

**Activity Planning -2012-2022 Ten Year Plan  
Strong Communities - Community Health and Safety**

**The main matter that the Council is being asked to consider is....**

- Maintaining existing levels of service for the Community Health and Safety Activity.

**1. Council direction**

The direction provided to staff by the Council in December 2010 was to:

- Retain existing levels of service.
- Advocate for community needs to other providers.
- Explore service versus revenue balance.

**2. What the activity does**

The Community Health and Safety activity is about regulating activities that affect community health and safety. It incorporates health licensing (food outlets, campsites and hairdressers), noise control, community bylaws, liquor licensing, gambling control, dog control and parking enforcement.

**3. What the legislations says**

There is a legislative requirement for the Council to have involvement in the Community Health and Safety activity.

This expectation is shown by the enactment of statutes such as the Dog Control Act 1996, Health Act 1956, Impounding Act 1955, Sale of Liquor Act 1989, Gambling Act 2003 and Resource Management Act 1991, Regulations such as the Food Hygiene Regulations 1975 and Camping Ground Regulations 1985 and the Consolidated Bylaw that is being created by Council under the Local Government Act 2002.

**4. Proposed activity objective**

The proposed activity objective for the Community Health and Safety activity is:

*To help achieve a safe and healthy community and counteract behaviour causing nuisance in the community.*

NB: This is very similar to the objective stated in the 2009-2019 Ten Year Plan.

**5. How this activity currently would contribute to the Council Outcomes**

The activity will contribute to the achievement of the Council Outcomes as follows:

Council Outcome	The Community Health and Safety activity...
A prosperous district	<ul style="list-style-type: none"> <li>• Contributes to maximising economic opportunities in the District, by contributing to maintaining and enhancing the attractiveness of the District.</li> </ul>
A liveable district	<ul style="list-style-type: none"> <li>• Encourages community responsibility.</li> <li>• Contributes to a safe living environment.</li> <li>• Maintain Community values through application of bylaws.</li> </ul>

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	<ul style="list-style-type: none"> <li>Limits behaviours that negatively affect the community, therefore enabling community enjoyment of public spaces.</li> </ul>
A clean and green district	<ul style="list-style-type: none"> <li>Helps keep our environment safe and clean.</li> </ul>

The Blueprint places expectations on the Community Health and Safety Activity to support requirements under the four outcomes with a focus on protecting the environment and the protection of people, property and key infrastructure.

**6. Things to be aware of**

- With regards to enforcement, there is often conflicting interests between customers. For example a member of the public may want the strongest action possible taken against an offender however it is not in keeping with the Councils policy that officers take this approach. Also the time taken to resolve a complaint can be seen as taking too long and the Council should have resolved the problem quicker, often legislation limits the action that the Council can take. A prosecution can take a considerable amount of resource and still not achieve a satisfactory outcome.
- The regulations that regulate food premises are current under review and there is likely to be a change in how the Council provides this service.
- Due to the large amount of seasonal work it has been determined that contracting (i.e. only purchasing the services when it is required) is the best method for delivering many of the services. A review is currently being undertaken to determine if there is a better method for delivering the service.
- Due to travel times and other factors there is a need to have the resource spread throughout the district.
- Due to rising fuel costs there is expected to be an increase in contractor costs over time. Currently the contracts for noise in Thames and Whangamata have minimal costs associated with travelling as the contractors are based in these towns. However there are expected to be cost rises in line with CPI increase in other contracts.

**7. A word from our community....**

- The 2010 community prioritisation survey shows that "providing regulatory enforcements " is ranked 9<sup>th</sup> of the 27 activities surveyed. This activity is a high priority, as determined by the community, when compared to other activities of the Council.

**8. Strengths, weakness, opportunities and threats**

- A strength is that officers have shown that they can adapt and implement new process that are not directly related to their "normal" work expectations. As a result, the activity has incorporated a number of new processes over the past two years without increasing staff levels.
- A strength is that significant improvements have been made on the reporting of Bylaws issues. A more comprehensive report is now being presented to the Judicial Committee and information regarding the scale of an issue is being collected. For example officers are now able to determine accurately how many people are found breaching the Councils Bylaw relating to sleeping overnight in a public place.

