

17 September 2012

Inquiry into Local Government Regulatory

Performance

New Zealand Productivity Commission

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Attention: Steven Bailey, Inquiry Director

Attached is a submission from Hutt City Council. The submission includes general comments as well as comments specific to the various regulatory functions undertaken by our Council. Thank you for the opportunity to comment.

Yours sincerely

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General comments

There appears to be an assumption that regulatory performance at central government level is efficient and effective at achieving policy objectives and there is little or no discussion of improvement at central government level – local government is only one half of the picture.

The paper appears to start from a position that local government is inefficient in terms of carrying out regulatory functions because there is no explanation of the “problem” the Commission is hoping to resolve through its inquiry.

Overall the view is that local control allows appropriate resourcing and control to suit local needs. If regulatory control is centralised to a too greater degree the risk of central resourcing cuts could expose local assets to financial and infrastructural risks. That is, the local authority would be exposed to risks it has no ability to control – for example damage to its assets and the related losses.

Key inquiry questions:

How could allocation of regulatory functions between central and local government be improved?

Response: Does the allocation need to be improved? Allocation of function is done at central government level not local government level. Is this the right question?

How can central and local government improve regulatory performance in the local government sector?

Response: Do they need too? There is no analysis of regulatory performance in the local government sector therefore it is difficult to assess that performance.

How can regulatory performance of the local government sector be measured in a manner that leads to continuous improvement in the way it regulates?

Response: Is this not happening already? All local government authorities have performance measurement frameworks and must report on their performance through their Long Term and Annual Plans, and Annual Report. Also, central government measures performance. For example, the Ministry for the Environment carries out audits of the Resource Management Act (RMA) regulatory functions and the Office of the Auditor General audits Council’s Long Term and Annual Plans and Annual Reports.

The inquiry does not appear to consider how local government itself is regulated by central government **yet** central government regulation of local government has a direct impact on the regulatory activities local government has to perform

Administration costs

The costs of regulatory functions are mostly met through fees and charges rather than rates except where central government sets the fees for example licensing fees under the Sale of Liquor Act and the Amusement Devices regulations. In these cases the fees set do not meet the costs of the service provided which results in rate payers subsidising regulatory functions required of local government by central government.

Ranking relative importance of regulatory activities

The relative importance of regulatory activities is difficult to undertake as there is little guidance on what is important and what is not. For example the relative importance of food safety compared with the regulation of gambling, prostitution and the sale of liquor or resource and building consents compared with dog control. Presumably each activity is important in the context in which it is carried out otherwise central government would not have developed legislation and regulations relevant to each.

However, our view is that the most important regulatory activities are those which relate to major interactions with residents, developers and businesses. Activities where there is little scope for community involvement or local authority assets are not involved may be best catered for through more centralised (or regionalised) structures, for example building compliance. Regulatory systems need to be more cost effective and this could be achieved through increasing the use of smarter data management and acquisition systems.

Key trends

Local government is in a perfect position to:

- lead our cities as drivers of economic growth;
- do more for less, with both network efficiency and local representation;
- lead the green revolution;
- provide transformed services that meet the needs of constant connectivity in an on-demand world; and
- collaborate to help “NZ Inc” compete successfully in the international economy.

However, to do this local government needs two things – enabling legislation that fosters connection with its communities and more cost effective regulatory systems. The trend in local government is towards smarter data management and acquisition systems. Effective service delivery at a local level that can easily be accessed by the community needs to be the priority.

Globalisation and the knowledge economy have repositioned cities as the drivers of national economies. By 2025 75% of the world’s population will live in cities or metropolitan areas. The traditional approach of central government to design and deliver social services on a “top down” basis does not realise their full potential because of a lack of local connections and knowledge. There is a role for local government in facilitating the effective delivery of social services because of its local knowledge and local connections.

Local government could play a leading role in promoting a low carbon footprint city or district. It could lead by example in energy efficiency, promotion of walking, cycling and public transport and landfill management.

The growth of the services sector in western economies is being followed by a second wave of innovation aimed at tailoring and targeting services. Mass collaboration is powering the new economy – social media of YouTube, Facebook and Myspace are based on participation of their communities. Constant connectivity in an on-demand world is the expectation of a new generation growing up and becoming customers of local government.

As cities and regions in New Zealand, we should not be competing with each other. The future prosperity of NZ lies in us competing successfully in the international economy. We should be collaborating with each other to leverage the collective strengths that we bring to the international marketplace.

Local government and regulation

Q4 Are there other statutes that confer significant regulatory responsibilities on local government? What, if any, regulatory roles of local government are missing from Table 2?

Q5 Are there any other local organisations with regulatory responsibilities that the Commission should consider?

Regulatory variation

Q6 Do the different characteristics and priorities of local authorities explain most of the difference in regulatory practice across local government?

Q7 Are community expectations to 'do more' about social issues leading to different approaches to regulation between local authorities?

Q8 To what extent are local preferences a source of regulatory variation in New Zealand? How far should councils, when implementing a national standard, have discretion to reflect local preferences in their bylaws?

Q9 Are there areas of regulation where local and central government regulation appear to be in conflict? If so, how far should such conflicts be accepted as a consequence of the diversity of preferences?

Q10 Does the way in which a local authority chooses to exercise its regulatory powers – through bylaws or through its District Plan – lead to differences in effectiveness and outcomes for communities?

Fencing of Swimming Pools Act 1987.

Amusement Device Regulations

Resource Management Act - Noise Control responsibilities

Local Government Act - Fire Hazards

Rural Fire Authority

Greater Wellington Regional Council – water quality

The size of the authority will have an impact with smaller authorities having less ability to specialise in regulatory enforcement work.

There are community expectations that HCC will do more education/dogs/traffic. A high level of engagement with the community makes this less of a problem.

Some Councils may have specific approaches for different industries e.g. rural councils and the dairying industry

Councils should have some discretion where local assets require protecting by locally tailored bylaws, e.g. trade wastes bylaws to manage inputs into local Waste Water Treatment Plants (WWTPs). Councils should also have some discretion where the standard is inadequate and forms a baseline for behaviour that produces unintended or undesirable consequences and uncertainty, e.g. the recent National Standard (NS) for contaminated land which only deals with human health and ignores environmental health.

Bylaws are needed where national standards don't meet local needs e.g. flood protection as national legislation is often slow to change.

As above – not so much about bylaws and regulation being in conflict but more about regulation not being sufficient to meet local needs or not being there at all. For example, the food handling regulations have been slow to change and bylaws have been needed to fill the gap with food handler training and closure of premises.

Responding to community needs and changes in society, may create differences with neighbouring authorities who are slower to change or aren't being asked by their communities to change.

One of the key influences is the level of monitoring and enforcement undertaken which is highly dependent on resourcing.

Regulatory variation

Q11 In what ways has the Treaty of Waitangi influenced how local authorities have undertaken regulatory functions delegated to them by the Crown?

Not at all.

Q13 Are there other significant sources of variation in local authority regulatory practice than those described in this chapter?

Availability of staffing and other resources, lack of finance due to budget constraints.

Q14 Can you provide examples of inconsistencies in the administration and enforcement of regulations between local authorities?

Some Council's actively enforce Trade Wastes Bylaws (LGA2002) and some don't yet all are required to have them. Having local differences in the application of legislation due to individual interpretation or different local imperatives has always been a problem. Overall we would say that this is common across the sector. No different one suspects to different branches of central government e.g. ACC branch offices interpreting the same or similar claims slightly differently.

Q15 Do these inconsistencies impose extra costs on businesses? If so, are these extra costs significant?

In terms of parking enforcement there is huge disparity among Councils. Need national standard. Want consistency on how rules maintained and enforced e.g. waiver/cancel policy, WOF/Registration – pay back not consistent. It depends on how one defines this. In terms of enforcement, if Council does not enforce its bylaws then there are often related costs that the ratepayer picks up because the businesses concerned have not had to comply and neither do they pay for the remedial action. If a business does comply then there is an associated cost for that business and a reduced cost for ratepayers. It seems logical that businesses should comply in that they are part of a wider community and also the "polluter pays" principle.

Q16 To what extent does variation in regulatory practice matter?

Discharge fees are set regionally and these vary a lot. Variation in Regional Council issued discharge consents for WWTPs can and does lead to industrial movement based on discharge cost advantage, e.g. Napier and Hastings discharge into the same sea catchment yet they were initially offered two very different consents with Napier facing significantly greater WWTP costs to meet the required standard. Hastings now has the majority of the big dirty wet industries.

The costs can be significant for national traders or franchises.

