

COUNCIL 25.6.2012, 26.6.2012 AND 27.6.2012

3. PROPOSED 2012/13 LEVELS OF SERVICE FOR CONSENTING ACTIVITY

General Manager responsible:	General Manager Regulation & Democracy Services, DDI 941-8462
Officers responsible:	Unit Manager Building Operations Unit Manager Resource Consents & Building Policy
Authors:	Ethan Stetson, Unit Manager Building Operations and Steve McCarthy, Unit Manager Resource Consents & Building Policy

PURPOSE OF REPORT

1. The purpose of this report is to propose alternate clarified 2012/13 levels of service for the Building and Resource Consenting Units of the Council (**Appendix 1**). The alternate levels of service have already been discussed by Council and are intended to be put into the draft 2013/22 LTP.

EXECUTIVE SUMMARY

2. The proposed changes in the level of service are targets which will deliver a level of response necessary to support the repair and rebuild of up to 40,000 buildings in the Christchurch rebuild. These targets represent levels of service that are expected by Government, Industry and Council in 2012/13.
3. We have existing levels of service for 2011/12 that have been extended until 30 June 2013 because of the earthquakes. These do not match expectations of the tougher new proposed levels of service for the LTP 2013/22. Broadly, these targets reflect changes designed as a result of a Department of Building and Housing Baseline Report which recommended changes in service level targets, the Resource Management Act Discount Regulations and proposed timeframes for processing Central City applications.
4. The processing of consents is a regulatory function of the Council, rather than one of its significant activities. There is no mandatory requirement to consult before the Council makes a decision with regard to that process.
4. However, under its significance policy the Council may consider whether or not it should do so.
5. For the reasons set out in this report it is the advice of staff that the Council can decide not to consult, or to undertake a special consultative procedure, without breaching the Council's statutory obligations.
6. **Appendix 1** details the proposed new levels of service that require Council resolution to change. These levels of service were not finalised when the draft annual plan went out for consultation but they are the same as those that Council worked through during the 13 June 2012 workshop for the 2013/22 LTP. There are a few matters that Councillors raised in relation to the 2013/22 LTP levels of service during the workshop that they wanted further work/clarification on. These matters will be addressed in the 2013/22 LTP, are relatively minor, and are not included in the proposed 2012/13 level of service detailed in Appendix 1. The proposed levels of service detailed reflect a more comprehensive level of service overall and deliver speedier timeframes, improved efficiency and a greater range of service offerings than those adopted in the 2009 LTCCP deliberations.

FINANCIAL IMPLICATIONS

7. There are no financial implications. The report proposes to simply amend the levels of service for 2012/13. These consenting services are mainly funded via fees and the proposed levels of service have been factored into the budgets prepared for 2012/13.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. Yes

3 Cont'd

LEGAL CONSIDERATIONS

Have you considered the legal implications of the issue under consideration?

9. The Canterbury Earthquake (Local Government Act 2002) (No. 2) Order made in October 2011 modifies some of the decision-making processes in the Act.
10. Clause 10 of the Order applies to decisions to alter significantly the intended levels of service provision for any significant activity undertaken by the Council.
11. The effect of Clause 10 is that if the Council is proposing to significantly alter an intended level of service provision for a significant activity, it can do so by either including the proposal in its 2012/13 Annual Plan, or using a special consultative procedure before making its decision. In normal circumstances the Council would have been required to follow the more formal processes set out in sections 84 and 97 of the Local Government Act 2002.
12. The report from Department of Building and Housing was not received by the Council in time for the proposed changes to be included in the 2012/13 Annual Plan.
13. In determining whether or not the Council is required to undertake a special consultative procedure, the following matters are relevant:
 - (a) The processing of consents is a regulatory function of the Council, not one of the significant activities described in its current LTP. Regulatory approvals for activity and levels of services are contained in activity management plans.
 - (b) There are no financial implications for the Council.
 - (c) Therefore the proposed changes do not trigger the requirement in Clause 10 of the Order that a special consultative procedure must be used before the Council makes its decision.
 - (d) The Council may however wish to consider whether or not it should do so, under the Council's significance policy.
 - (e) It is the advice of the Legal Services Unit that the Council can decide not to consult, without breaching the provisions of the policy.
 - (f) The reason for that is that the proposed changes to levels of service must be made and implemented as a matter of urgency.
 - (f) This is one of the grounds in the significance policy that allow the council to decide not to consult before a decision of that nature is required to be made.
 - (h) Failure to make an urgent decision would affect the Council's ability to make a meaningful contribution to the timely and expedited recovery from the impact of the Canterbury earthquakes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. These levels of service and targets have been considered by Council in preparation for the 2013/22 LTP. They are more comprehensive and detailed than previous measures and reflect a higher level of service, without financial implications for Council.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

15. As above.

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ALIGNMENT WITH STRATEGIES

16. Not applicable.

Do the recommendations align with the Council's strategies?

