

Legal compliance update – June 2021

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 June 2021
Reporting officer: Sue Davidson, General Manager Sustainable Growth and Investment

Purpose | Ngā whāinga

This report summarises our legal compliance with Council’s statutory obligations. It provides oversight to the approach to risk and complying with regulatory and statutory requirements.

Executive summary | Whakarāpopototanga

This report details instances of non-compliance and progress with addressing the instances of actual or potential non-compliance.

Recommendation | Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the legal compliance update report.

Context | Horopaki

The Audit, Risk and Finance Committee (the Committee) is responsible for identifying and monitoring risks associated with legislative compliance. This report provides details where council is not complying and how this is looking to be remedied.

Discussion | Ngā kōrerorero

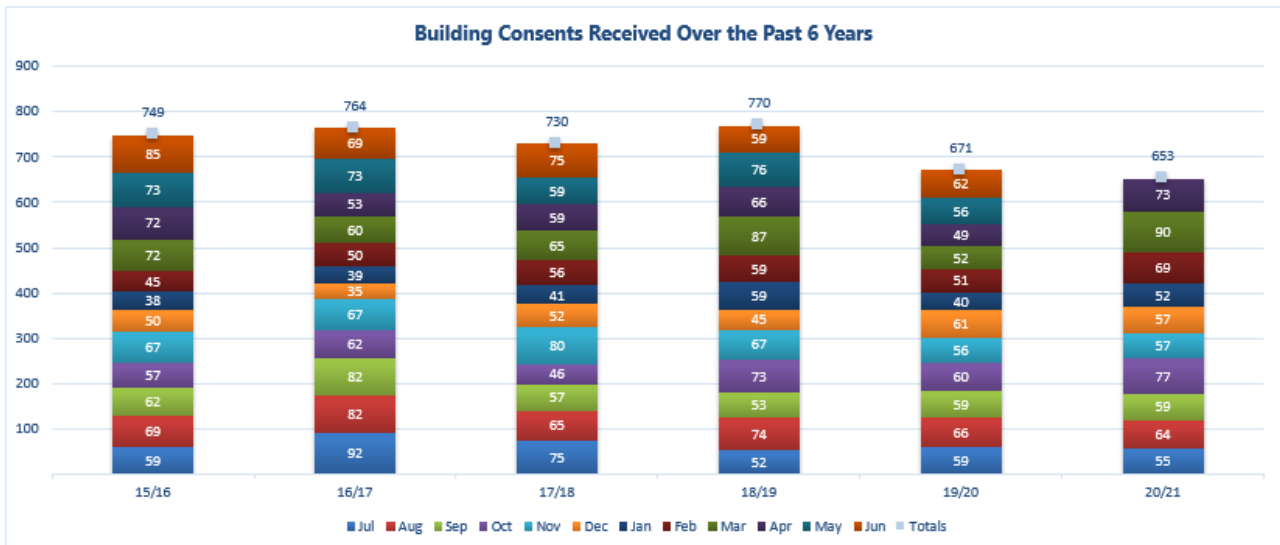
Council provides the following information.

Building consents

The aim is to have 100% of building consents processed within the statutory timeframe.

| Percentage of building consents processed within statutory timeframes | | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|-----|
| 2015/2016 | 2016/2017 | 2017/2018 | 2018/2019 | 2019/2020 | 2020/2021 | YTD |
| 100% | 100% | 99% | 96% | 96% | 96% | 96% |

This is a good result with high work levels continuing, and Council at the upper end of meeting the statutory compliance rate.



Swimming Pool Inspections

I attach a recent report on all NZ Councils compliance of its statutory duty to check swimming pools. This report has just been released however the data is older as we are now confident the backlog of inspections has nearly been caught up. Earlier this year Council got an additional Compliance officer, and we are confident that we have robust processes and the staff in place to carry out this work.

We currently have 337 pools registered in Kaipara. At the time of the last Audit, Risk and Finance Committee meeting 154 were identified as being overdue for their Tri-annual pool barrier inspection.

Since then, 128 inspections have been completed, leaving 26 still to complete. 17 of these are scheduled to be inspected before the end of the May and the remaining 9 before the end of the June.