Sometimes it doesn't – standards applied to industrial pre-treatment plants (trade wastes discharges) can vary provided they are managed to avoid impacts upon the WWTP and consequent impacts upon its discharge, e.g. Most councils now use the model Trade Wastes Bylaw (NZS9201 pt 23) as the basis of their bylaw but can create varied consent quality parameters to suit dischargers provided their plant and network can cope – that the Council actively and wisely manages is the main issue not that the limits or controls applied may vary.

However where that variation in practice shifts a liability onto another party or can be considered negligent with respect to prudently managing infrastructure or the environment then the ability to vary needs to be limited. The risk is to create an unfair competitive advantage for some and impose additional costs on industry and communities for others. Consumers should be able to expect consistency in standards as they travel around the country.

- The model bylaw process – which aids consistency and reduce costs.
- Regional and national discussion groups with attempts to create consistency of approach including sharing enforcement or regulatory approaches that work efficiently.
- Making full use of low cost enforcement options, e.g. cancellation of consents to focus discharger attention.
- Cost incentives for compliance improvements through reduced consent fees, reduced monitoring costs and reduced user charges costs (loading based cost recovery from industry).
- Also some authorities share information on legal representatives, e.g. Crown Law Office which specialise in prosecutions and are considerably cheaper than the more usual private practices.
- Graffiti Bill
- Outsourcing function of Department of Labour to councils
- Outsourcing function of GWRC to Hutt City Council
- HCC has made a number of customer service improvements particularly in the resource and building consent areas to ensure that developers can access streamlined services
- HCC have worked for many years with the building departments at Upper Hutt City Council, Wairarapa Councils’ to provide over-flow processing & inspections, when required.
- HCC provide BCA auditing for Porirua City Council, Upper Hutt City Council and the Wairarapa Councils’ as requested.
- HCC second officers between councils, both in the planning & building areas – e.g. Have a building inspections officer seconded to UHCC presently, and a planning officer seconded to us from WCC. This aids both in making the best use of resources between councils, but also allows sharing of ideas and growing best practise.
- HCC have an agreement with UHCC, whereby we share our NZ Standards subscription with them – this ensures access to the technical information required to do our jobs, but keeps the cost down.
- HCC organise joint training sessions with UHCC & ourselves (for example recent training on ‘Maori World Views’).
- HCC organise training and presentations for all the BCAs in the Wellington region.

Q17 Can you provide examples of regulatory innovation by local government?

- Use of vets to house stray dogs instead of building infrastructure thereby reducing fixed assets.

Regulatory variation

HCC offers incentives appropriate to the wants & needs of our community.

- These include free building & resource consents for environmentally sustainable initiatives (eg..solar etc). This not only encourages communities to have warm, healthy and dry homes but also makes it more affordable in lower socio-economic areas; so we can target these sectors of our community
- We have an Eco Design Advisor whose work is two-fold:
 - Firstly she works with developers & residents to improve their plans to ensure that they take into account eco principles;
 - Secondly, she works with our community, giving talks and free consultations in people's homes to ensure that they have warm, healthy and dry homes, as well as save money.
- City Development Incentive
- Built Heritage Incentive Fund – this functions between the regulatory requirements under the BA and the RMA. Where there are buildings, required under the Building Act to be earthquake strengthened; these are also the very buildings that are often protected under the District Plan. Therefore there are high costs for the owners of these buildings – this fund looks to provide some funding for the protection of heritage buildings, particularly where they need to be strengthened.

Costs Savings

In order to encourage the right kind of development in our city we offer:

- Free targeted pre-application advice – we can do this as we have the mix of technical people available on site (roading, urban design, engineering, trade waste, planning, building, plumbing & drainage; etc) & local knowledge.
- Incentives (as above).
- Free access to public information regarding building consents and plumbing & drainage consents.

To make it easy for our customers to do business with us we offer:

- Certificates of Title can be obtained from the council (required for every consent application by law) – we hold licenses from LINZ.
- Animal Services – delivering these for Wellington and Upper Hutt City Councils

Regulatory variation

Q18 Is the innovation specific to a particular local authority and its unique circumstances, or could it be adopted more widely?

Applicable to all.

Professional networking events, training events, workshops, conferences, regional interest groups.

Q19 What mechanisms or incentives are there for local authorities to share innovations (or experiences with 'failed' innovations) with others?

Local regional cluster group has been established for food safety-working well. These can be used to gain agreement nationally.

Q20 What factors encourage (or deter) local authority innovation? (eg, the (in)ability to capture the cost savings from innovation)

Non-competitive environment.
Budget restraints, only base line staffing levels, inflexibility and resistance to change and inadequate training due to financial constraints. Central government legislation.

Factors encouraging include working with others to share ideas/knowledge, the need to save money, the need to improve customer experience and engagement and introducing new technology.

Who should regulate?

Q21 Has the Commission captured the advantages and disadvantages of centralisation and decentralisation for each of the factors?

Yes

Q22 Which of the factors discussed in this chapter are the most important for allocating regulatory functions locally or centrally?

Regulatory consistency, national priority, capability and capacity, economy of scale and scope.

Q23 Which other factors might be important for considering whether a regulatory function should be undertaken locally or centrally?

Governance, innovation and preferences and national reputation

Q24 Are the factors discussed above helpful in thinking about whether a regulatory function should be relocated?

Yes.

- The Building Act – perhaps through regional agencies to achieve economies of scale and scope but still locally responsive in terms of governance and preference.
- More of the enforcement provisions of the RMA could be delegated to local authorities e.g. Hutt already has s15 RMA delegation but most local authorities don't. This is a means to meeting our communities' environmental preferences and the economy of scope of combining much of the desired RMA audit role with our existing Trade Waste audit role, same visit but two jobs done with greater efficiency.
- The RMA approval of WWTP discharges should be taken off Resource Consents and given to EPA, too much variation is possible to suit factors beyond those relevant to the capacity of the receiving environment. Also there is significant variation around the country and over time (staff turnover) in terms of technical competence at the RCs.

Q25 In the New Zealand context, are there regulatory functions that need reconsideration of who (central, local, community) carries them out?

- Food Safety-need to retain local service delivery, use of third party organisations is confusing for the public, proposed reduction in duties with the use of national standards may lead to loss of funding and capacity.

Getting regulation right

Q26 Do local authority significance policies allow for adequate consideration of the present and future costs and benefits of local government regulation-making?

Generally yes, however some significance policies are not explicit enough in terms of when a decision does not have to be consulted on and there is a tendency to be risk averse and consult when perhaps the decision is not significant enough to require this.

Who should regulate?

Q27 Does the local government regulation-making process lead to good regulation? If there is evidence to show that it does not, how could the process be improved?

Generally we believe it does (that is the experience of Hutt) however the linkage to Central government involvement such as the ever delayed infringement regulations for the LGA2002 are frustrating. There needs to be greater involvement from local authorities in legislation/regulation development

The introduction of HSNO in April 2004 eliminated the Dangerous Goods licensing regime with work premises becoming the responsibility of Department of Labour and/or any local authorities/RCs they came to contractual arrangements with. Most local authorities/RC's took the opportunity to absolve themselves of a loss making activity given that whilst local authorities undertook Dangerous Goods activity the fees were prescribed by Central government and were significantly inadequate (at the time of Hutt deleting the activity it was in excess of \$80k costs with \$36k income). However removal of the workplace responsibility has not removed all liability from local authorities with them retaining responsibility for private residences and public places. Local authorities now have responsibilities and associated costs, virtually no cost recovery mechanism and no ability to share resourcing or training with in-house Dangerous Goods staff (as they do not exist anymore). Whereas formal enforcement agencies can tap into free or subsidised training there is usually no subsidy available for local authority staff despite them having responsibility.

Q28 Do you have examples of regulatory responsibilities being conferred on local authorities with significant funding implications?

Also, although the Department of Labour has formal responsibility for responding to HSNO incidents involving workplaces, they have so few skilled staff that local authorities like Hutt (generally the trade wastes officers) end up being the advisors at incidents to ensure someone fronts to assist the fire service. This means that the ratepayers are subsidising central government.

The current HSNO regime does not function effectively; there are far too many enforcement agencies involved. So many in fact that at EPA (formerly ERMA) workshops there is still debate amongst the participants in exercises to assign lead role responsibilities for various types of incidents with some agencies proactive and some ducking and diving. The situation needs rationalisation.

Amusement Devices Regulations – Department of Labour set the fees a fair while back (\$11 fees since 1978) but local

authorities need to enforce and cover costs of after hour's visits.