17. Not applicable.

CONSULTATION FULFILMENT

18. Council staff have discussed with relevant parties changes to levels of service that would assist recovery efforts. In particular the advice of the Department of Building and Housing has been acted upon.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Note that the proposed levels of service for inclusion in the 2012/13 annual plan are the same as those that the Council considered during the 13 June 2012 workshop for the LTP 2013/22.
- (b) Note that these changes to levels of service reflect what is expected by the Community, Government and Industry as part of the Christchurch Rebuild.
- (c) Does not undertake further consultation before making its decision.
- (d) Approve the change in levels of service for 2012/13 as detailed in Appendix 1.

3 Cont'd

BACKGROUND

The council has previously resolved to have a series of building consent and resource consent related targets and measures for the services detailed within the 2011/12 Activity Management Plans.

There has been ongoing dialogue between Unit Managers and the Planning and Performance Manager on new targets for the Long Term Plan 2013/23. These new targets have also been discussed with the Department of Building and Housing with specific consideration given to the appropriateness of tougher new levels of service to motivate and encourage the rebuild of Christchurch.

The rebuild of Christchurch is here and now and so the Council is undertaking a wide array of works and initiatives to enable itself for the significant challenges it faces. We propose that these new targets and measures are not delayed but in fact should be brought forward for immediate inclusion in the Annual Plan for 2012/13.

The impact of this is the challenge of familiarising our teams with these new and very tough targets and measures. The timing is appropriate now as we are near the start of a new year and we have new technology being developed for delivery before December 2012.

Given the circumstances in Christchurch there is already a high level of awareness and desire for change of this nature across all stakeholders.

Appendix 1 - Proposed Levels of Service for Annual Plan 2012/13

The following categories:

1. Regulatory Services group of activity Levels of Service for 2012/13 2

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1. Proposed Levels of Service for Regulatory Services group of activity for 2012/13

Activity / LOS		Accepted/ Declined
<p>9.1 Regulatory Approvals activity and levels of service being replaced by four activities for the 2012/13 financial year, in line with LTP Committee workshop discussions of 13 June 2012:</p> <ul style="list-style-type: none">9.1 Building Consenting and Inspections9.2 Resource Consenting9.3 Building Policy9.4 Land and Property Information Services		

Activity / LOS	Manager	Proposed LOS/ Target	Reason for change	Accepted/ Declined
Building Consenting and Inspections: 9.1.1 (LTCCP)	Ethan Stetson	% of all building consent applications processed within statutory timeframes 95% of all building consents granted within 20 working days	Key business driver: First goal of Council building operations is to deliver assurance re the quality, serviceability and resilience of the building stock in Christchurch. The Building Act require 100% of building consents to be issued in 20 working days. All Councils struggle to meet these timeframes in balancing the delivery of assurance (quality) with meeting time and cost targets; currently none in NZ are successful at meeting them 100% of the time.	
Building Consenting and Inspections: 9.1.2 (LTCCP)	Ethan Stetson	% of all build consent applications processed within statutory timeframes (Sub-set of 9.1.1) 9.1.2.1 85% of all residential building consents granted within 10 working days 9.1.2.2 80% of all commercial 1 & 2 consents granted within 15 working days 9.1.2.3 80% of all commercial 3 consents granted within 20 working days		
Building Consenting and Inspections: 9.1.5 (LTCCP)	Ethan Stetson	% of all building consent applications processed within statutory timeframes: <i>Value of build works:</i> <\$150,000 Average processing time of 5 working days or less (exclude suspend time) and average total elapsed time of 15 calendar days <i>Value of build works:</i> \$150,000 to \$499,999 Average processing time of 10 working days or less (exclude suspend time) and average total elapsed time of 20 calendar days <i>Value of build works:</i> \$500,000 to \$999,999 Average processing time of 15 working days or less (exclude suspend time) and average total elapsed time of 25 calendar days <i>Value of build works:</i> >\$1,000,000 Average processing time of 20 working days or less (exclude suspend time) and average total elapsed time of 35 calendar days	Targets as agreed with Dept of Building and Housing. Council needs to demonstrate bold action and commitment to achieving tough targets to support rebuild efforts. Each day a consent is in process or on suspend is another days delay for a building project to be completed and another days delay in homeowner, business and community benefit. For business a days delay can equal some thousands \$.	
Building Consenting and Inspections: 9.1.4 (LTCCP)	Ethan Stetson	% satisfaction with building consents process 2012/13 65% of customers satisfied	Provides measure of customer satisfaction. This is a Point of Contact survey question.	
Building Consenting and Inspections: 9.1.12 (LTCCP)	Ethan Stetson	<i>Building Inspections carried out in a timely manner</i> 100% of inspections carried out within 3 working days.	Approved as part of the Council Report, 2 February 2012. Quicker turn-around on inspections speeds the build process.	