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- An opportunity is for the Council to be more involved in advocacy and work with stakeholders such as food premises.
- Further, providing more education to licensed premises around issues that are occurring.
- There is an opportunity to generate revenue from increasing enforcement fees (and funding bylaws from enforcement fees).
- The issue is the ability to deal with the peak fluctuations, and this means that the Council may not be able to provide a level of service that is expected by the community.
- There is a risk that a change in legislation may place additional obligations on the Council to provide more services than it currently does. This will lead to a requirement to develop new systems and increase staff levels to undertake these services. An example of this is the proposed changes to the Food legislation. Currently the Council only has an obligation to inspect, under new legislation that is proposed there are a number of new duties.

### 9. Proposed levels of service

The following levels of service are proposed for the Community Health and Safety activity:

Level of Service	This means...	Indicative cost
Food Services, Hairdressers and Camping Grounds used by the public are safe.	<ul style="list-style-type: none"> <li>• The Council is required to inspect food, hairdressing and camping ground premises and ensure that they do not pose a risk to the public.</li> <li>• A change to the way that food premises in New Zealand are inspected is currently passing through a legislative process. This poses considerable change to current processes and requirements of the Council.</li> </ul>	<ul style="list-style-type: none"> <li>• It is likely that there will be an increase in costs in delivering the Councils statutory requirements under the new food legislation. This is likely due to be a requirement to continue to run an inspection type regime for Hairdressers, Camping Grounds and other licensed premises in addition to developing new processes around the auditing of food premises.</li> <li>• Currently the cost to business is calculated on the number of inspections that are expected to be carried out in the financial year. It is possible that the change in legislation will prescribe rates that are to be charged.</li> </ul>
Council resolves breaches of legislation relating to this activity in a timely manner.	<ul style="list-style-type: none"> <li>• The Council has a duty placed on it to enforce legislation. How it is enforced is to a large extent at Councils discretion.</li> <li>• The Council Bylaw currently seeks to address issues in the community. These can be varied and resourcing in the Bylaws area is currently focused on Camping in a public place (Freedom Camping), however in addition to this these officers commonly address the</li> </ul>	<ul style="list-style-type: none"> <li>• With a tighter timeframe and defined policy there is the risk that costs will increase.</li> </ul>

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Level of Service	This means...	Indicative cost
	following issues: damage to public places; fires – During Fire Ban or nuisance fires; illegal Rubbish Dumping; mobile traders; overloaded sections; unlicensed promotions / events / activities on public places; illegal dumping of rubbish / non conforming bags / rubbish put out at wrong times; vehicles on beaches or reserves; vehicles for sale on Council land or on a State Highway; display of advertising; alfresco dining breaches.	
Public do not feel threatened by dogs	<ul style="list-style-type: none"> <li>• Dog Control Officers undertake patrols in accordance with a schedule of hours that are expected to be delivered. They also undertake 600 survey visits every year this includes a visit to all dogs identified as menacing or dangerous. The current level of service also identifies that they are to be contactable at all times.</li> </ul>	<ul style="list-style-type: none"> <li>• The level of service has been set by the Council and is included in the Policy document. Cost increases are not expected to be above CPI.</li> </ul>
The supply of liquor is controlled to prevent bad behaviour	<ul style="list-style-type: none"> <li>• The Council is required under the Sale of Liquor Act to receive and process applications.</li> <li>• There may be an expectation that the Council can stop the placement of liquor venues in certain locations. The Council is only able to object to an application on the grounds defined within the Sale of Liquor Act.</li> </ul>	<ul style="list-style-type: none"> <li>• Fees are set by statue and the processing is a statutory duty.</li> </ul>
Noise is controlled so that it does not disturb sleep.	<ul style="list-style-type: none"> <li>• The Council is able to undertake action to remove stereo and other noise making equipment for not complying with an excessive noise notice. This gives some respite to the affected person and shows that this behaviour will not be tolerated.</li> <li>• The Council is not able to respond to all callouts due to restriction of service in some communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Costs are expected to rise with an increasing population.</li> </ul>

**10. How is this activity managed?**

This activity is managed by a small number of Council staff, and is implemented by contractors, on behalf of the Council. Due to travel times and other factors there is a need to have the resource spread throughout the district.