Past Sale of Liquor Act responsibilities - ability to charge non-complying premises and proposed new food safety reforms appear to limit the ability to charge the true cost of providing the service.

Local Government is required by the Summary of Proceedings Act send our unpaid infringement fines to the district court to deal with. As a consequence HCC is losing money because the court doesn't appear to have the resources to follow up on them. This is one area that could be improved

Who should regulate?

Q29 How might central government regulation-making better take account of the costs and impact on local authorities from the delegation of regulatory functions?

When central government delegates a regulatory role they should also ensure that a cost recovery mechanism is in place under the control of those to whom the delegation is given.

Consultation needs to be on the basis of agreement to planned changes rather than a blank sheet approach at the start of the process.

Q30 How might central government better work with local authorities on the design, implementation and funding of delegated regulatory functions?

By actively listening and working alongside local authorities to design, develop and fund delegated regulatory functions.

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Q31 How could the RIA framework be improved to promote a fuller understanding of the impact of devolving new regulatory functions to local authorities?

We're not sure that there is a problem here although one approach could be to provide guidelines.

Q32 How successful has the guidance document Policy development guidelines for regulatory functions involving local government been in improving the consistency and coherence of central government policies that involve local government?

Not very as no-one was aware of it.

Q33 To what extent is the effective implementation of regulations delegated to local government hampered by capability issues in local authorities? Do capability issues vary between areas of regulation?

The capability of a local authority is generally determined by the capability of its staff, their resourcing, and their access to appropriate training and adequate budgets. In smaller Councils some links in the chain may be broken due to budget cuts or inadequate budgets due to the infrequency enforcement action.

Elected Members are used by most councils to make decisions on District Plan policy and this can have the effect of policy decisions being made on issues of national significance (e.g. outstanding landscape areas, etc.) or issues of local significance without taking into account statutory obligations. Elected Members also often sit on local authority committees as RMA Hearings Commissioners. One way that HCC has avoided issues of capability in these instances is by including independent RMA Hearings Commissioners as a

matter of course of Hearings Panels.

Many local authorities opt out of training as they can't afford it and training and retention of key staff is the main area of concern for the future. Lack of training nationally leads to poor implementation and/or execution of work. Councils compete for qualified staff however this can be overcome through shared servicing

Who should regulate?

Hutt City and Upper Hutt City Councils cooperate on a range of matters through formal and informal arrangements covering:

- Trade waste management and consenting
- HCC has officers warranted by GW as s15 (1)(B) RMA enforcement officers
- Management of the trunk sewer network and treatment plant (WWTP)
- A shared landfill
- HCC is the contractor to UHCC for Environmental Health services
- HCC is contracted for UHCC afterhours HSNO issues
- HCC and UHCC cooperate and share the costs of the annual household hazardous waste collection
- HCC provides assistance to UHCC with Building officers
- Resource and building consents

Q34 Can you provide examples of regulatory cooperation and coordination between local authorities or between central and local government, and describe successes and failures?

In addition there are other arrangements entered into such as:

- Capacity – a joint water services unit for WCC, HCC and UHCC.
- Wellington RC (GW) now runs the emergency management functions of the local councils.

The RMA enforcement Memorandum of Understanding (MOU) is working reasonably well. This increased efficiency, cut down on duplication and reduced travel liabilities for GWRC staff while making best use of HCC officers 'local knowledge.

The WWTP and TW management (Hutt managing on behalf of HCC and UHCC) has worked well for many years and allows efficient use of dedicated staff.

Capacity is working well, producing savings and allowing an economy of scale and ability to obtain skilled staff.

The Bay Watch water quality programme is working well as is the VIP scheme for the introduction of Food Control Plans.

Q35 What types of regulatory functions more readily lend themselves to coordination to improve regulatory performance?

Most regulatory activities could benefit from some degree of coordinated approach. Some types include where:

- assets are shared between authorities, e.g. water or sewer to avoid duplication
- activities have a common legislative base irrespective of the authority, e.g. building or health - building

functions, because the legislation is nationwide

Application of common standards works well where communities are similar or are of a similar nature e.g. mix of urban and commercial nature and limited rural interests.

Not planning (different District Plans, local knowledge of communities; etc.) nor LIMs functions (totally localised information; individual agencies hold information in different ways; etc)

Who should regulate?

Q36 What are the most important factors for successful regulatory coordination?

Capable well-resourced staff, clear goals, clear procedures, capacity, funding, clear communications, local knowledge. Acceptance of standards - bottom line.

Shared costs, standardisation and communication.

Q37 Are opportunities for regulatory coordination being missed?

Yes and these are being explored by this Council. This could also include building, animal control, environmental health, HSNO and parking. Better use of the model bylaw option to promote consistency, allow lower cost more robust reviews and gain more unity. .

Parochialism, capacity (the capacity to put resourcing into looking at alternatives), the acceptance of the need to enforce or apply standards.

Q38 What are the main barriers to regulatory coordination?

Costs of integrating computer systems and processes

Costs of combining District Plans (i.e. taking into account local character etc.)

Physical separation of staff from areas that they have decision making ability over.

Q39 Are there examples in New Zealand where local authorities mutually recognise each other's regulations?

UHCC and HCC share the Trade Wastes Bylaw (the Hutt Valley Trade Wastes Bylaw 2006), shared Building Consent documentation in the Wellington region. We also work with UHCC in the District Plan area, landfills, sewer, building and water quality standards for bathing.

Cross boundary issues are taken into account in the District Plan.

Who should regulate?

Q40 Which local government regulatory areas (eg, planning and land use, building and construction, environmental regulation, public safety and food safety) impose the greatest unnecessary regulatory burden on individuals and businesses?

Whether something is *unnecessary* or not is likely to vary depending on the context. To a developer any interference might be "*unnecessary*" whilst to neighbours or prospective future purchasers it might be the opposite. Building or resource consent applicants have the ability to minimise delays and unexpected work through putting in quality applications and some are significantly deficient, e.g. an automotive paint shop ignoring HSNO issues their activities need to cater for. There is however some merit in better stream lining processes to avoid undue process requirements upon trivial consents.

Hutt City is about to implement a new regime focused on streamlining consent processes for developers in an effort to

reduce compliance costs and Council costs.

It should be possible to have only one fee for food certificates when trading across boundary. The issue with this is which Council would take responsibility for enforcement action.

There is definitely room to simplify procedures and perhaps tailor fees as an incentive to get people to provide the right information the first time e.g. do right thing get charged less, do wrong thing get higher fees.

Food safety changes could have been introduced earlier making greater use of overseas models and material.

The interaction between the RMA & the Building Act is still unclear.

The cost of fee recovery for work on RCs – cannot hold up a resource consent for the fee; therefore local authorities hold the burden of fee recovery (whereas, under the Building Act, the CCC can be withheld for the fee).

The inter-relationship between the provisions of LGOIMA/the Privacy Act and the implications for fulfilling s44A of LGOIMA is unclear. It is somewhat defined in case law, but there is limited guidance.

In the trade wastes area consent fees and associated monitoring costs are based upon risks created by the discharger, the lower the risk, the lower the fee should be. Through improvements in the behaviour or quality of their discharges they can achieve reduced monitoring and consent fee costs or get to the stage where we exempt them from the need for consent. Others who fail to meet their obligations face increased costs.

Councils need more tools to deal with no-compliance. The development of food safety information would help to ensure that rules are clear and easily understood.

Q41 In what ways are these regulatory areas unnecessarily costly (eg, are they too complex, prescriptive or unclear)?

Q42 Are there particular examples where local government approaches to regulatory responsibilities are especially effective at minimising unnecessary compliance costs for individuals and businesses?

HCC's Revenue & Finance Policy operates at a 60/40 split. Therefore, the council funds regulatory functions which are seen to have a public-good element to them. Examples of this at work are:

- Free pre application advice for planning & building – this results in a higher standard of application being submitted (thereby reducing the number of further information requests; and thereby the time for the applicant).
- We have all the historical property information that developers/applicants require for their projects digitised and available for free at our fingertips.

Local knowledge of both properties, communities and developers makes local authorities better equipped to negotiate solutions that will fit the circumstances. We operate a one-stop shop, where all relevant technical information can be provided to individuals and businesses in a co-ordinated

Who should regulate?

Q43 For which aspects of the regulatory process (eg, approval, monitoring, enforcement and appeals) could compliance costs to business be reduced without compromising the intent of the regulation? How could this be done?

Q44 How well are the principles on which local authorities are required to base the funding of regulatory activities applied?

