

SCHEDULE FOUR NOISE CONTROL

1. GENERAL REQUIREMENT

- 1.1. The Supplier will have the capacity to provide staff that will be designated by the Council as Noise Control Officers. The Officers shall undertake noise control enforcement on behalf of the Council within the district of the City of Christchurch.
- 1.2. The Noise Control Officer, will be authorised and warranted by the Council.
- 1.3. The Officer must hold a current Security Guards licence issued under the holder of a licence as a property guard under Section 34 of the private Security personnel and private investigators Act 2010. The Supplier will provide evidence of staff qualifications before they start as a Noise Control Officer. The Supplier will annually update the Council on staff qualifications on the anniversary of the commencement date of this Agreement.
- 1.4. If the Supplier is the holder of the Security Guards Licence under the private security personnel and private investigation Act 2010, the Supplier must provide regular updates of the staff under this licence to Council
- 1.5. The Supplier must have the ability to conduct investigations that fall outside excessive noise criteria and report all findings directly to Council.
- 1.6. The Supplier must provide a facility to temporarily store confiscated equipment.
- 1.7. The Supplier shall provide a “contact centre” style service to take calls from the public in relation to noise control service and demonstrate this ability as well as directing their response from those calls.
- 1.8. The Supplier must maintain the confidentiality required for the complainant, the responding Noise Control Officer and Council
- 1.9. Any data storage, sensitivity of the data and its storage and retention schedules related to Council will be in line with Councils own policies.

2. PROCESS:

- 2.1 On receipt of a complaint, the Supplier shall record the following information and the next Business Day provide via email a receipt of the complaint to Compliancesupport@ccc.govt.nz with “Noise complaint” in the subject line.

The email is to include the following details:
 - (a) The actual time and date of receipt of complaint;
 - (b) The complainant’s name, address and phone number, if provided;
 - (c) The noise offender’s name, address, and phone number, if known;
 - (d) A description of the nature of noise, e.g. party, stereo etc.;
 - (e) Details of the frequency of the problem, e.g. weekly, monthly, or isolated incident.
- 2.2 If the complainant refuses to identify themselves, advise the caller that no further action will be taken. The complaint will be noted and reported on.
- 2.3 The Noise Control Officer will be deployed.

- 2.4 The Noise Control Officer shall go to the “vicinity of the complainant’s property”, make a determination at that time as to whether the noise complained of is excessive. The “vicinity of the complainant’s property” means from the complainant’s boundary.
- 2.5 Where the Noise Control Officer has determined that the noise is excessive and there is no risk of violence, they shall approach the occupants at the offending property and serve an END.
- 2.6 If the noise complained of is excessive (as defined in Section 326 of the Resource Management Act 1991), and they wish to issue an Excessive Noise Direction (END) and the Noise Control Officer is concerned that there is a real risk of violence or that for any other special reason the matter appears to require the involvement of the Police, he or she shall refer the complaint to the Police under the following terms:
 - (a) I have carried out an investigation into a complaint of excessive noise emanating from (specify address);
 - (b) I am satisfied that the noise is excessive;
 - (c) I am also satisfied that there is a risk of violence or other (stated) reason and I request Police attend to the enforcement of an END in this instance.

Note: The Noise Control Officer may assist the Police by issuing/drafting the END for the Police to enforce.

- 2.6 The Supplier, when requested and appropriate, may advise the complainant that the matter has been referred to the Police for action.
- 2.7 Where a current Excessive Noise Direction has not been complied with after its issue, or after such reasonable time as they may determine, the Noise Control Officer will advise the Police that they wish to carry out action under Section 328 of the Resource Management Act 1991 to abate the noise by seizure and removal of the offending instrument, appliance, vehicle or machine producing or contributing to the excessive noise, or render inoperable, or lock or seal, so as to make unusable any such equipment, and request the assistance of the Police to undertake such action. The method of such abatement action will be determined in consultation with the senior police officer present at the premises,
- 2.8 Where enforcement action is taken or seizure of equipment takes place, the Supplier shall report in detail in writing, details of the series of events including times, dates and locations involved, names of occupants spoken to, action taken, equipment removed and other relevant information for use as evidence in any further legal action that may follow.
- 2.9 Where any property has been seized and impounded by a Noise Control Officer, the Supplier shall hold such property at the Suppliers’ site and at its own risk until arrangements are made for collection, and release of equipment to the owners or other means of disposal at Council’s discretion or according to Council policy and decisions in any particular case.
- 2.10 All fines and any other money collected resulting from any enforcement action shall be retained by the Supplier and paid to Council.

