

### Section 3 Activities

# Ratonga Waeture Regulatory Services



## Ratonga Waeture Regulatory Services

**As a regulator we are required to take a balanced response to decision making by considering the competing rights of individuals and groups to undertake particular activities.**

### What we provide

- Parking services
- Animal control services
- Resource consent
- Building consent processing and inspections
- Licencing for food and alcohol
- Noise control
- Dog shelters
- Building Act, Resource Management Act (RMA) and bylaw compliance monitoring
- Building Warrant of Fitness (BWOFF)
- Fencing and swimming pool audits
- Land Information Memorandum (LIMS) and Project Information Memorandum (PIMS).

### Why we provide this activity

#### Our community outcome

- We can all enjoy a healthy and safe lifestyle.
- Our environment is clean, green and valued.

# Regulatory Services

We aim to provide high quality regulatory services in a fair and impartial manner, ensuring that customers are kept fully informed at key stages in the service delivery process.

## Our decisions on activities are influenced by:

- Legislation, regulations and national standards that we are required to comply with.
- The opportunities we take to develop local policies, plans and bylaws to regulate local issues.

Our Regulatory Services group of activities includes protecting people and the environment by regulating and licensing aspects of commercial services and private behaviour where wellbeing issues arise.

These activities include:

- Resource Consent services (including Land Information Memorandum)
- Animal Control services
- Building services
- Community protection (such as bylaw compliance, alcohol licencing, food licencing, parking, etc.)

## Regulatory Services group of activities

**Resource Consent Services (including Land Information Memorandum)** - Since 2015, the District has experienced a high level of growth and unprecedented demand for residential properties, which has had direct impact particularly on Council's consenting and inspecting functions. The challenge for us remains to ensure we meet statutory requirements such as processing time, and have sufficient resourcing with the right technical expertise to enable us to meet the needs of our customers.

**Animal Control Services** - There have also been effects of growth on other areas of service delivery that may be less obvious. For example, with the population growth the District has experienced, the number of dogs in the District has also increased. This presents challenges meeting existing levels of service such as response times for dog control service requests and complaints, managing the registration process and following up registration of known dogs.

**Online Services** - We know customer expectations are changing and there is demand for us to deliver more of our services online. We launched online Building Consents in 2017, Resource Consents in 2019, an electronic District Plan in 2021 and moved to a new and improved online Building Consent system in early 2023.

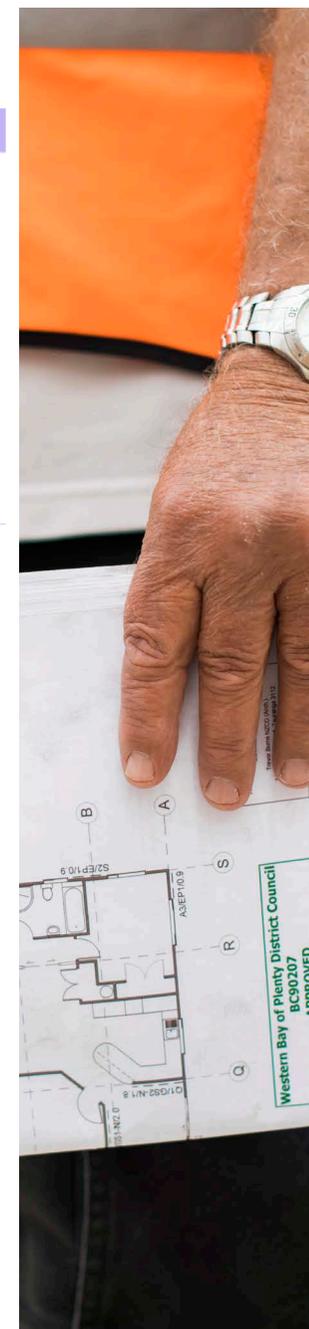
**Building Consents** - Changes to the Building Act 2004 in 2020 impacted the way we work and the decisions we can make. Looking forward, we need to ensure that we continue to provide efficient and cost-effective services to our communities in line with any revised legislative requirements.

Other issues we know are important to our communities include our response to issues such as littering, dog control, unsafe or illegal buildings and car parking. We will continue to ensure that our responses and any actions are well balanced and fair.



