

Regulatory Compliance

Activity Management Plan 2021-31

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Document control

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1. Introduction

The Regulatory Compliance Activity Management Plan (AMP) covers one of the groups of activities addressed in the Ashburton District Council long Term Plan (LTP). This plan is, therefore, strongly linked to the overall strategic direction for the district.

The purpose of this plan is to outline and summarise Council’s strategic approach for the delivery of the Regulatory Compliance services which address various responsibilities concerning public health and safety, as required by statute.

2. Key Issues for Regulatory Compliance

- Environmental Health - Food operators impacted by COVID-19 are changing the scope of their business to reflect a reduced service, which in turn means submitting a revised Food Control Plan and re-registering their business to reflect the new food operation. A reduced scope could lead to reduced fees for registration and audits due to the operation now being a lower risk.
- Parking – The redevelopment of the CBD includes the replacement of paid metered parking with sensor controlled timed parking. This will result in no revenue from parking meters, once all the meters are replaced with sensors. However there will continue to be revenue from infringements issued for exceeding time limits.

3. Activity Description: Regulatory Compliance

3.1. What we do

Regulatory Compliance encompasses a large number of Council activities such as food safety, noise control, alcohol licensing, environmental nuisance, hazardous substances, gambling control, parking enforcement and animal control.

These activities are in turn controlled by the Environmental Monitoring Team by way of registration and licensing, as well as the auditing and assessing of environmental conditions and hazards which affect, or have the potential to affect human health, either by direct or indirect means.

The following is a summary of those activities covered:

- Environmental Health – Provides registration and inspection services to monitor and enforce standards of public health for food premises, mobile traders, hairdressing salons, camping grounds, beauticians, tattooists and skin piercing, and hazardous substances in public places and private dwellings.
- Alcohol – Provides for the processing, assessing and granting of applications for liquor licences and managers’ certificates. Also provides for the monitoring and enforcing of the requirements of licences and certificates.
- Gambling Venue Consenting – Provides a venue consenting role to address where new gambling venues may be situated and any restrictions on the number of “pokie” machines permitted.
- Animal Control – Provides services to address public safety with the control of dogs.
- Parking – Provides monitoring and enforcement services to address stationary vehicle offences.

3.2. Why we do it

Council provides environmental monitoring services to ensure that people, communities and the environment are kept safe and nuisances are mitigated or managed. This varies from dealing with dangerous dogs to ensuring high standards of food safety are maintained at food premises, as well as enforcing Council Bylaws that set out expected standards in the district.

4. Goals for Regulatory Compliance

The foremost goal of the Regulatory Compliance Activity is to improve, promote and protect public health within the district by the promotion of sustainable environmental practices and the monitoring and enforcement of associated legislation and bylaws.

Our principles

These are the guiding principles for how we will function and deliver activities and services to the community.

- Plan and provide fit for purpose services.
- Work with the community and engage in meaningful conversations.
- Lead the community with clear and rational decision-making.
- Represent the district on regional / national issues and partner with others when needed.

Our contribution to Community Outcomes

Regulatory Compliance contribute to the following Community Outcomes as shown below.

	Residents are included and have a voice	A district of great spaces and places	A prosperous economy based on innovation and opportunity	A balanced and sustainable environment
REGULATORY COMPLIANCE				
Alcohol Licensing & Gambling Venue Consenting		✓		✓
Animal Control		✓		
Environmental Health		✓	✓	
Parking			✓	

5. Levels of Service and Performance Measures for Regulatory Compliance Services

5.1. What are we trying to achieve

- We provide robust environmental monitoring and compliance services
- We respond to customer concerns about environmental health and safety issues within required response times
- The majority of residents are satisfied with the standard of Regulatory Compliance services

5.2. How will we know if we are achieving

What we're aiming for: To improve, promote and protect public health within the district by the promotion of sustainable environmental practices and the monitoring and enforcement of associated legislation and bylaws.

WHAT WE'RE WORKING TOWARDS (Levels of service)	HOW WE'LL MEASURE PROGRESS (Performance measures)	HOW WE'RE PERFORMING NOW (2020/21 results)	WHAT WE'RE AIMING FOR			
			2021/22	2022/23	2023/24	2024/25 – 2030/31
We provide quality alcohol licensing services	Licensed premises are monitored each year	100%	100%	100%	100%	100%
	Stakeholder meetings are held each year	26	10	10	10	10
The majority of residents are satisfied with Council's role in alcohol licensing	Residents are satisfied with how Council undertakes its role in alcohol licensing	90%	85%	85%	85%	85%
We provide quality animal control services	Known dogs are registered (includes dogs otherwise accounted for)	96%	95%	95%	95%	95%

