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**REPORT 8**  
*(1215/52/IM)*

## **EARLY APPROVAL AND APPLICATION OF NEW BUILDING CONSENT AND LICENSING SERVICES CHARGES**

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### **1. Purpose of Report**

This report requests the early adoption of a range of specific charges relating to building consents and licensing activities.

### **2. Executive Summary**

A range of public health fees relating to the annual registration of health businesses and for dog registration are required by legislation to be paid by owners/operators by 1 July annually.

The movement in annual registration of licensing fees are required to be approved by Council and implemented by officers by the end of April to ensure adequate time for owners/operators to make payment and receive re-registration by statutory deadlines.

A new fee is also required to recover a newly legislated activity in the building consent process relating to checking that licensed building practitioners designing, carrying out or supervising restricted building work are doing so within the scope of their licence. This new activity and requirement takes effect on 1 March 2012.

### **3. Recommendations**

Officers and the Funding and Activity Review Working Party recommend that the Strategy and Policy Committee:

- 1. Receive the information.*
- 2. Approve the new building consent fee of \$48.75 for restricted building work and for it to take effect from 8 March 2012.*
- 3. Approve the increase in health and dog registration fees (as per Appendix One) to take effect from 1 July 2012.*

4. *Note that the early approval of health and dog licence and registration fees is necessary in order to allow customers to be notified in sufficient time to be fully paid up and registered (as legally required) by 1 July 2012.*

#### **4. Background**

The Building Consents and Licensing Services (BCLS) business unit is seeking early approval of a range of fees and fee increases in order to cover the implementation of legislative change or meet legislative requirements for registration for activities by 1 July 2012.

The proposed changes have been considered and approved by the FAR working party. Information was provided by Officers in order to satisfy the FAR working party as to the necessity and the appropriateness of the proposed fees.

#### **5. Discussion**

##### **5.1 Increase in Health Licence Fees**

Food premises registration and health licenses are legislatively required to be paid by 30 June each year in order for the owners/operators of those businesses to legally operate their premises. In order to meet this deadline a number of internal processes and system changes are required prior to applying fee changes. The Draft Long Term Plan (LTP) process would not allow this time for changes to be made, customers notified and payment to be made by customers before the 30 June deadline.

If early approval and implementation does not occur, then Council will not be able to apply the new fees for the current registration year, with implementation having to wait until 1 July 2013.

##### **5.2 Increase in Dog Fees**

Similarly to food and health registration, dogs are required by legislation to be registered by 1 July each year. In order to meet this deadline a number of internal processes and system changes are required prior to applying fee changes. Given that final approval of the Draft LTP occurs in late June, the draft LTP process would not allow this time for changes to be made, customers notified and payment from customers before the 30 June deadline.

It would also mean that there is an increased risk of Responsible Dogs Owners (RDOs) technically failing to meet the conditions of being an RDO. This would affect over 2500 dog owners.

##### **5.3 New Restricted Building Work Fee**

The Building Act 2004 requires that from 1 March 2012, all building consent applications involving restricted building work must be done by a licensed building practitioner (LBP). Restricted building work includes design, construction and supervision.

LBP's must be licensed for the type of work they are carrying out and Council Officers must check the scope and currency of the LBP's license before signing off the work. The new fee covers additional work that needs to be completed by officers.

#### **5.4 Consultation and Engagement**

Officers have assessed the fee setting provisions in the Dog Control Act 1996 and the Health (Registration of Premises) Regulations 1966. This legislation does not require public consultation to set fees, however fees must be set by resolution of Council. Dog fees are required to be publicly notified at least once in the month preceding the start of the registration year.

The Building Act 2004 allows for the Council to set and charge fees for building consent activities. There is no requirement for public consultation prior to setting these fees.

#### **5.5 Long-Term Council Community Plan Considerations**

Approval of the attached fees is consistent with the funding ratios to be achieved in 2012/13 in the Revenue and Financing policy.