## How we will achieve our community outcomes

Goal	Our approach
<p><b>Animal Control Services</b></p> <p>Provide a safe environment for the public through promoting responsible dog ownership.</p>	<p><b>To achieve our goal we engage with the community to manage dog safety concerns by:</b></p> <ul style="list-style-type: none"> <li>Ensuring we have a Dog Control Policy and Bylaw in place at all times to set out how we will manage dogs within our District and the compliance approaches we may take.</li> <li>Maintaining a register of dogs within our District and having a process for unregistered dogs.</li> <li>Providing for the impounding and care of stray and seized dogs.</li> <li>Providing a complaint resolution service in relation to roaming dogs, barking dogs, sub-standard care and dog attacks.</li> <li>Monitoring dogs in public spaces.</li> <li>Promoting responsible dog ownership through education and community dog events.</li> <li>Actively re-homing suitable dogs and fostering these dogs until an appropriate home can be found.</li> <li>Responding to reports of livestock wandering in public places.</li> </ul>
<p><b>Building Services</b></p> <p>Building work is regulated to ensure the health and safety of people and sustainability in design and construction methods.</p>	<p><b>To achieve our goal we administer the requirements of the Building Act 2004 ('the Act') and other related legislation by:</b></p> <ul style="list-style-type: none"> <li>Maintaining our accreditation as a Building Consent Authority.</li> <li>Providing information to the public regarding the Act, Building Code and building consent process.</li> <li>Processing building consents applications to ensure compliance with the Act and Building Code and issuing consent approvals.</li> <li>Processing Project Information Memoranda (PIMs)</li> <li>Inspecting building work to ensure that the work complies with the Act and Building Code and issue Code Compliance Certificates where appropriate.</li> <li>Administering processes to enable issuance of Compliance Schedules, Certificates of Acceptance and building warrants of fitness.</li> <li>Investigating complaints and breaches of the Act.</li> <li>Issuing Notices to Fix and, where appropriate, infringement notices pursuant to the Act.</li> <li>Identifying earthquake-prone buildings and issuing earthquake-prone building notices to strengthen or demolish unsafe buildings.</li> <li>Lodging complaints to the Building Practitioners Board in relation to misconduct of Licensed Building Practitioners or non-licensed builders undertaking restricted building work.</li> <li>Ensuring that we have a policy in place detailing our approach for managing dangerous and insanitary buildings.</li> <li>Undertaking requirements and obligations for earthquake-prone buildings pursuant to the Act.</li> <li>Processing of building consent applications for swimming pool fencing to ensure compliance with the Act.</li> <li>Inspecting of swimming pool fencing to ensure compliance with the Act and issue Code Compliance Certificates or certificates of periodic inspection where appropriate.</li> <li>Responding to claims on weather-tightness for dwellings and multi-unit dwellings.</li> <li>Responding to and administering the process where applications for Determinations are submitted to the Ministry of Business, Innovation and Employment.</li> </ul>