Council contractors respond to animal control incidents within contractual response times	Urgent incidents are responded to within one hour	100%	100%	100%	100%	100%
	Found, wandering or barking dog incidents are responded to within five working days	100%	100%	100%	100%	100%
The majority of residents are satisfied with our animal control services	Residents are satisfied with Council's animal control services	86%	80%	80%	80%	80%
We provide quality environmental health services	Registered food premises are appropriately risk assessed each year	81%	80%	80%	80%	80%
Council contractors respond to environmental health issues within contractual response times	Noise complaints are responded to within two hours	100%	100%	100%	100%	100%

6. Changes Made for Regulatory Compliance

The Regulatory Compliance function will be required to consider future changes which will be influenced by:

- Population growth and demographics – The rate of population growth anticipated in the district is likely to be reflected in a proportionate increase in the activities controlled by Regulatory Compliance.
- Trends in Community Expectations – Changes in community expectations over time may lead to an increase or decrease in the level of control needed.
- Technological Change and Industry Practice – Technological change has the ability to impact on the scope of service and manner of delivery. While there are no predicted technological changes which will have a significant effect on this activity in the medium term, we are moving to capture information using improved devices – such as the hand held devices used in conjunction with parking sensors.
- Changes in Legislation and Policies – The impact of new legislation on this activity in areas such as food safety, alcohol and health and safety will be closely monitored and taken into account when reviewing and developing forecasts and strategies.

7. Key Projects for Regulatory Compliance

- Supporting businesses and the community through the recovery stages of Covid-19.

8. Management of Activity for Regulatory Compliance

8.1. Programmed actions years 1-3

- Continue to closely monitor the impact of new legislation covering, in particular, food safety, alcohol and hazardous substances and review/develop policies and procedures to address change
- Recruiting and retaining competent staff
- Enforcing regulations fairly and appropriately
- Managing on-going exposure to litigation risk
- Addressing public expectations about improved service and outcomes

8.2. Future directions for years 4 – 10

- Review all regulatory compliance functions against statutory requirements and initiate change, where necessary, to ensure the provision of a robust service.

8.3. Capital works programme

The following table details the annual budget for new capital works until 2031. New capital work refers to the development of new infrastructure, which increase the levels of service and/or the capacity of the asset service an increase

in demand.

	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4-10 2024-31 \$000
TOTAL NEW CAPITAL WORKS				221
Parking – censor replacements				221

9. Costs for Regulatory Services

For Regulatory Services

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Operating Funding											
Sources of operating funding											
General rate, UAGC*, rates penalties	1,722	1,377	1,734	1,975	1,997	2,082	2,158	2,255	2,141	2,321	2,367
Targeted rates	0	0	0	0	0	0	0	0	0	0	0
Subsidies and grants for operating purposes	0	0	0	0	0	0	0	0	0	0	0
Fees and charges	2,971	2,987	3,081	3,137	3,223	3,313	3,412	3,471	3,583	3,625	3,733
Internal charges and overheads recovered	121	96	99	101	104	106	109	112	115	118	121
Local authorities fuel tax, fines, infringement fees and other receipts	446	361	362	372	383	394	405	417	429	442	455
Total sources of operating funding	5,260	4,821	5,275	5,586	5,706	5,895	6,084	6,255	6,268	6,506	6,676
Applications of operating funding											
Payments to staff and suppliers	3,394	3,328	3,490	3,557	3,598	3,707	3,761	3,883	3,948	4,085	4,168
Finance costs	33	22	19	16	13	10	9	6	5	4	4
Internal charges and overheads	1,645	1,643	1,818	1,888	1,943	2,028	2,152	2,203	2,278	2,379	2,466
Other operating funding applications	2	2	2	2	2	2	2	3	3	3	3
Total applications of operating funding	5,075	4,995	5,328	5,463	5,556	5,746	5,924	6,094	6,234	6,471	6,641
Surplus/(deficit) of operating funding	185	(174)	(53)	123	150	149	160	161	34	35	35