Q45 Are there examples of where cost recovery is reducing compliance with regulations and reducing their effectiveness?

Q46 To what extent are councillors involved in the administration and enforcement of regulation? Has this raised issues in regard to the quality of regulatory decision-making and outcomes?

manner.

There is potential for multipurpose monitoring visits where staff are suitably able to cover more than one area. Even just coordinating visits saves time for all parties. There is also potential for specialised enforcement sections able to more efficiently cope with wide ranges of legislation.

Improvement could be made in the planning area by changing the RMA regulations so that fees have to be paid BEFORE resource consents are issued. The council has to spend a lot of money chasing up debtors in the planning area, just because we can't hold up the issue of RC's for the fees. Whereas under the BA, we don't issue the CCC until the fees are paid.

Standardisation of forms for building, planning & LIMs functions across the country by regulation, not just by regional co-operation.

Reasonably well known and applied here with efforts to determine activity costs. There is definite variation between councils as to how much of the cost of regulatory activities is funded from rates and how much is paid by the applicant.

Compliance with HCC's Finance & Revenue policy is audited annually.

Possibly in the building area with cost recovery for some activities, e.g. swimming pool and spa pool consents, > \$700 resource/building consent for garden sheds adjacent to fences with the shed itself costing \$400 to purchase, people tend to ignore the compliance issue because of the cost.

The emphasis on cost recovery means that consent fees are getting higher – this increases the amount of enforcement necessary, as people are less inclined to get consent for activities (e.g. many non-compliant signs down Jackson Street, Petone).

Pressure can be brought to bear on councillors by local businesses that play the "as a significant employer in the valley...we might close if you prosecute us" card.

Councillors are involved in planning hearings and decisions regarding the approval of temporary liquor licences. With sensitive planning decisions a commissioner is often used instead of involving Councillors. Generally however there is a low level of involvement.

HCC applies for consents under the BA and the RMA, and we also process, monitor & enforce those consents.

There is ability for private companies to set up as Building Consent Authorities – although none exist in the Hutt. Clearly depends upon each local authority's delegations; however, at HCC Elected Members are heavily involved in the setting of District Plan policy

- Elected Members sit as RMA Hearings

Commissioners making decisions on notified resource consent applications

In terms of decisions on RMA applications, the quality of decision making has not been comprised because:

- The RC Team provides regular training sessions for councillors sitting as RMA Hearings Commissioners to up skill them and keep them up to date on case law(attendance is mandatory)
- All our Elected Members sitting as RMA Hearings Commissioners must complete the MfE Good Decisions programme
- We always have an independent commissioner sitting on the hearings panel alongside the councillors sitting as RMA Hearings Commissioners. This also helps to up skill.

Q47 Are there any other governance issues which impede the efficiency of local government regulation?

Some of the enforcement decision making processes can be frustratingly slow, e.g. for our GW RMA delegated powers the time taken to get approval for abatement notices or infringements can be excessive although this is a delegation issue.

Access to the database for registered car owners held by Land Transport Authority is difficult plus poor records of ownership mean it is now harder to find the owner .

Q48 Are the current processes for reviewing existing regulation adequate? Could they be improved?

They seem to be adequate however they would benefit by closer working relationship between regulation maker and regulator.

Q49 In which regulatory areas are there good regulatory review mechanisms? In which regulatory areas are there poor or insufficient regulatory mechanisms?

LGA2002 derived bylaws have well defined review provisions.

Food safety – the voluntary nature of food plans means it takes too long. Need to ensure consultation with the regulatory sector is done properly and well.

Q50 Who should undertake regulatory review – the responsible agency or an independent body?

In the case of Bylaws our view is that the agency can do it but there must be a public consultation phase. In other cases an Independent body with input from the regulators.

Q51 Is there a sufficient range of mechanisms for resolving disputes and reviewing regulatory decisions of local authorities?

There is a tendency at consenting level (e.g. trade waste consent and health licences) to control both issue of consents and review processes. This is a pragmatic result of a limited pool of staff operating in those areas and a need for familiarity. There are other means available however with good decision making there is little need to find alternative independent review options.

In the case of Sale of Liquor, the appeal process to the Medical Officer of Health has not been used for a very long time, ultimately the courts and LLA hearings determine the legality of a TA's actions.

Who should regulate?

Q52 Are some appeal mechanisms used excessively, frivolously or for anti-competitive reasons?

Perhaps in the RMA area, e.g. supermarkets opposing the applications of competitors. The recent changes to the RMA appeal procedures have worked to some extent, although we are still finding that a number of lobby groups will appeal an application to the Environment Court (because of the low cost of the appeal application) in order that they get an opportunity to use Environment Court assisted mediation. This is despite extensive use of pre-hearing meetings

How should regulatory performance be assessed?

Q53 In what areas of local government regulation is performance being monitored effectively?

RMA and BA timeframes though meeting timeframes **does not** equate to the quality of the output. A fast outcome may be good for a developer but does it mean that it is good for the integrity of the design, the neighbours, future owners or council's liability?

Areas where the councils have been proactive and have internal or external audit processes – or involved in best practice sharing and implementation

MfE survey on local authority performance under the RMA

Q54 Are there areas of local government regulation where performance is not being monitored and assessed?

While there are internal measures for consents issued (e.g. trade waste or health) they mostly reflect timing and monitoring of income received. Some areas of regulatory activity are difficult to measure, e.g. whilst local authorities or RCs can identify court cases or fines or abatement notices issued the number merely indicates activity not the success or failure of the regulatory system. A successful regulation regime is well accepted and adhered to and having less formal enforcement action can be a sign of success not a failure because the numbers are down.

All resource and building consents performance is measured on a monthly basis.

Hutt City Council has a performance monitoring framework that measures progress towards identified community outcomes.

No monitoring of LIMs function. Riskpool provides us with some guidance, but its not auditing that is publicly available for scrutiny.

How should regulatory performance be assessed?

Q55 Is the current monitoring system effective in providing a feedback loop through which improvements in the regulatory regime can be identified and rectified? What examples are there of successful improvements to a regulatory regime?

Systems based upon timeframe achievement will only result in timeframe improvements potentially at the expense of quality and effectiveness in achieving the aims of the regulation. Something akin to the Building Consent audit process is a better way of assessing performance and getting meaningful feedback on which to build improvements.

There are performance expectations in contracts where we are contracted to deliver services on behalf of other Councils. For example, Hutt City now has a contract with Wellington City Council to deliver animal services. This has provided significant improvement for customers and Council.

The MfE RMA survey and the Corrective Action Request system operated with the BCAs are effective in providing feedback loops.

Q56 What challenges or constraints do local authorities face in developing and sourcing data for better practice regulatory performance measures? **Q62** What are the specific characteristics of individual local authorities that Summary of questions | Issues paper 63 make local authorities comparable with regard to their regulatory performance?

The costs of data accumulation, e.g. we carry out Biosolids metals levels monitoring (of our waste water treatment plant - WWTP). This monitoring serves the purpose of being a "truth teller" for how well industrial dischargers are actually managing their individual discharges as all metals end up concentrated in the biosolid irrespective of what our less frequent industry monitoring tells us. The alternative is greater monitoring of the individual sites. However while the individual industries would pick up the increased cost for more monitoring of their own discharges (to prove it is acceptable and more readily identify transgressors) council picks up the cost of WWTP monitoring. The total costs are less for industry with this approach but Councils costs are greater. Again this means ratepayers are subsidising the private sector.

There is also the challenge of getting appropriate information to demonstrate the effects of regulatory effort when faced with multiple variable factors affecting the outcome, e.g. we believe our mostly educative efforts have made a difference (incidents have declined) to the number of concreting wastewater related pollution incidents however it is difficult to judge whether this is due to our efforts, building activity decline, the efforts of their industry or all of the above.

Hutt City Council is in the process of implementing a performance monitoring framework. There are measures that related specifically to regulatory activity to assess performance. This is attached as appendices A, B and C. Generally, there isn't a performance measurement culture in local authorities. Most of the measurement focuses on day to day activities i.e. how many site visits rather than the impact of those site visits on behaviour. Cost is an obstacle as well as culture.

Q57 Are there examples where local authorities are using better practice performance measures? What, if any, obstacles exist for wider adoption of these measures?

Hutt City Council participates in the Business Excellence Foundations programme to improve our performance and capabilities by through a best-practice management framework.

How should regulatory performance be assessed?

Q58 What kind of regulatory performance measurement would add maximum value to local authorities, their communities and New Zealand?

Standard dashboard of measures that councils should be used as a minimum standard and benchmark standard.