## How we will achieve our community outcomes (continued)

Goal	Our approach
<p><b>Resource Consent Services</b></p> <p>The quality of the environment is maintained and enhanced through effective decision-making on resource consents.</p>	<p><b>To achieve our goal we administer the requirements of the Resource Management Act 1991 and other related legislation by:</b></p> <ul style="list-style-type: none"> <li>• Providing information to people about how the rules in our District Plan may impact on activities they wish to undertake, the activities undertaken by neighbouring properties and in relation to the preparation of resource consent applications.</li> <li>• Processing resource consent applications for land use and subdivision.</li> <li>• Processing Land Information Memoranda (LIMs).</li> <li>• Monitoring compliance with conditions of consent and District Plan rules and taking enforcement action where appropriate.</li> <li>• Provide District Plan (planning) advice in relation to Project Information Memoranda (PIMs).</li> </ul>
<p><b>Community Protection</b></p> <p>Improve, protect and preserve the environment and public health and safety by minimising risks from nuisances and offensive behaviour.</p>	<p><b>Environmental health</b></p> <ul style="list-style-type: none"> <li>• Meeting the accreditation requirements of a Food Verification Agency.</li> <li>• Working with businesses to assist them in meeting the requirements of the Food Act 2014.</li> <li>• Registering and inspecting/verifying food premises, hairdressers, camping grounds and mortuaries.</li> <li>• Investigating noise complaints on a 24 hour/day basis and take compliance action as required.</li> <li>• Investigating reported methamphetamine contaminated properties and require appropriate remediation.</li> </ul> <p><b>District Licensing Committee</b></p> <ul style="list-style-type: none"> <li>• Deliver District Licensing Committee activities as required by the Sale and Supply of Alcohol Act 2012, including processing applications for alcohol licences and monitoring the performance of licensed premises to ensure compliance with this Act.</li> <li>• Minimising harm through effective decision making on alcohol licences.</li> </ul> <p><b>Hazardous substances</b></p> <ul style="list-style-type: none"> <li>• Providing information and support for the public on hazardous substances.</li> <li>• Managing hazardous substances in public places.</li> <li>• Responding to hazardous substances incidents in public places and on private property.</li> </ul> <p><b>Parking enforcement</b></p> <ul style="list-style-type: none"> <li>• Enable maximum car park availability in the Katikati and Te Puke town centres (and seasonally at Waihi Beach) during working/shopping hours by checking adherence to parking restrictions, ensuring vehicles are registered and display current warrants of fitness, ensuring that car parks (e.g. mobility and vehicle loading parks are used appropriately) and issuing infringement notices where appropriate.</li> </ul> <p><b>General</b></p> <ul style="list-style-type: none"> <li>• Provide a customer contact service for matters covered by a number of bylaws and undertake compliance actions in order to minimise nuisance to the public.</li> </ul>



Photo by Peter Drix at Waihi Beach.

# What are we planning to do

Project ID	Name	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
358601	Compliance - Seasonal Bylaw compliance & monitoring	72,775	78,815	80,562	82,236	83,910	85,511	87,112	88,786	90,387	91,988



**Where the money comes from**

Please refer to 'Policies, Summaries and Statements' for the Revenue and Financing Policy for the Regulatory Services Activity.

Photo by Simon Cawley of a Pukehina Beach sunrise.



## How we will track progress

What we do		How we track progress	Result	Target				
			2023	2025	2026	2027	2028-30	2031-34
<b>Resource Consent Services</b> The quality of the environment is maintained and enhanced through effective decision making on resource consents.		Average number of days to process each category of Resource Consent application.	New measure	22	22	22	22	22
		Dog attack allegations will be actioned within 2 hours of Council being notified.	New measure	<2 hours				
<b>Animal Control Services</b> Provide a safe environment for the public through promoting responsible dog ownership. Known dogs in our District are registered and microchipped.		Percentage of known dogs in our District that are registered.	96%	96%	98%	98%	98%	98%
		Average number of days to process building consent applications (Statutory timeframe is 20 working days).	New measure	<20 days				
<b>Building Services</b> Building work is regulated to ensure the health and safety of people and sustainability in design and construction methods.		Complaints are actioned (either through compliance or enforcement action).	New measure	>95%	>95%	>95%	>95%	>95%
<b>Community Protection</b>	Improve, protect and preserve the environment and public health and safety by minimising risks from nuisances and offensive behaviour.	Average time to acknowledge noise complaints.	New measure	30 mins				
		Hours that parking is being monitored per day.	New measure	>4 hours				
	Food business are regularly monitored and assessed. Parking is monitored within Te Puke and Katikati town centres and largely on a seasonal basis at Waihi Beach.	Average number of days to issue PIMs.	New measure	<10 days				
		Percentage of LIMs issued within requested timeframe.	New measure	100%	100%	100%	100%	100%
	Land Information Memoranda (LIM) and Project Information Memoranda (PIM) will be processed within the statutory timeframe (10 days for PIMS).							