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Capital Funding											
Sources of capital funding											
Subsidies and grants for capital expenditure	0	0	0	0	0	0	0	0	0	0	0
Development and financial contributions	0	0	0	0	0	0	0	0	0	0	0
Increase/(decrease) in debt	(137)	(137)	(137)	(137)	(137)	(34)	(141)	(141)	(13)	(13)	97
Gross proceeds from sale of assets	0	0	0	0	0	0	0	0	0	0	0
Lump sum contributions	0	0	0	0	0	0	0	0	0	0	0
Other dedicated capital funding	0	0	0	0	0	0	0	0	0	0	0
Total sources of capital funding	(137)	(137)	(137)	(137)	(137)	(34)	(141)	(141)	(13)	(13)	97
Application of capital funding											
Capital expenditure											
- to meet additional demand	0	0	0	0	0	0	0	0	0	0	0
- to improve the level of service	0	0	0	0	0	103	0	0	0	0	118
- to replace existing assets	0	0	0	0	0	0	0	0	0	0	0
Increase/(decrease) in reserves	48	(311)	(190)	(14)	13	12	18	20	21	22	15
Increase/(decrease) in investments	0	0	0	0	0	0	0	0	0	0	0
Total applications of capital funding	48	(311)	(190)	(14)	13	115	18	20	21	22	133
Surplus/(deficit) of capital funding	(185)	174	53	(123)	(150)	(149)	(160)	(161)	(34)	(35)	(35)
Funding Balance	0	0	0	0	0	0	0	0	0	0	0

Expenditure by activity

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Emergency management	203	126	214	193	197	201	205	211	217	223	228
Environmental health	505	537	573	590	602	620	647	660	677	701	720
Building regulation	2,240	2,092	2,202	2,275	2,303	2,400	2,459	2,549	2,591	2,706	2,759
Alcohol licensing	191	199	210	217	222	229	237	243	250	258	266
Land information	118	99	102	105	108	111	113	116	120	123	126
Parking	329	291	288	287	291	299	321	330	339	350	361
Animal control	460	508	537	551	563	580	600	614	632	652	671
District planning	1,091	1,190	1,246	1,280	1,302	1,338	1,383	1,414	1,452	1,503	1,554
Total operating expenditure	5,138	5,041	5,372	5,498	5,588	5,778	5,966	6,137	6,277	6,515	6,685
less depreciation	64	46	44	35	32	31	41	43	44	44	44
Total applications of operating funding	5,075	4,995	5,328	5,463	5,556	5,746	5,924	6,094	6,234	6,471	6,641

Capital by activity

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Emergency management	0	0	0	0	0	0	0	0	0	0	0
Environmental health	0	0	0	0	0	0	0	0	0	0	0
Building regulation	0	0	0	0	0	0	0	0	0	0	0
Alcohol licensing	0	0	0	0	0	0	0	0	0	0	0
Land information	0	0	0	0	0	0	0	0	0	0	0
Parking	0	0	0	0	0	103	0	0	0	0	118
Animal control	0	0	0	0	0	0	0	0	0	0	0
District planning	0	0	0	0	0	0	0	0	0	0	0
Council funded capital expenditure	0	0	0	0	0	103	0	0	0	0	118

10. Key Legislation/Industry Standards and Relationship with Other Planning/Policy Documents for Regulatory Compliance

- Health Act 1956
- Health (Registration of Premises) Regulations 1966
- Camping-Grounds Regulations 1985
- Transport Act 1962
- Land Transport Act 1998
- Land Transport (Road User) Rule 2004
- Dog Control Act 1996 / Dog Control Policy
- Hazardous Substances and New Organisms Act 1996
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Food Act 2014
- Health and Safety at Work Act 2015
- Ashburton District Council Bylaws:
 - Advertising Signage in Public Places
 - Keeping of Animals, Bees and Poultry
 - Dog Control
 - Mobile Shops, Stalls and Hawkers
 - Transportation and Parking
 - Public Places
 - Brothel Location
 - Wastewater Drainage
 - Water Supply
 - Water Races
 - Solid Waste
 - Trade Wastes
 - Open Spaces
 - Cemeteries

11. Risk Management for Regulatory Compliance

Key risks for performance of Regulatory Compliance are:

- Loss of key warranted staff and difficulty in recruitment of suitably skilled and experienced replacements who qualify to be warranted;
- Reliance on computer systems and audit processes and that the ability to meet deadlines is significantly affected during service disruptions;
- Incompatible reporting procedures causing delays in producing accurate reports;
- The impact of recent legislative changes combined with new regulations is unknown.

12. Stakeholders and Consultation for Regulatory Compliance

Stakeholders are those individuals and organisations that have an interest in the management and/or operation of the activities. Stakeholders include, but are not limited to:

- Registration and licence applicants
- Relevant Government Departments
- Adjoining local authorities
- Iwi
- Industry groups
- Community groups

13. Improvement Programme for Regulatory Compliance

13.1. Process Overview

On-going monitoring and review of the activity will be undertaken, with a focus on improving information available for the public.

Staff training and development requirements are identified through the annual performance review process and budgetary allowances are made for professional training. Technical staff such as environmental health personnel follow a professional development programme which identifies future training needs.

13.2. Improvement Actions

Continue to monitor and review processes and procedures, as well as upskilling staff, to ensure the continued provision of a robust service.