Activity / LOS	Manager	Proposed LOS/ Target	Reason for change	Accepted/ Declined
Building Consenting and Inspections: 9.1.7 (LTCCP)	Ethan Stetson	<p><i>Code Compliance Certificate (CCC) applications processed in a timely manner:</i> Processing of 100% Code Compliance Certificates completed within 20 working days</p> <p><i>Value of build works; <\$150,000</i> Average processing time of 5 working days or less (exclude suspend time) and average total elapsed time of 15 calendar days</p> <p><i>Value of build works; \$150,000 to \$499,999</i> Average processing time of 10 working days or less (exclude suspend time) and average total elapsed time of 20 calendar days</p> <p><i>Value of build works; \$500,000 to \$999,999</i> Average processing time of 15 working days or less (exclude suspend time) and average total elapsed time of 25 calendar days</p> <p><i>Value of build works; >\$1,000,000</i> Average processing time of 20 working days or less (exclude suspend time) and average total elapsed time of 35 calendar days</p>	<p>Council needs to demonstrate bold action and commitment to achieving tough targets to support rebuild efforts.</p> <p>Each day a code compliance certificate is in process or on suspend is another days delay for a building to be used for the purpose for which built. This is a delay for homeowner, business and community benefit. For business a days delay can equal some thousands \$.</p>	
Building Consenting and Inspections: 9.1.8 (LTCCP)	Ethan Stetson	<p><i>Provide public advice service to support building consenting customers</i></p> <p>Counter service at Civic Offices between the hours of 8.30am – 5.00pm, Monday to Friday (excluding public holidays)</p>	Provide counter services option to our customers during typical business trading hours.	
Building Consenting and Inspections: 9.1.3 (LTCCP)	Ethan Stetson	<p><i>% satisfaction with building consenting public advice provided</i></p> <p>90% of build project customers satisfied with concept stage and pre-application advice services provided</p>	<p>Provides measure of customer satisfaction based on random sampling survey throughout the year. Better advice early leads to better consent applications and faster processing. Includes advice provided through One Stop Shop.</p>	
Building Consenting and Inspections: 9.1.9 (LTCCP)	Ethan Stetson	<p><i>Building compliance schedule audits undertaken</i></p> <p>2012/13: 200 commercial sites audited.</p>	BWOFF service has three main functions – creation and documenting of new buildings compliance schedules for those critical systems (fire systems, lifts, automatic doors, etc.) There is then annual renewals process for existing bldgs. The third is random audit programme that provides assurance in the community that operational building standards are monitored and remedial action initiated as and when required.	

Activity / LOS	Manager	Proposed LOS/ Target	Reason for change	Accepted/ Declined
Building Consenting and Inspections: 9.1.11 (Non-LTCCP)	Ethan Stetson	<i>Processing of Project Management Office (PMO) earthquake related building consents</i> 9.1.11.1 For all other residential consents: 99 per cent processed within 20 working days 9.1.11.2 For PMO residential consents; 99 per cent processed within 5 working days 9.1.11.3 For commercial category 1 and 2 consents: 97.5 per cent processed within 20 working days 9.1.11.4 For commercial category 3 consents: 97.5 per cent processed within 20 working days 9.1.11.5 'One Stop Shop' consents: 97.5 per cent processed within 20 working days	Approved as part of the Council Report, 2 February 2012	
Building Consenting and Inspections: 9.1.6 (Non-LTCCP)	Ethan Stetson	<i>Efficiency: Cost per consent/ transaction</i> 2012/13 Average cost (\$) of processing a building consent - Target to be confirmed after the first quarter (to be confirmed with Council once annual plan budget is set and forecasting of consent volumes completed).		
Building Consenting and Inspections: 9.1.10 (Non-LTCCP)	Ethan Stetson	<i>Processing of Certificates of Acceptance and Certificates for Public Use complies with Building Act 2004, building code and NZ Standards.</i> Annual random sample audits indicate at least 90% of decisions comply fully	Council Building Accreditation requirement	
Building Consenting and Inspections: 9.1.13 (Non-LTCCP)	Ethan Stetson	<i>Earthquake Code Compliance Certificates granted within 20 working days</i> 100% granted within 20 working days	Approved as part of the Council Report, 2 February 2012	