# Significant effects of providing this activity - Animal Control

Wellbeing	Positive	Negative	How are we addressing these effects
 <p><b>Social</b></p>	<ul style="list-style-type: none"> <li>Provision of public places where both dog owners and other people can interact safely are important for community wellbeing.</li> <li>We can manage the use of areas where the risk to public safety from uncontrolled access by dogs is too great.</li> <li>Provides resources to deal with dog complaints which, if left unmanaged, can negatively impact upon community safety and wellbeing.</li> <li>Registration of dogs enables lost dogs to be identified and returned to owners.</li> </ul>	<ul style="list-style-type: none"> <li>May be perceived by some members of the community as over-regulation in terms of their own social choices.</li> </ul>	<ul style="list-style-type: none"> <li>Balance the needs of dog owners with the need for public safety.</li> <li>Undertake a balanced compliance approach to enforcement of the Dog Control Bylaw, provisions of the Dog Control Act 1996.</li> <li>Respond to complaints and investigate compliance with the Dog Control Bylaw and the Act.</li> <li>Education and community interaction through dog events and a range of communication tools.</li> </ul>
 <p><b>Cultural</b></p>	<ul style="list-style-type: none"> <li>Enables dogs and their owners to be directed towards using less culturally sensitive areas.</li> <li>Different groups in the community have varying expectations on the management of dogs.</li> </ul>	<ul style="list-style-type: none"> <li>Dogs not under control impact upon sensitive cultural areas.</li> </ul>	<ul style="list-style-type: none"> <li>Limiting access to culturally sensitive areas but accepting the need to provide recreational areas for owners to exercise their dogs.</li> <li>Providing educational material to increase understanding of our philosophy behind dog restriction areas.</li> <li>Within the scope of regulation, we adapt our compliance approach to be sensitive to the needs of each community.</li> </ul>
 <p><b>Environmental</b></p>	<ul style="list-style-type: none"> <li>Protects the environment by directing dog owners to use recreation areas with minimal ecological impact.</li> </ul>	<ul style="list-style-type: none"> <li>Dogs that are not under control can impact upon sensitive ecological areas/environments.</li> </ul>	<ul style="list-style-type: none"> <li>We limit dog access to sensitive ecological areas/ environments while accepting the need to provide recreational areas for owners to exercise their dogs.</li> <li>Provide educational material to increase understanding of our philosophy behind dog restriction areas.</li> </ul>
 <p><b>Economic</b></p>	<ul style="list-style-type: none"> <li>Enforcement of dog restriction areas in some of our popular tourism areas, for example Waihi Beach, retains the appeal and therefore continued use by visitors of these locations.</li> <li>Council is seen as dog-friendly and encourages positive dog interaction, which is appealing to residents and visitors.</li> </ul>	<ul style="list-style-type: none"> <li>Responsible dog owners and people without dogs contribute towards the dog control activity which primarily deals with a small number of non-complying/irresponsible dog owners.</li> <li>Public consultation costs associated with policy review/development projects.</li> </ul>	<ul style="list-style-type: none"> <li>Effectively manage staffing levels.</li> <li>Review policy and bylaw when necessary and make a balanced response.</li> <li>The most effective, balanced policy decisions require appropriate public inputs.</li> </ul>

# Significant effects of providing this activity - Building Services

Wellbeing	Positive	Negative	How are we addressing these effects
 <p><b>Social</b></p>	<ul style="list-style-type: none"> <li>Ensures that buildings and structures are safely constructed, healthy and maintained.</li> <li>Ensuring buildings are fit to meet future demands.</li> <li>Complaint investigation and resolution addresses community concerns.</li> </ul>	<ul style="list-style-type: none"> <li>Community expectations not met in relation to our ability to demand action on behalf of private property owners.</li> </ul>	<ul style="list-style-type: none"> <li>Ensuring that dangerous and insanitary buildings are assessed to enable mitigation of dangerous/insanitary condition.</li> <li>Processing of building consent applications and inspection of swimming pool fencing to improve safety outcomes for our community.</li> <li>Ensuring that buildings accessible by the public are compliant for access and facilities for persons with disabilities as required by the Building Act.</li> <li>Ensuring buildings are adequately upgraded for fire protection and accessibility when they are altered or a change of use occurs.</li> </ul>
 <p><b>Cultural</b></p>	<ul style="list-style-type: none"> <li>Buildings can be sympathetic to or complement our cultural heritage.</li> </ul>	<ul style="list-style-type: none"> <li>No significant negative effects of the building services activity on cultural wellbeing have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriately applying the Building Act and Building Code when assessing culturally significant buildings.</li> </ul>
 <p><b>Environmental</b></p>	<ul style="list-style-type: none"> <li>We notify Heritage New Zealand where a listed building has applied for building consent.</li> <li>Modern building construction techniques and materials encourage more sustainable buildings particularly in the efficient use of energy.</li> <li>We can provide information that assists in improving sustainability within new building projects, e.g., energy and water useage.</li> </ul>	<ul style="list-style-type: none"> <li>Increased restrictions on redevelopment of listed heritage buildings may impact on their future use, and therefore continued sustainability of some buildings.</li> </ul>	<ul style="list-style-type: none"> <li>Providing advice and referral relating to the sustainability of buildings, for example energy efficiency.</li> <li>Ensuring dwellings are equipped with adequate wastewater disposal and potable water supply.</li> </ul>
 <p><b>Economic</b></p>	<ul style="list-style-type: none"> <li>Ensuring that consents and Code Compliance Certificates are processed within statutory timeframes so that applicants are not financially compromised by delays.</li> <li>Ensure inspections can be undertaken within a reasonable timeframe.</li> <li>Ensure reasonable guidance is provided to inform private decision making relating to development and building projects.</li> </ul>	<ul style="list-style-type: none"> <li>Consent fees are a recognised cost of building.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure building consent processes are efficient.</li> <li>Review of fee structures to ensure cost effectiveness and appropriate funding source.</li> <li>Review of resourcing to ensure capability to deliver service.</li> </ul>