Q59 What regulatory performance indicators are most commonly used by local authorities? Can you provide examples of good input, output and outcome measures for regulations you have experience with? What makes them good indicators?

Please refer to the performance monitoring framework. There are measures that related specifically to regulatory activity to assess performance. This is attached as Appendices A, B and C.

Q60 What kind of centrally provided data would enhance the local government regulatory monitoring regimes?

A central enforcement actions database for RMA breaches would allow consistent dissemination of information and identification of problem operators, and would assist with targeting of effort and consistency of approach. Perhaps greater encouragement (or management of) the Model Bylaw process along with model info handouts/brochures, e.g. "*stick logo here*" type documents to save everyone re-inventing the wheel and provide some national consistency.

Hutt City's performance monitoring framework relies on a number of existing national data sets.

Q61 Are there quality issues in existing nationally available data sets that would need to be resolved before developing national performance measurement regimes?

Yes for some, e.g. WWTP data – not everyone carries out the same level of monitoring and there is some debate as to the value of some monitoring approaches. Need greater clarification around what is to be measured, who is measuring it and how it will be measured.

Q62 What are the specific characteristics of individual local authorities that make local authorities comparable with regard to their regulatory performance?

Nationally applicable Acts used, e.g. RMA, Building Act, pending Food Act, i.e. level playing field with little or limited ability to add local flavour and do not involve the maintenance or protection of Council owned assets.

Q63 Of the performance indicators commonly collected by local authorities, do any naturally lend themselves to systematic benchmarking of regulatory performance?

See previous answers and performance monitoring framework.

Q64 What new performance indicators could meaningfully measure the regulatory performance of local government?

Refer to our performance monitoring framework.

Q65 Is there a role for a third party evaluator to measure customer service standards in local authority regulatory functions?

Potentially this may be the best way to get a measure free from local bias although the performance monitoring framework at Hutt City use national data sets where these are available rather than relying on activity based measures to assess performance.

Adding competency testing to third party may be useful. Evaluations can take the benchmarking focus away. Competency should be an HR issue, rather than a criterion within a performance measurement regime.

APPENDIX A: COUNCIL OUTCOME MONITORING INDICATORS

Indicator	Measure	Target	Data source	Rationale	Activity area	
1. Council outcome: A safe community						
<i>We live in a safe city, free from crime and injury. Our city is prepared for emergencies.</i>						
1.1	Crime	Total recorded criminal offences (and resolution rate)	Reducing trend over 5 years (increasing trend over 5 years)	NZ Police	Level of criminal activity and resolution rates are key measures in HCC's Safe Public Places Action Plan.	Community Support
1.2	Safe places	Residents' perception of safety in local neighbourhood (day/night)	Target to be developed	Communitrak Survey	Perceptions of safety are inexorably linked to actual crime. Strong link to the outcome and fits Council's responsibilities for public areas.	Community Support
1.3	Safe places	Residents' perception of safety in central city (day/night)	Target to be developed	Communitrak Survey	Perceptions of safety are inexorably linked to actual crime. Strong link to the outcome and fits Council's responsibilities for public areas.	Community Support
1.4	Safe places	Residents' satisfaction with street lighting	≥87%	Communitrak Survey	Strongly associated with perceptions of safety after dark.	Roading and Traffic

	Indicator	Measure	Target	Data source	Rationale	Activity area
1.5	Safe places	Number of buildings on the earthquake-prone buildings register	Target to be developed	Monthly management reports	Strong link to outcome. Currently missing from Council reporting. Needs to be supported by contextual information on number of buildings added to or removed from the register, and the reasons for this (eg, buildings strengthened, demolished or policy change).	Environmental Management
1.6	Emergency management	Percentage of households with emergency survival items (torches, first aid items, food and water, etc)	60%	Communitrak Survey	More clearly defined and relates to what Civil Defence and Emergency Management advise.	Emergency Management
1.7	Emergency management	Number of community emergency management education sessions and estimated number of attendees	NA	Monthly management reports	This is a key area of activity that is not currently reported on. Strongly linked to outcome.	Emergency Management
1.8	Alcohol safety	Number of applications of non-compliant liquor licences lodged with the Liquor Licensing Authority	Reducing trend over 5 years	Monthly management reports	In absence of data on criminal offending or alcohol related harm associated with licensed premises, this is a proxy measure.	Environmental Management
1.9	Dog control	Number of reported dog attacks (including 'rushes') on people	Reducing trend over 5 years	Database records	Reducing the number of dog attacks is a key outcome of this area of activity.	Environmental Management
1.10	Dog control	Number of animal education initiatives in schools and communities, and estimated number of attendees	NA	Database record	Included as a measure of improved understanding and responsibility relating to dog ownership.	Environmental Management

	Indicator	Measure	Target	Data source	Rationale	Activity area
1.11	Road safety	Number of road crashes resulting in an injury on roads in Hutt City	Reducing trend over 10 years	NZTA	Good overall summary indicator, consistently reported by other councils. Strong links to Safe Hutt Valley Strategic Plan and Safer Journeys (NZ's Road Safety Strategy 2010-20).	Roading and Traffic
1.12	Road safety	Number of road crashes resulting in an injury to cyclists and pedestrians	Reducing trend over 10 years	NZTA	Actions to reduce injury to cyclists and pedestrians are closely linked to land-use planning and the road network (ie, Council responsibilities). Also good links with Council's Cycling Strategy, Walking Strategy, and priorities identified in the Safe Hutt Valley Strategic Plan and Safer Journeys.	Roading and Traffic
1.13	Road safety	Road Condition Index (measuring road surface condition)	Hold or improve rating	NZTA	Good measure of activity in asset maintenance, based on 'hard' data and easily understood. The index relates to safety.	Roading and Traffic
<p>2. Council outcome: A strong and diverse economy</p> <p><i>A city that grows existing businesses and attracts new business activity, with a focus on the research and development sector. All members of our community benefit from a strong economy, and we attract increasing numbers of visitors.</i></p>						
2.1	Economy	GDP (per capita)	NA	BERL	Closely correlated with economic activity, growth and standard of living. Also a measure in the EDS.	Economic Development
2.2	Economy	Value of commercial and residential building consents	NA	Database records	Indicator of economic activity and related to Council activity/services.	Environmental Management

	Indicator	Measure	Target	Data source	Rationale	Activity area
2.3	Local businesses	Number of businesses	10-15% increase by 2014; 30% increase by 2019	Statistics NZ Business Frame	Baseline measure of local business activity. Also a measure in the EDS.	Economic Development
2.4	Local businesses	Number of businesses - professional, scientific and technical services sector	NA	Statistics NZ Business Frame	Fits HCC focus on research and development sector.	Economic Development
2.5	Employment	Number of employees	10-15% increase by 2014; 30% increase by 2019	Statistics NZ Business Frame	Employment is a strong measure of income and ability to meet basic needs, and economic activity. Also a measure in the EDS.	Economic Development
2.6	Employment	Number of employees - professional, scientific and technical services sector	NA	Statistics NZ Business Frame	Fits Council's focus on research and development sector.	Economic Development
2.7	Employment	Unemployment rate	NA	Census	Levels of unemployment are strongly related to economic growth and development. Unemployment also linked to poor social outcomes (eg, health, criminal justice).	Economic Development
2.8	Employment	Number of people (aged 18-64) receiving unemployment benefit	NA	MSD	Proxy for the number of unemployed that is available more frequently than unemployment rate.	Economic Development
2.9	Income	Median household income and median personal income	NA	Census	Key indicator of wellbeing as income is a strong determinant of health and education outcomes.	Economic Development

	Indicator	Measure	Target	Data source	Rationale	Activity area
2.10	Visitors	Accommodation occupancy rates and guest nights	Target to be developed	Survey of commercial accommodation establishments (new)	Valid indicator of the number of visitors and of the performance of local accommodation businesses. Useful for Council to know so can work with operators to improve.	Economic Development
2.11	Museum visitors	Number of museum visitors from outside Lower Hutt	Target to be developed	Electronic door count and snapshot surveys	Key goal (particularly of The Dowse) is to attract visitors to Hutt City.	Museums
2.12	Major events	Number of events funded from the Major Events Fund and estimated number of attendees	NA	Database and Council estimates	Key area of Leisure Active's work, linked to economic benefit of events for Hutt City.	Aquatics and Recreation
3. Council outcome: An accessible and connected city <i>A city that is easy to move about with well-designed roads, cycleways and footpaths. Members of our community are connected to the digital world.</i>						
3.1	Transport network	Residents' satisfaction with the city's roads and footpaths	Roads: ≥74% Footpaths: ≥81%	Communitrak Survey	Good overall measure linked to accessibility and to Council's activity in this area.	Roading and Traffic
3.2	Transport network	Residents' satisfaction with the city's provisions for traffic control and parking	Traffic control: ≥82% Parking: ≥78%	Communitrak Survey	Good overall measure linked to accessibility and to Council's activity in this area.	Roading and Traffic
3.3	Transport network	Length of cycleway (km)	50km by 2013; 80km by 2018	ESS	Good overall measure linked to making the city more accessible, and to Council's activity in this area and the ESS.	Roading and Traffic