Activity / LOS	Manager	Proposed LOS/ Target	Reason for change	Accepted/ Declined
Resource Consenting: 9.2.1 (LTCCP)	Steve McCarthy	<i>% of simple resource consents processed within statutory timeframes</i> 2012/13 100% within 10 working days.	New software allows quicker reference of applications to Planners. Assuming adequate information, leading to a compliant consent. The target is better than the statutory timeframe which is 20 working days. Land Use A simple consent includes: Non notified applications in all zones (except the Living G,H,3, 4A, 4B, 4C and 5 zones) which involve non compliance with the following rules: Sunlight and outlook for neighbours Separation from neighbours Continuous building length Outdoor living space Outline plan waivers	
Resource Consenting: 9.2.2 (LTCCP)	Steve McCarthy	<i>% of complex resource consents processed within statutory timeframes</i> 100% within the statutory timeframes	The RMA discount regulations penalise where consents go over time. The statutory timeframes are 20 – 70 days depending on whether publically notified hearings are required, or not. Ensures hearings are conducted expeditiously. Assuming adequate information, leading to a compliant consent. Target set to 100%, but caveat that the calculation will exclude factors that are outside CCC control (eg a large seismic event).	
Resource Consenting: 9.2.3 (LTCCP)	Steve McCarthy	<i>% of Central City land use consents processed within timeframes</i> 100% in 14 days (10 working days)	Greater use of pre application consultation and Planners specifically assigned to these applications should enable shorter timeframes. Measure as per CERA. Assuming adequate information, leading to a compliant consent.	
Resource Consenting: 9.2.4 (LTCCP)	Steve McCarthy	<i>% of Permitted Temporary Accommodation applications processed in timeframes</i> 100% within 5 working days	The Council set a timeframe of 3 working days for processing permitted Temporary Accommodation applications where full application received. Permitted Temporary Accommodation applications comply with the stds and do not need to be referred to Commissioner or for comment from Community Board Assuming adequate information, leading to a compliant consent.	
Resource Consenting: 9.2.5 (LTCCP)	Steve McCarthy	<i>% of Site Specific Temporary Accommodation applications processed within timeframes</i> No applications for judicial review of decisions are upheld.	The Council set a timeframe of 5 working days for processing Site Specific Temporary Accommodation applications where full application received. Site specific Temporary Accommodation applications do not fully comply with the stds and need to be referred to Commissioner or for comment from Community Board . Assuming adequate information, leading to a compliant consent.	
Resource Consenting: 9.2.6 (LTCCP)	Steve McCarthy	<i>Ensure resource consent decision-making is robust and legally defensible</i> No applications for judicial review of decisions are upheld.	This target designed to ensure decision-making at all levels is robust and legally defensible.	
Resource Consenting: 9.2.7 (LTCCP)	Steve McCarthy	<i>% satisfaction with resource consenting process</i> 75% satisfaction	To be surveyed through point of contact annual survey.	