# Significant effects of providing this activity - Resource Consents

Wellbeing	Positive	Negative	How are we addressing these effects
 <p><b>Social</b></p>	<ul style="list-style-type: none"> <li>The current planning framework (outlined within our District Plan and supporting guidance documents) recognises the need to provide safe homes, streets and public spaces.</li> <li>A healthy and safe community is one which is planned with long-term sustainability in mind.</li> <li>A well-planned district is one with supporting infrastructure, facilities and services. Our planning framework recognises this and identifies provision of these elements.</li> <li>Resource consent process enables those deemed affected to participate in the determination process.</li> </ul>	<ul style="list-style-type: none"> <li>Individuals may have conflicting opinions on what constitutes the best outcomes.</li> <li>Planning decisions may restrict an individual's options for use of their land.</li> </ul>	<ul style="list-style-type: none"> <li>Our planning framework and Structure Plans have been developed in accordance with SmartGrowth principles. These recognise the importance of sustainable communities including the need for healthy, safe and accessible communities.</li> <li>Resource consent application decisions give effect to these planning frameworks.</li> <li>We are willing to work with stakeholders to assist in planning and provision of supporting community services, e.g. recreational facilities, community halls.</li> </ul>
 <p><b>Cultural</b></p>	<ul style="list-style-type: none"> <li>Planning frameworks provide for iwi/hapū aspirations. This includes recognising the cultural connection of Māori to their land, water, sites and wāhi tapu.</li> <li>Our District Plan offers an opportunity to ensure the historical and cultural heritage of all citizens is recognised.</li> <li>Iwi/Hapū Management Plans assist Council in taking account of iwi and hapū aspirations.</li> </ul>	<ul style="list-style-type: none"> <li>Requires Tangata Whenua to reveal cultural heritage sites which they may be reluctant to do.</li> <li>Developers and iwi/ hapū may have conflicting opinions on what constitutes the best outcomes for protecting cultural heritage.</li> </ul>	<ul style="list-style-type: none"> <li>Our District Plan recognises the importance of historically and culturally significant sites.</li> <li>Resource consent assessments give consideration to known sites of cultural significance and provides the matter to the appropriate iwi/ hapū for direction on their views and future involvement in the matter.</li> <li>District Plan review process enables Council to collaborate with Tangata Whenua on the identification of cultural heritage sites within our District.</li> <li>The resource consent process is a component of the Papakainga Toolkit, which supports hapū /whānau to realise their housing aspirations.</li> </ul>
 <p><b>Environmental</b></p>	<ul style="list-style-type: none"> <li>Our District Plan provides planning controls to enable protection of the natural and physical environment.</li> <li>Structure planning promotes development in a controlled manner.</li> </ul>	<ul style="list-style-type: none"> <li>The resource consent activity should maintain and enhance environmental wellbeing.</li> </ul>	<ul style="list-style-type: none"> <li>In reviewing our District Plan we will give ongoing regard to maintaining and enhancing the natural and physical environment and promote development in a controlled manner.</li> <li>The District Plan identifies areas of significant landscape and ecological value. We monitor compliance of resource consent conditions, including the provision of protection lots.</li> </ul>