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The Council owns three pounds, which are maintained and operated by a contractor, on behalf of Council.

### 11. What do we currently spend on this activity?

As a proportion of the Council's annual budget for the 2011/2012 year, the Community Health and Safety activity represents approximately 1.72% of total spend.

2011/2012 Draft Annual Plan	
Operating Expenditure (excluding internal interest cost)	\$1.73m
Capital Expenditure	n/a
<b>Total budgeted spend for Community Health and Safety for 2011/2012</b>	<b>\$1.73m</b>
Total Budgeted spend for Council for 2011/2012	\$100.97m
Total percentage of budget spent on Community Health and Safety	1.72%
2009-2019 Ten Year Plan	
Operating Expenditure (excluding internal interest cost)	\$19.06m
Capital Expenditure	n/a
<b>Total budgeted spend for Community Health and Safety for 10 years</b>	<b>\$19.06m</b>
Total Budgeted spend for Council for 10 years	\$1,295.64m
Total percentage of budget spent on Community Health and Safety	1.47%

### 12. How this activity is funded, and why.

The Community Health and Safety activity is currently funded as follows:

*Funding rationale summary as outlined in the 2009-2019 Ten Year Plan*

#### **Community Regulations**

Many of the functions of this activity benefit the community District-wide in that all residents and visitors alike receive an even-handed approach to the various bylaws and regulations. The concept of "one law for all" sits well with District-wide benefits. The wider community can also participate in the making and reviewing of bylaws. In addition all ratepayers receive the same level of benefit.

#### **Health Licensing - Licensing, and Monitoring and Enforcement**

The primary purpose of public health legislation, which the Council administers, is to protect the consumer. Therefore the consumer, represented as the wider community, is the ultimate beneficiary of public health services. The community as a whole benefits from the activity because even if a member of the community never enters a registered premise, they will undoubtedly be in contact with people who do. The responsibility for investigation of communicable diseases ensures that cases of these are monitored and reported to the Ministry of Health. Thus the Ministry receives a benefit as it has access to trained field staff working for the Council.

#### **Liquor Control**

The service provided by the activity is delivered to the same standard across the District and provides a degree of safety and security to the entire community especially in the application of liquor bans.

#### **Animal Control**

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The request for service function operated by the Council enables any member of the public to register complaints about dogs that are seen to be a nuisance. The community also enjoys cleaner footpaths and parks, and quieter neighbourhoods, together with some measure of protection against dangerous dogs, as a result of dog control. Other stock control also benefits the community as a whole in that it reduces the danger of wandering stock causing road accidents.

*The funding mechanisms used to fund operating expenditure are:*

Item	General Rates	UAGC	Targeted Rates	Fees & Charges	Grants & Subsidies
Comm Regulatns		80-100%			
Health Licensing		20-39%		60-79%	
Health Licensing Monitoring & Enforcement	20-39%	60-79%		0-19%	
Liquor Control	20-39%	0-19%		60-79%	
Animal Control		40-59%		40-59%	

*The funding mechanisms used to fund capital expenditure are:*

Develop. &/or Financial Contribution	Borrowing	Asset Sales	UAGC	Depreciation	General Rates	Targeted Rates	Fees & Charges	Grants & Subsidies	Lump Sum Contribution
✓	✓	✓	✓	✓	✓		✓		

Staff recommend no changes to the current funding policy for this activity.

### 13. Staff recommendation

- Staff recommend that the Council maintain existing levels of service for the Community Health and Safety activity.
- Staff recommend no changes to the current funding policy for this activity.