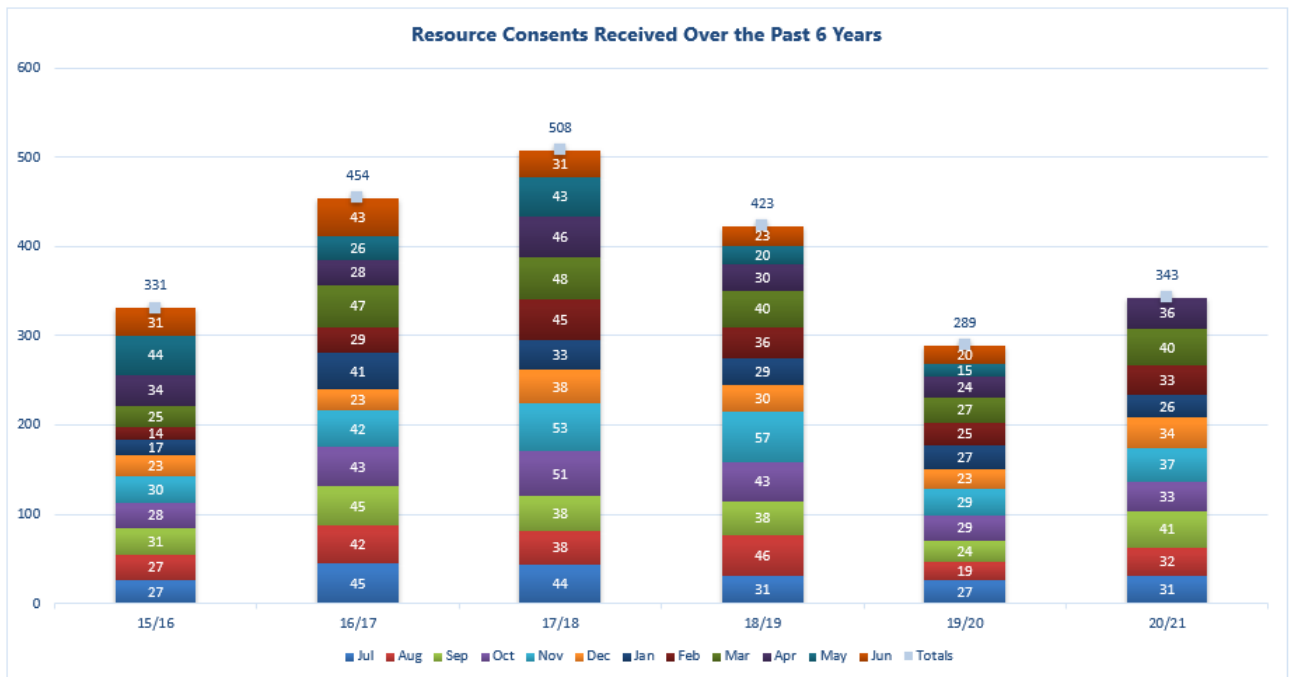
This means we are currently well ahead of our 1st September 2021 target. Based on current progress all pools in the district will be inspected by the 1st of July 2021.

From July forward, we will return to a normal schedule of tri-annual pool barrier inspections, which will ensure all are completed within the statutory time frame in future.

Resource consents

The aim is to have all non-notified land use and subdivision consents processed within the statutory timeframe.

| Percentage of resource consents processed within statutory timeframes | | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|-----|
| 2015/2016 | 2016/2017 | 2017/2018 | 2018/2019 | 2019/2020 | 2020/2021 | YTD |
| 99% | 99% | 87% | 71% | 81% | 99% | 99% |



Environmental health

There are currently six Kaihu properties that Council has been supplying bottled water to. We currently have a contractor helping us to get these remaining properties onto a roof water supply. The original quotes have been reconfirmed with the remaining residents and whilst there have been some hold ups regarding serious illness and cultural sensitivity surrounding the signing of the agreements, we are hopeful that the other residents will soon sign up and follow suit. One property has asbestos issues and only one property has flatly refused to date (this residents' issues are currently under investigation to consider an approach to resolve).

The Council has a wastewater bylaw and is proactively monitoring a percentage of the district housing with onsite domestic wastewater systems. The monitoring being undertaken has resulted in several areas being identified where there are pollution / nuisance issues. The Council is well aware of the issues of Paparoa. Update – The Paparoa community are looking for alternative funding options for a community wastewater supply (with the Council collaboration). An advisor from Foundation North will fund a high-level community-based solution project plan and SWAT analysis report for the Paparoa community (to the sum of \$25K). This report will include finding alternative funding arrangements, unfortunately they are unable to fund such infrastructure projects. Whilst this is disappointing the Infrastructure team and Monitoring & Compliance team will continue to work / collaborate with the local community to find a local solution. Council has provided some funds to help with investigation.

Infrastructure

Waters:

The discharges of treated effluent from the Kaiwaka and Te Kopuru wastewater treatment plants (WWTPs) are occasionally outside of the discharge limits set by Northland Regional Council (NRC).

Investigations have been undertaken to identify what is causing these issues and what we can do to rectify them.

- Kaiwaka –The Kaiwaka Treatment Plant is in operation and we are investing more into its operational optimization. No transgressions to report
- Te Kopuru –The new aerator was purchased and is yet to be installed. No transgressions to report

Solid Waste:

The NRC database shows that there are no closed landfill non compliances for the 20/21 period to date.

Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps | E whaiake nei

Continue to monitor and work towards compliance.

Attachments | Ngā tapiritanga

| Number | Title |
|--------|--|
| A | report into local government residential swimming pool inspections - Marshall-Buchanan review - May 2021 |