# Significant effects of providing this activity - Resource Consents (cont.)

Wellbeing	Positive	Negative	How are we addressing these effects
 <p><b>Economic</b></p>	<ul style="list-style-type: none"> <li>• Our planning framework supports our local economy, recognises and provides for quality development and enables the uniqueness of our District and individual towns.</li> <li>• The provision of information held by Council on a property file can inform the viability of development and/or investment decisions.</li> </ul>	<ul style="list-style-type: none"> <li>• Resource consent application decisions (and associated conditions) may be considered onerous by applicants and may impact on the economic viability of some proposals.</li> <li>• Our District Plan and other supporting planning documents do not always support the desires of all individual businesses/commercial interests.</li> <li>• Resource consent fees are an additional cost to development.</li> </ul>	<ul style="list-style-type: none"> <li>• Resource consent decisions reflect assessment of the level of effect and alignment to the objectives and policies in the District Plan. Conditions are attached to mitigate the impact of proposals.</li> <li>• The resource consent process may require a contribution from the consent holder towards the provision of infrastructure for wider community benefit. This is prescribed by legislation and Council's District Plan.</li> <li>• We seek to respond to the needs of local businesses through zoning changes and adapting plan provisions as appropriate.</li> <li>• Our District Plan has been developed to provide a rule-based framework for managing the growth of our District. It gives effect to legislation, the Regional Policy Statement and SmartGrowth principles.</li> </ul>



# Significant effects of providing this activity - Community Protection

Wellbeing	Positive	Negative	How are we addressing these effects
 <p><b>Social</b></p>	<ul style="list-style-type: none"> <li>Ensures provision of safe public spaces.</li> <li>Benefits the community by supporting provision of safe, reliable infrastructure and resources.</li> <li>Minimises risks from nuisances and offensive behaviour.</li> <li>Protects and preserves public health.</li> </ul>	<ul style="list-style-type: none"> <li>Limits placed on some social activities can cause tensions.</li> </ul>	<ul style="list-style-type: none"> <li>Responding to community concerns and complaints and investigating to ensure compliance with relevant standards. Intervening only when necessary.</li> <li>Providing educational material to improve general understanding of the community protection activity.</li> <li>Working with businesses to ensure that they provide safe food for our communities.</li> <li>Working with our communities to determine appropriate local responses.</li> <li>Educating our communities in terms of our legislative abilities in dealing with reported issues, e.g., noise control, public place drinking.</li> </ul>
 <p><b>Cultural</b></p>	<ul style="list-style-type: none"> <li>Ensures clear standards and safe environments for all ethnic groups in their preparation of food.</li> </ul>	<ul style="list-style-type: none"> <li>Differences in food regulations may be complex for new immigrant food operators.</li> </ul>	<ul style="list-style-type: none"> <li>We support businesses to understand and implement new standards.</li> <li>Implementation of food legislation enables recognition of different ethnic groups undertaking the role of food operators.</li> </ul>
 <p><b>Environmental</b></p>	<ul style="list-style-type: none"> <li>Protects and preserves the environment.</li> <li>Minimises the effects of nuisances.</li> </ul>	<ul style="list-style-type: none"> <li>More regulation, for example through the development of bylaws may frustrate some people in the community and create resentment at perceived over-regulation.</li> </ul>	<ul style="list-style-type: none"> <li>Enforcing bylaws to help protect the environment - for example, from littering.</li> <li>Working with other agencies to resolve matters beyond the scope of our services.</li> <li>Community engagement processes ensure community interests inform the development of policies.</li> </ul>
 <p><b>Economic</b></p>	<ul style="list-style-type: none"> <li>Provides a benchmark for health and safety standards within food and liquor premises, engenders customer trust in establishments.</li> </ul>	<ul style="list-style-type: none"> <li>Business operators don't like receiving infringement notices.</li> </ul>	<ul style="list-style-type: none"> <li>Ensuring that standards are upheld in food and liquor licensed premises.</li> <li>We review levels of service within this activity and will consider all options for efficient service provision.</li> </ul>