Indicator	Measure	Target	Data source	Rationale	Activity area	
3.4	Public transport	Public transport patronage	10% increase over 2008 by 2013; 20% increase over 2008 by 2018	GWRC	Good overall measure linked to making the city more accessible. Fits with Council role in managing the city's roading network and improving traffic flows. Links to measure in the ESS.	Local Urban Environment
3.5	Digital world	Percentage of residents with access to broadband connections in the home	NA		Broadband connectivity is key to enabling access to the digital world, which the National Digital Strategy links to a prosperous, sustainable and vibrant society.	
3.6	Digital world	Number of hours of free public internet access available through public libraries	Target to be developed	HCC Libraries	Supports National Digital Strategy and bringing new types of users into libraries.	Libraries
4. Council outcome: Healthy people <i>We live healthy lives, and our city's services help to protect our health and our environment.</i>						
4.1	Food safety	Number of notifications of food and water-borne diseases	NA		Closely linked to people's health.	Environmental Management
4.2	Water quality	Water quality at main recreational beaches	90% of samples meet Ministry for the Environment guidelines	Contract reports	Strong fit with outcome.	Stormwater

	Indicator	Measure	Target	Data source	Rationale	Activity area
4.3	Water quality	Quality of drinking water	Maintain at least a 'b' grading ("satisfactory, very low level of risk") across all distribution zones	MoH	Strong fit with outcome.	Water Supply
4.4	Water quality	Residents' satisfaction with the city water supply	≥80%	Communitrak Survey	People's perception of water quality is closely associated with perceptions about their health and the health of the natural environment.	Water Supply

5. Council outcome: A healthy natural environment

We value and protect the natural environment and promote a sustainable city. Resources are used efficiently and there is minimal waste and pollution.

5.1	Parks and reserves	Area of natural parks and reserves (per 1000 residents)	NA	Yardstick Survey	Simple, understandable measure of space provision and common across a number of Councils. Breakdown by maintained and natural is more meaningful.	Parks and Reserves
5.2	Solid waste	Amount (tonnes) of waste to landfill (per \$GDP)	Reducing trend over 5 years	Management report	Amount/volume of waste is strongest fit with the outcome. Amount per \$ GDP to match ESS.	Solid Waste
5.3	Recycling	Amount (tonnes) of kerbside recycling (per capita)	Increasing trend over 5 years	Management report	Amount/volume of recyclables is strongest fit with the outcome.	Local Urban Environment

	Indicator	Measure	Target	Data source	Rationale	Activity area
5.4	Freshwater quality	Biological health of rivers (macroinvertebrates)	Maintain at least a "good" rating across all sampling sites	GWRC	Strong link to outcome. Reliable measure that is readily understood. Report on 6 sample sites across 3 rivers (ESS reports on 2 rivers).	Stormwater
5.5	Water use	Total (residential and commercial) water use (per capita)	Reducing trend over 5 years	Management report	Strong fit with outcome and ESS. Target modified from current static of <350 litres per head (which is consistently achieved).	Water Supply
6. Council outcome: Actively engaged in community activities <i>Members of our community participate in arts, cultural, sports and other recreational and leisure activities. The city provides for and encourages participation in these activities.</i>						
6.1	Swimming pools	Number of visits to Council swimming pools (per capita)	Target to be developed	Leisure Active	Robust measure of overall use of pools.	Aquatics and Recreation
6.2	Swimming pools	Residents' satisfaction with Council swimming pools	≥93%	Communitrak Survey	Good overall measure of social worth of pools and value as seen by the community.	Aquatics and Recreation
6.3	Recreational programmes	Estimated number of attendances at recreational activity programmes	NA	Leisure Active	Considerable area of Leisure Active's work that is not currently captured and links well to outcome.	Aquatics and Recreation
6.4	Recreational programmes	User satisfaction with Leisure Active recreational programmes or events	≥92%	Communitrak Survey	Data from residents' survey is limited in this respect (only 25% of households (125 households) had taken part in a recreation programme in the previous 12 months). Preference would be to base it on a survey of a sample of users.	Aquatics and Recreation
6.5	Physically active	Percentage of residents who are physically active for ≥5 days a week	≥55%	Communitrak Survey	Good state of the environment indicator around broader impact of Council's activities.	Aquatics and Recreation

	Indicator	Measure	Target	Data source	Rationale	Activity area
6.6	Museum visitors	Number of museum visits	200,000	Electronic door count/ Monthly management report	Considered a useful measure as it enables the tracking of trends in visitor numbers, especially to determine which exhibitions have been popular.	Museums
6.7	Museum visitors	Visitor satisfaction with The Dowse	Target to be developed	Internal survey	More relevant measure than resident satisfaction as captures people that have actually visited museums.	Museums
6.8	Museum exhibitions and programmes	Percentage of the art collection displayed	NA	Management data	Key area of activity, not currently reported. This information often requested by the public and Councillors.	Museums
6.9	Museum exhibitions and programmes	Number of new exhibitions held at The Dowse and Petone Settlers Museum	NA	Monthly management report	Key area of activity, not currently reported. Also useful as a way of communicating to public what our museums offer.	Museums
6.10	Museum exhibitions and programmes	Number of participants on school and community education programmes (and satisfaction)	11,000 participants (≥90%)	Monthly management report (Participant evaluations)	Educational programmes are a key area of activity for museums.	Museums
6.11	Parks and reserves provision	Area of sports park (per 1000 residents)	NA	Yardstick Survey	Simple, understandable measure of space provision and common across a number of Councils.	Parks and Reserves
6.12	Parks and reserves provision	Households within 1km of a children's playground	90%	Asset Management Plan	Simple, understandable measure of accessibility of play spaces. Location is a key aspect of accessibility as many users walk to these spaces.	Parks and Reserves

	Indicator	Measure	Target	Data source	Rationale	Activity area
6.13	Parks and reserves use	Percentage of households that have used or visited parks, reserves or gardens in the previous 12 months	≥89%	Communitrak Survey	Simple, understandable baseline measure of use.	Parks and Reserves
6.14	Parks and reserves satisfaction	Residents' satisfaction with sportsgrounds	≥95%	Communitrak Survey	Considered one of the more useful indicators in the current set. Useful as a benchmark against other Councils.	Parks and Reserves
7. Council outcome: Strong and inclusive communities <i>People feel a sense of belonging and are included in the community. Our city is built on strong communities that value diversity and support newcomers.</i>						
7.1	Library visitors	Number of new library members	NA	Monthly management report	Easy measure for collecting something on active membership - other potential indicators do not account for inactive members and are of limited value.	Libraries
7.2	Library visitors	Number of physical visits (per capita)	13 per annum	Monthly management report	Considered very useful as the measure of physical visits. Measuring visits 'per capita' means it is readily understood, sensitive to population change and can be benchmarked against other Councils.	Libraries
7.3	Library visitors	Number of visits via <i>Libraries Online</i>	≥200,000 website visits per annum	Monthly management report	Useful to report these virtual visits in addition to the physical visits.	Libraries
7.4	Library services	Number of items issued, renewed and reserved	NA	Monthly management report	Precise measures of the volume of library transactions.	Libraries
7.5	Library stock	Turnover of library stock	≥national mean		Good indicator of whether library stock is meeting the needs of the community.	Libraries