3. CONFIDENTIALITY

- 3.1 All details relating to any complainant’s identity such as name and address shall be confidential to the Supplier, the Noise Control Officer involved and Council.
- 3.2 Noise Control Officers and employees of the Supplier shall not share details verbally, in writing or otherwise e.g. by gesture or other indication; with any third party unless specifically authorised or requested to do so by Council or for operational and health and safety purposes.
- 3.3 Maintain security and confidentiality regarding operations, records and the Agreement itself.

4. OTHER DUTIES OF THE SUPPLIER

- 4.1 The Supplier shall maintain availability of the noise control complaint service by telephone at all times.
- 4.2 Provide, at the Supplier's expense, training to their employees who are appointed Noise Control Officer's. Such training may, by mutual agreement, be provided in whole or part by Council, and shall otherwise be to a standard approved by Council.
- 4.3 Provide, at the Supplier's expense, vehicles, telecommunication equipment, uniforms and other equipment necessary for efficient enforcement and discharge of duties covered by the contract.
- 4.4 Provide noise enforcement services with reference to Council's policies and plans etc. which Council may impose, alter or repeal at any time. (KPIs ref removed)
- 4.5 Provide a direct electronic linkage and sharing of records and details of all complaints investigated (as set out in paragraph 2.1).
- 4.6 Co-operate fully with the Regulatory Compliance Unit of the Council in providing advice and assistance as appropriate relating to noise enforcement.
- 4.7 Provide such regular or other reports requested from time to time by Council concerning matters relating to noise control enforcement.
- 4.8 Provision as necessary of administrative services and records including statistical analysis of complaints received, actioned and processed.
- 4.9 Arrange for a key account manager to attend meetings as required.
- 4.10 Arrange for officers to attend as witnesses in the event of any prosecutions resulting from noise control enforcement actions.

5. ATTENDANCE FOR NOISE CONTROL ALARM DEACTIVATION

- 5.1 If an Alarm Technician is required to attend a noise control problem created by an unattended audio alarm activation, the Technician will take all reasonable steps to disconnect the external siren. In the event the alarm cannot be disconnected externally and entry into the premises is required to affect the deactivation, the Technician is then required to co-ordinate the attendance of the Police and a Council approved locksmith. The locksmith will be required to invoice the Council direct for their services.

6. REPORTING

- 6.1 The Supplier will provide a daily report (provided each Business day) with a summary including, but not limited to:
 - the number of noise complaints during the reporting period;
 - the location and type of complaint;
 - the outcome of each complaint (provide details, i.e. were the Police involved; was a follow up required, was a confiscation order enacted?); and
 - details of confiscated goods and their status.
- 6.2 Monthly reporting is required and will include, but is not limited to:
 - Issues register
 - KPI status.

7. KPI MEASURES

General

Item	Performance Type	KPI
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1	Reporting	Monthly reporting to be submitted by the 2 nd Tuesday of every month; Issues register / service fails / KPI status
2	Invoicing	Invoicing to be accurate and submitted by the 25 th of every month

Noise Control

Item	Performance Type	KPI Measure
1	Delivery	70% of calls answered in 30 seconds or less
2	Delivery	90% of complaints about excessive noise to be responded to within 1 hour
3	Delivery	95% of excessive noise directions issued immediately on first visit where excess noise confirmed on site.
4	Reporting	Monthly reporting of calls and response achieved