## **6. Conclusion**

The proposed fees covered by this paper are those building consent and public health fees that must be approved early and outside the Draft LTP process. These fees do not cover all fee changes approved by the FAR working party, only those where early approval is necessary in order to either minimise the impact of legislative changes that took effect on 1 March 2012 or enable customers/applicants to meet legislative registration requirements.

The fees being sought for early approval are to enable dog owners or food premise owners to be informed of the new fees and be paid up in time to meet legislative requirements, or in the case of the restricted building work, to allow for fees to be charged for work associated with the new requirements introduced by the Department of Building and Housing from 1 March 2012. The proposed changes enable the cost of activities to be fairly charged to the users of those activities.

All other building and public health fees will be subject to the full LTP consultation process.

Contact Officer: *John Scott – Group Manager Building Consents and Licensing Services*

## Supporting Information

### **1) Strategic Fit / Strategic Outcome**

*The paper supports Council activities as a regulator under the Building Act 2004, Health Act 1956 and Dog Control Act 1996, and its role as a regulator of building control and public health activities*

*This paper supports the Council outcomes:*

*6.5 Healthier – Wellingtons population will enjoy a healthy lifestyle and high standards of public health*

*2.1 Safer – to ensure that people in wellington feel safe at any time.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*The activities as regulator are undertaken by the City Services and Events Directorate under activities 6.2.1, 6.5.3 and 1.4.2 and are funded under projects C480 and C478*

### **3) Treaty of Waitangi considerations**

*N/A*

### **4) Decision-Making**

*This is not a significant decision. FAR considered a number of options and reflects the views and preferences of those with an interest in this matter.*

### **5) Consultation**

#### **a) General Consultation**

*Council is not required under legislation to consult on this matter. Communication strategies with those affected parties will be implemented to ensure applicable changes are understood.*

#### **b) Consultation with Maori**

*N/A*

### **6) Legal Implications**

*This report meets Council's statutory obligations.*

### **7) Consistency with existing policy**

*This report is consistent with existing applicable policy including the Dog Control Policy and the Public Health Bylaw.*

**Schedule of Fees requiring Early Approval**

**Building Control and Facilitation**

<b>Building Consent Fees</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
Restricted building work check	n/a	\$48.75

**Public Health Regulations**

<b>Animal Control</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
<b>Registration per animal</b>		
Entire	\$160.00	\$165.00
Neutered/spayed (with proof)	\$115.00	\$118.80
Working dogs	\$45.00	\$48.00
Approved responsible owner	\$55.00	\$57.00
<b>Health Licensing and Inspection</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
<b>Annual Licence for registered food premises</b>		
Excellent grade	\$175.00-\$580.00	\$180.00-\$595.00
Good grade	\$290.00-\$820.00	\$300.00-\$840.00
Ungraded	\$350.00-\$1,050.00	\$360.00-\$1,080.00
Ungraded – high risk	\$465.00-\$1,050.00	\$480.00-\$1,845.00
VIP registration and verification	\$460.00-\$1,750.00	\$470.00-\$1,795.00
<b>Health licence</b>		
Small clubs (min. food prep)	\$145.00	\$150.00
Unregistered eating houses	\$205.00	\$210.00
<b>Annual Licence for registered premises</b>		
Animal boarding	\$235.00	\$240.00
Camping grounds	\$235.00	\$240.00
Hairdressers	\$120.00	\$125.00
Mortuaries/Funeral Directors	\$145.00	\$150.00
Offensive Trades	\$290.00	\$300.00
Poultry farm/Piggeries	\$145.00	\$150.00
<b>Annual Licence</b>		
Pools: commercial pools/spas	\$235.00	\$240.00
Pools: commercial pools/spas – excellent	\$120.00	\$125.00
Saunas only	\$100.00	\$105.00

*Officer advice awaiting Council / Committee decision. Refer minutes for decisions.*