	Indicator	Measure	Target	Data source	Rationale	Activity area
7.6	Library programmes	Number of participants at library programmes and events	NA		Considerable area of library activity that is not currently captured and links well to outcome.	Libraries
7.7	Support programmes	Community organisations' satisfaction with the availability and quality of our support, advice and funding	≥90%	Survey of community organisations	Direct feedback from organisations that have had engagement with the Council.	Community Support
7.8	Support programmes	Number of new settlement support clients	NA	Internal data	Useful headline indicator for Council's work in this area, albeit not strongly outcome focused.	Community Support
7.9	Sense of community	Residents' perceptions that they feel a sense of community with others in their local neighbourhood	≥60%	Quality of Life Survey	Useful headline indicator for a range of community support activities, and well linked to outcome.	Community Support
7.10	Visitors	Number of visits to the i-SITE (international, national, regional, local) and revenue generated from sales	Target to be developed	i-SITE data	Council's main visitor services are delivered through the i-SITE and these are good indicators of performance of marketing, so connected to what Council does in this area. Linked to this outcome because of role of the i-SITE in providing a service to the local community.	Economic Development
7.11	Visitors	Number of visits to the i-SITE website (www.huttvalleynz.com)	Target to be developed	i-SITE data from google-analytics	Council's main visitor services are delivered through the i-SITE and these are good indicators of performance of marketing, so connected to what Council does in this area. Linked to this outcome because of role of the i-SITE in providing a service to the local community.	Economic Development

	Indicator	Measure	Target	Data source	Rationale	Activity area
7.12	Housing	Number of Council rental housing units by type	≥210 housing units by 2013	Monthly management report	A key aim of Urban Plus is to increase the number of rental properties available to tenants, but this is not currently reported. A key aim is to also improve the appropriate-ness of the type of units (eg, bedsits, 1 bedroom, 2 bedroom, 3+ bedroom). Not yet sure of what the most appropriate mix of unit types is, so this measure will need to be supported by a qualitative assessment of the appropriateness.	Property
7.13	Housing	Council housing tenants' satisfaction with condition of accommodation	90%	Urban Plus survey	'Satisfaction' is always high because not a lot of choice for tenants; but specifying it is about the condition of their accommodation adds a quality aspect that is likely to get a more useful response.	Property
7.14	Public halls and venues	User' experience in using public halls (rating)	Target to be developed	Leisure Active survey	Users' satisfaction with halls is more relevant than current measure of residents' satisfaction where 32% respond 'Don't Know/Unable to say.'	Leisure Active
7.15	Public halls and venues	Number of hours public halls booked		Leisure Active data	Good measure of overall 'use'.	Leisure Active
8. Council outcome: A healthy and attractive built environment <i>Our built environment enhances our quality of life. Our city is vibrant, attractive, healthy and well-designed. We promote development that is sustainable, and that values and protects our built heritage and the natural environment.</i>						
8.1	Land use density	Population density (per hectare): total land area; residential activity area	NA		Linked to a key AER in the DP to contain the urban area and provide for higher densities.	Environmental Management

	Indicator	Measure	Target	Data source	Rationale	Activity area
8.2	Land use density	Dwelling density (per hectare) in residential activity area	NA		Linked to a key AER in the DP to contain the urban area and provide for higher densities.	Environmental Management
8.3	Amenity value	Number of noise complaints received	Target to be developed		Linked to a key AER in the DP relating to amenity value. Noise can have a significant adverse effect on the environment, and on the city's amenity value.	Environmental Management
8.4	Amenity value	Number of abatement notices and enforcement orders issued for non-compliance with resource consent conditions	Target to be developed		Non-compliance with resource consent conditions may have an adverse effect on the city's environment. Fewer instances of non-compliance likely to contribute to better environmental outcomes.	Environmental Management
8.5	Sense of pride	Residents' feel a sense of pride in the way the city looks and feels	Increasing trend over 5 years	Quality of Life Survey and Community Survey	Closely connected to the city's amenity value which is a key AER in the DP.	Local Urban Environment
8.6	Parks and reserves	Area of maintained parks and reserves (per 1000 residents)	NA		Simple, understandable measure of space provision and common across a number of Councils. Breakdown by maintained and natural is more meaningful, each contributing to a different outcome.	Parks and Reserves
8.7	Parks and reserves	Residents' satisfaction with parks, reserves and gardens	≥95%	Community Survey	Useful as a benchmark against other Councils. Critical factor in liveability, closely linked to quality of life, and to the "live" and "play" aspects of HCC's vision.	Parks and Reserves

Indicator	Measure	Target	Data source	Rationale	Activity area	
8.8	Heritage protection	Number of listed protected heritage items: buildings; trees; cultural sites; archaeological sites	NA		Linked to a number of AERs in the DP concerning protection of trees and heritage, cultural and archaeological resources. Provides for an overall measure of the extent of protected resources that is easily understood. Needs to be supported by contextual information that explains any change (eg, number of heritage buildings demolished or added to the list).	Environmental Management
8.9	Building consents	Number of consents granted for solar panels	50 per annum by 2013; 60 per annum by 2018	Monthly management report	Linked to measure in the ESS and to the Council's Eco Design role.	Environmental Management
9. Council outcome: A well-governed city <i>All members of our community are empowered to participate in decision-making and to contribute to society. Their values and ideas are reflected in the decisions Council makes.</i>						
9.1	Democratic processes	Residents' satisfaction with the Council's consultation and engagement	Improvement	Community Survey	Consultation is one of the key ways for the community to input their views on decision-making. Consultation and engagement is also key to public relations.	Advice and Support
9.2	Democratic processes	Percentage of voter turnout at Council elections	NA	DIA	Elections are one of the key democratic processes of Council.	Elected Members
9.3	Democratic processes	Residents' perceptions of their extent of influence on the decisions the Council makes	Target to be developed	Quality of Life Survey	Consultation is one of the key ways for the community to input their views, and it is important that decisions are influenced by these views. In 2008, 63% thought they had 'some' or 'large' influence.	Advice and Support

	Indicator	Measure	Target	Data source	Rationale	Activity area
9.4	Governance and decision-making	Percentage of residents who understand how the Council makes decisions	Target to be developed	Quality of Life Survey	Understanding of how decisions are made increases the transparency of the decision-making process. In 2008, 33% said they understood how the Council makes decisions.	Advice and Support
9.5	Governance and decision-making	Percentage of residents who are confident that the Council makes decisions in the best interest of the city	Target to be developed	Quality of Life Survey	Confidence in decision-making is a reflection of the quality of the information and advice, and the logistical support, provided to Council and community boards. In 2008, 46% said they were confident.	Elected Members

APPENDIX B: COUNCIL ACTIVITY MONITORING INDICATORS

Measure		Target 2011-12
Activity 1: Libraries		
1	Percentage of residents who have used library services during the year	≥80%
2	Residents' satisfaction with library services	≥97%
Activity 2: Museums		
3	Residents' satisfaction with The Dowse Art Museum	≥93%
4	Residents' satisfaction with Petone Settlers Museum	≥93%
Activity 3: Aquatics and Recreation		
5	Residents' use of pools	≥65%
6	Out of School Care and Recreation (OSCAR) accreditation of quality standards for holiday programmes	Accreditation maintained
7	POOLSAFE accreditation for swimming pool operation, including quality standards for health and safety, water quality, supervision, pool building and operation, signage and other standards	Accreditation maintained
8	Cost per visit to Council of aquatic services provided	\$4.31
9	Residents' use of 'Leisure Active' programmes and events	≥30%
Activity 4: Parks and Reserves		
10	Residents' satisfaction with cemeteries	≥90%
11	Sports fields meet the standard agreed with sports codes	≥95%
12	Maintain a high standard of maintenance and development of playgrounds, parks, reserves, gardens and cemeteries	95% of contract and asset management plan requirements met
Activity 5: Community Development		
13	Residents' satisfaction with the city overall being free of graffiti	≥80%
14	New settlers' satisfaction with the availability and quality of our support, advice and training	≥90%

Activity 6: Property		
15	Residents' satisfaction with public halls	≥94%
16	Residents' satisfaction with public toilets	≥70%
17	Occupancy rate of Council rental housing	90%
Activity 7: Roading and Traffic		
18	Residents' satisfaction with roads and gutters being free of Litter	≥87%
19	'Smooth Travel Exposure', which is a nationally accepted measure of road roughness	Hold or improve rating
Activity 8: Water Supply		
20	Compliance with New Zealand Drinking Water Standards	Full compliance
21	Provide a reliable water supply Service	Fewer than four unplanned supply cuts per 1000 connections
22	Respond promptly to water supply disruptions	97% of requests responded to within one hour of notification
23	Maintain the average unmetered water consumption in Hutt City	Less than 350 litres per head per day
Activity 9: Wastewater		
24	Residents' satisfaction with the city wastewater service	≥95%
25	No resource consent-related infringement notices received from GWRC	No infringement notices
26	Provide a reliable wastewater Service	Fewer than 1.2 wastewater incidents reported per kilometre of wastewater reticulation pipeline
27	Respond promptly to wastewater disruptions	97% of requests responded to within one hour of notification
Activity 10: Stormwater		
28	Residents' satisfaction with the city stormwater service	≥80%