Activity / LOS	Manager	Proposed LOS/ Target	Reason for change	Accepted/ Declined
Resource Consenting: 9.2.8 (LTCCP)	Steve McCarthy	% of simple subdivision consents processed within statutory timeframes 100% within 10 working days	New software allows quicker reference of applications to Planners. The target is better than the statutory timeframe which is 20 working days. Simple subdivision consents are: Category 1 applications (boundary adjustments, Rights of Way, Amalgamations, fee Simple of 3 allotments or less, Unit Titles/Cross Lease of 5 units or less) without engineering works. Assuming adequate information, leading to a compliant consent.	
Resource Consenting: 9.2.9 (LTCCP)	Steve McCarthy	% of complex subdivision consents within statutory timeframes 95% within statutory timeframes	The RMA discount regulations penalise where consents go over time. The statutory timeframes are 20 – 70 days depending on whether publically notified hearings are required, or not. Assuming adequate information, leading to a compliant consent.	
Resource Consenting: 9.2.10 (LTCCP)	Steve McCarthy	% 'Engineering sign-off of infrastructure' subdivision certification (s223) issued 100% within 10 working days	Timely receipt of information that leads to compliant engineering infrastructure	
Resource Consenting: 9.2.11 (LTCCP)	Steve McCarthy	% Subdivision completion certification (s224) issued 100% within 20 working days	Timely issuing of final certification to enable subdivision to be completed. Requires timely provision of documentation.	
Resource Consenting: 9.2.12 (LTCCP)	Steve McCarthy	% satisfaction with sub-division consenting process 75% satisfaction	To be surveyed through point of contact annual survey. Will look to have a stretched target for 2013/14 onwards in line with the direction from the LTP committee	
Resource Consenting: 9.2.13 (LTCCP)	Steve McCarthy	% Development Contributions assessments completed 98% within 10 working days		
Resource Consenting: 9.2.14 (LTCCP)	Steve McCarthy	Provide public advice service to support resource and sub-division consenting customers Counter service at Civic Offices between the hours of 8.30am – 5.00pm, Monday to Friday (excluding public holidays)	Provide counter services option to our customers during typical business trading hours.	
Resource Consenting: 9.2.15 (LTCCP)	Steve McCarthy	Provide electronic portal for submission of resource consent and sub-division consent applications. On-line portal available 24/7 (except for maintenance requirements)		
Resource Consenting: 9.2.16 (LTCCP)	Steve McCarthy	% satisfaction with resource and sub-division consenting public advice provided 90% of customers satisfied with service provided	Provides measure of customer satisfaction, around both walk-in counter and telephone services.	
Resource Consenting: 9.2.17 (Non-LTCCP)	Steve McCarthy	Efficiency: Cost per transaction The average controllable cost of non-notified resource consent reduces from the previous year.	Efficiencies in operational processes should see a reduction in real costs per transaction, over time. This means that the increased costs are absorbed and there are incremental efficiency gains each year.	

Activity / LOS	Manager	Proposed LOS/Target	Reason for change	Accepted/ Declined
Building Policy: 9.3.1 (LTCCP)	Steve McCarthy	<i>Maintain Building Consent Authority status for all building works (except dams)</i> 2012/13: Maintain 'Building Consent Authority' status for all building works (except dams)		
Building Policy: 9.3.2 (LTCCP)	Steve McCarthy	<i>Building-related claims for weathertight homes notified to insurer</i> 2012/13: 100%, within 10 working days		
Building Policy: 9.3.3 (LTCCP)	Steve McCarthy	<i>Weathertight Homes Resolution Service (WHRS) Financial Assistance Package repair plans assessed</i> 2012/13: 100% assessed against performance standards in the Building Code, within 20 working days		

Activity / LOS	Manager	Proposed LOS/ Target	Reason for change	Accepted/ Declined
Land and Property Information Services: 9.4.1 (LTCCP)	Tracey Weston	<i>Land Information Memorandum applications processed within statutory timeframes.</i> 2012/13: 100% within 10 working days (excl Christmas period of closure)		
Land and Property Information Services: 9.4.2 (LTCCP)	Tracey Weston	<i>Residential property files provided to customers in electronic format.</i> 2012/13: 90% within 3 Working days of request.		
Land and Property Information Services: 9.4.3 (LTCCP)	Tracey Weston	<i>Commercial property files are retrieved and provided in hard copy for customers,</i> 2012/13: 90% within 3 working days of request 2012/13: 95% of optional requests for scanning of records within 5 working days (charges apply)		
Land and Property Information Services: 9.4.4 (LTCCP)	Tracey Weston	<i>Viewing services are provided to customers requesting to view Commercial property files</i> Access to documents available between the hours of 8.30am – 5.00pm, Monday to Friday (excluding public holidays)		
Land and Property Information Services: 9.4.5 (LTCCP)	Tracey Weston	<i>Provide counter service operations for Regulatory Services Customers</i> Counter service at Civic Offices between the hours of 8.30am – 5.00pm, Monday to Friday (excluding public holidays)		
Land and Property Information Services: 9.4.6 (LTCCP)	Tracey Weston	<i>Customers satisfied with Regulatory Services public advice provided at Civic Offices (for health licencing, building and building process advice, but individual application advice)</i> 90% of customers satisfied with service provided.		
Land and Property Information Services: 9.4.7 (LTCCP)	Tracey Weston	<i>Provide Consenting Customers with Pre-application meeting service.</i> Meetings are held with 100% of prospective applicants who request a meeting. Meetings held within 5 working days of receipt of meeting request (unless a later meeting date is specifically requested by the applicant)		
Land and Property Information Services: 9.4.9 (LTCCP)	Tracey Weston	<i>Pre-application customers are satisfied with meeting service provided</i> 2012/13 Establish baseline, within first quarter		