final stages

9 burials have been completed during the months of September and October.

## Technical Operations

### Introduction

The Technical Operations team is the operational arm of council and comprises of five staff who manage a wide range of activities across our green spaces and facilities, our primary function being to ensure council facilities are well maintained and safe. The team is on the frontline and has a large degree of public and stakeholder interaction.

The Technical Operations team work closely with both the Assets and Projects and the Property Management teams enabling council to provide a holistic approach to our asset and service management.

The Technical Operations team perform the following functions:

- Manage the Community Services Contract.
- Oversee Cemetery Maintenance and Burials.
- Engage and Induct Volunteers.
- Ensure Contractor HSE is to a high standard.
- Undertake Contract Claims.
- Undertake building and hall maintenance.
- Handle all Green Space and Facilities related requests for service.

#### Key Stats:

- 17 Community Cemeteries.
- 14 Public Cemeteries.
- 120 Burials per annum.
- 58 Halls & Community Facilities.
- 2 million m2 of Active Reserves currently mown.
- 74 Toilets to Maintain.
- 525 Bins Serviced per annum.
- Approx. 4,000 RFS's each year.

### Community Services Contract

- The past couple of months has been a big transition for the team as they navigate working with a new contractor and a new job system which provides visibility to job scheduling and completed works. Auditing of sites continue to be a priority to ensure our assets are meeting contract specifications and health and safety requirements. We do ask the public to be aware that there may be some changes to levels of service and if there are concerns, to raise a Request for Service but to also be mindful that this is a significant contract change and will take time to gain consistency.
- Citycare presented to the Community Boards in October with an "Introduction to Citycare" and highlighted their focus on localism.
- We have been receiving many requests around the roundabouts on either side of the Heritage Bypass in Kerikeri. Please note we are aware of the need for attention and do not require any more Requests for Services. Work has been programmed in mid-November to get these roundabouts up to specification.

### Toilets

- We have received less complaints over the recent months for toilet cleanliness which is a good outcome after prioritising this to be a focus with our new contractor, Citycare.
- Our new toilets in Lindvart Park, Kaikohe have opened in October.
- We are currently working on an operational repair for our Rawene: Russell Espanade toilet, as there is only one toilet currently functional. We are aware we are moving into peak tourist summer season, so this is a priority.

### Key challenges

- The backlog of aged and unreviewed agreements continues to be an outstanding challenge. We are finding we are uncovering historical agreements through urgent repair work. We are reviewing and renewing agreements as appropriate to ensure consistency and clarity moving forward. We are capturing these in our system Re-Leased, to ensure this will no longer be a reactive process moving forward.
- There is many historical Requests for Service that require attention before we can close them. This is a focus the wider team are working on with a united approach.

## Ask Nicely

The team achieved an Ask Nicely score of 3.06 for the period of September and October which is a tool we use to measure outcomes from the public. Our rate of satisfied responses has decreased slightly since the transition of our Community Facilities Contract with the common feedback being lack of response. We anticipated this may happen due to the contract mobilisation and having prioritised urgent requests for service, navigating non urgent when time allowed. We apologise for delay in responses and are working hard to get responses back more quickly and work through historical and more complex requests.