29	Provide a reliable stormwater service	Fewer than 0.5 stormwater incidents reported per kilometre of stormwater pipeline
30	Respond promptly to stormwater disruptions	97% of requests responded to within one hour of notification
Activity 11: Solid Waste		
31	Residents' satisfaction with: <ul style="list-style-type: none"> • rubbish collection • refuse disposal 	<p>≥93%</p> <p>≥87%</p>
32	No resource consent-related infringement notices received from GWRC	100% compliance
Activity 12: Environmental Management		
33	Residents' satisfaction with: <ul style="list-style-type: none"> • animal services • parking services • environmental health services 	<p>≥82%</p> <p>≥65%</p> <p>≥75%</p>
34	Land Information Memoranda (LIMs) processed to comply with statutory requirements	90% processed within nine working days
35	Building consent/project information and resource consents processed to comply with the Building Code, RMA and District Plan requirements	80% of building and non-notified land use consents processed within 18 working days
36	Resource consents are monitored within five working days of being notified that development is commencing or within six months of the consent being granted, whichever is the sooner	90% of resource consents monitored within these timeframes
37	Requests for service referred to RMA monitoring and enforcement team responded to within required timeframes	100% acknowledged within 24 hours
38	Building consents for fireplaces processed in a timely manner	100% processed within five working days
39	Building consents for solar panels processed in a timely manner	100% processed within five working days
40	Premises (eg, food outlets and liquor outlets) registered or licensed within 30 days of application	90%

41	Code compliance certificates issued within 20 working days to comply with statutory requirements in the Building Act 2004	<ul style="list-style-type: none"> • 100% issued within 20 working days • 80% issued within 18 working days
42	Dog pound open 300 days per year	100%
43	Dog complaints are responded to: <ul style="list-style-type: none"> • within 30 minutes for dog attacks • within 24 hours for other complaints 	95% 95%
44	Noise complaints responded to within 45 minutes	85%
Activity 13: Emergency Management		
45	We respond to emergencies in accordance with the Wellington Region Civil Defence Emergency Management Group Plan and the Civil Defence Emergency Management Act 2002	100%
46	We respond to rural fires in accordance with the Hutt City Rural Fire Plan and the Forest and Rural Fires Act 1977 and the Forest and Rural Fires Regulations 2005	100%
Activity 14: Local Urban Environment		
47	Businesses feel a sense of pride in the way the city looks and feels	≥previous results
48	Residents' satisfaction with: <ul style="list-style-type: none"> • litter control • recycling 	≥86% ≥86%
49	Percentage of households that have used the recycling service in the previous 12 months	≥86%
50	All residents have access to community recycling facilities	100%
Activity 15: Economic Development		
51	Businesses' satisfaction with economic development programmes	≥85%
52	Residents' satisfaction with the Visitor Information Centre	≥91%
53	Hutt City's economic performance according to the annual Economic Development Strategy report to Council	<ul style="list-style-type: none"> • Improvement in relative ranking with other cities measured • Working towards a 10-15% increase in number of businesses, number of FTEs and GDP by 2014, and a 30% increase by 2019

Activity 16: Elected Members		
54	Residents' satisfaction with the Mayor's and councillors' performance	≥90%
55	Residents' satisfaction with the way we spend their rates	≥83%
Activity 17: Advice and Support		
56	Councillors are satisfied or more than satisfied with the formal advice they receive from officers	80%
57	Councillors are satisfied or more than satisfied with responses to requests for help from officers	80%
58	Community board and community committee members are satisfied or more than satisfied with the formal advice they receive from officers	80%
59	Community board and community committee members are satisfied or more than satisfied with responses to requests for help from officers	80%
Activity 18: Managing Services		
60	Staff turnover	Less than 12%
61	Legal and policy requirements	No significant instances of non-compliance
62	Work-related accidents	Fewer than six resulting in time off work

APPENDIX C: MONITORING INDICATORS FOR COUNCIL STRATEGIES

Economic Development Strategy 2009–2014

Indicator	Base	Target 2014	Target 2019
More Business Activity Happening in Hutt City			
GDP	\$3.8 Billion (\$2007)	10-15% increase and improvement against peer councils	30% Increase and improvement against peer councils
Business co-operation measure TBA	To be established	Increase	Increase
Exports as proportion of GDP	To be established	25% Increase	50% Increase
Recognition of Hutt City as a Business Location and Vibrant City			
AC Neilson national perceptions survey	To be established	Increase	Increase
Business perceptions	From business survey	Positive	Positive
Media publicity	From Media		
Hutt City GDP as proportion of region	19.7% of region (excluding Wairarapa)	Increase	Increase
Continued Investment in Current and New Business Activities			
Businesses involved in Council consultations	To be established	Increase	Increase
Open access fibre laid in Hutt City (km)	To be established	Increase	Increase
Investment in strategic transport assets (\$)	To be established	Increase	Increase

A Strongly Entrepreneurial Skilled and Available Workforce			
Difficulty filling skilled vacancies	64% reported difficulty (2008)	Less than 50%	Less than 50%
Businesses and FTE's in high value sectors	To be established	Increase	Increase
A More Environmentally Sustainable Hutt City Business Community and Economy			
Waste to landfill per million GDP^(a)	34 tonnes per million GDP (2007)	33 tonnes per million GDP	32 tonnes per million GDP
CO₂ emissions per thousand GDP	135kg per thousand GDP (2007)	5% reduction	15% reduction
Business sustainability assistance (non reg.)	To be established	Average annual increase of 10%	Average annual increase of 10%

^(a) Measure also in the ESS.

Environmental Sustainability Strategy 2009–2014

Indicator	Base	Target 2013	Target 2019
Waste			
Waste to landfill per \$GDP	34 tonnes per million GDP (2007)	33 tonnes per million GDP	32 tonnes per million GDP
Volume of recycling per capita	63.1 kg per capita (2007)	80 kg per capita	105 kg per capita
Greenwaste diverted from landfill ^(a)	0 tonnes	5000 tonnes p.a.	10,000 tonnes p.a.
Other waste diverted from landfill ^(a)	500 tonnes p.a. (estimated 2007)	2000 tonnes p.a.	5000 tonnes p.a.
Transport			
Proportion of newly registered light vehicles in Hutt City with fuel economy of 6 litres per 100 kilometres or better	3.7% (2005-2007 estimated from national data)	10%	20%
Fuel use per capita per annum	986 litres per capita (2005/2006)	908 litres per capita	852 litres per capita
Proportion of driver vehicle trips made to work	54.5% (2006)	50%	45%
Energy			
Consents for small scale local electricity production per annum	5 (2007 estimated)	20	30
Proportion of Hutt City housing with floor and ceiling insulation	To be established	To be developed	To be developed
Proportion of Hutt City housing with efficient heating (heat pumps natural gas, and pellet fires)	To be established	To be developed	To be developed
Water			

Indicator	Base	Target 2013	Target 2019
Hutt River water quality rating^(b)	MCI fair (2007)	Good	Good
	WQI good (2007)	Good	Good
Wainuiomata River water quality rating	MCI fair (2007)	Good	Good
	WQI fair (2007)	Good	Good
Residential water consumption per capita	250 litres per day (2006/2007)	240 litres per day	230 litres per day
Urban form			
Impervious surface coverage	To be established	To be developed	To be developed
City urban footprint	To be established	To be developed	To be developed
Proportion of dwellings within 5 minutes walk of commercial centres or main arterials	To be established	To be developed	To be developed
Composite urban form index	To be established	To be developed	To be developed

Biodiversity			
Council owned and administered land biomass	To be established	To be developed	To be developed
Urban (built up area) biomass	To be established	To be developed	To be developed
District biomass	To be established	To be developed	To be developed

Indicator	Base	Target 2013	Target 2019
Proportion of native forest to total biomass (district wide)	To be established	To be developed	To be developed
Council			
Environmental Sustainability Strategy actions completed	n/a	70%	100%
Council environmental accreditation to ISO 14001	n/a	Achieved	Maintained
Energy consumption (electricity and gas)	22.8 million kWh (2007)	20.5 million kWh	19.4 million kWh
Kilometres travelled by car (Council business)	1934 km per annum per FTE	1740 km per annum per FTE	1644 km per annum per FTE
Proportion of staff travelling to/from work in sole occupancy car	58%	40%	30%

^(a) These indicators apply only if an assessment of the social, financial, and environmental costs and benefits supports establishing such operations. These assessments will be undertaken in 2010/2011.

^(b) Macroinvertebrate community index (MCI) and water quality index (WQI).