

# Community Environment Group Monthly Report - May 2015

**TO** Judicial Committee  
**FROM** Marion Smith - Group Manager Community Environment  
**DATE** 29 April 2015  
**SUBJECT** **Community Environment Group Monthly Report for the month of May 2015**

## 1 Purpose of Report

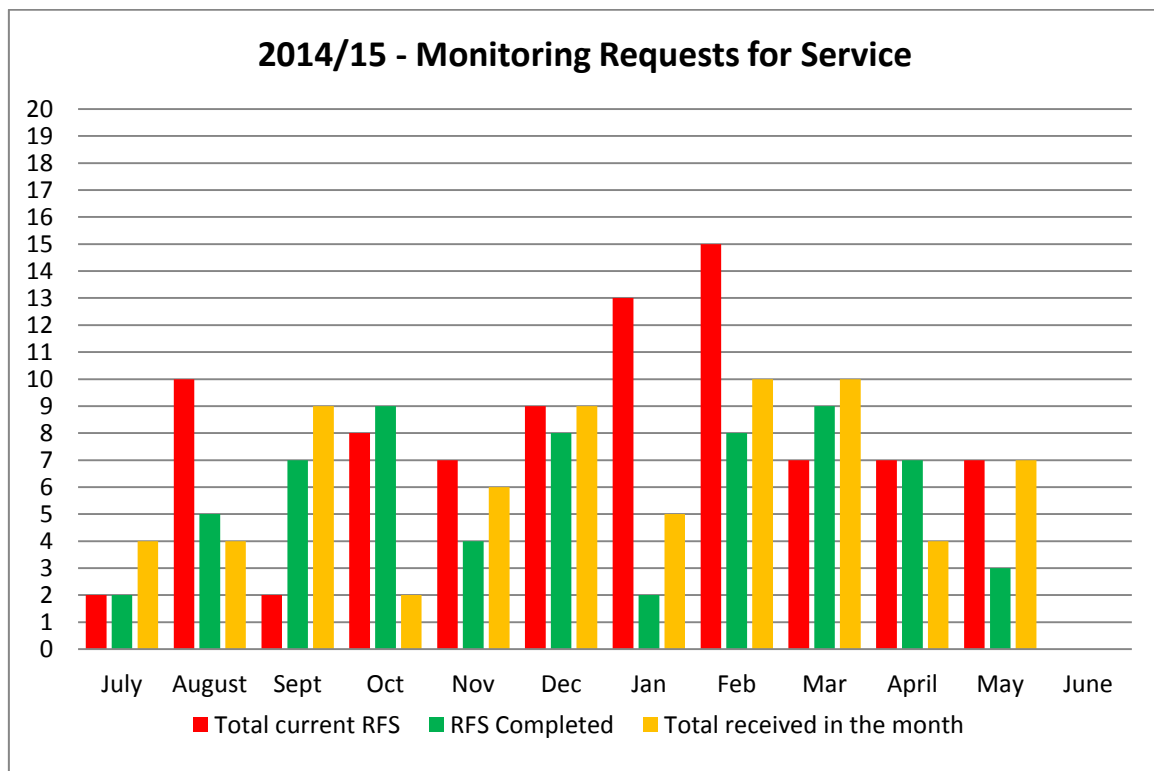
This paper reports on key activities within Community Environment Group for the month of May 2015.

## 2 Discussion

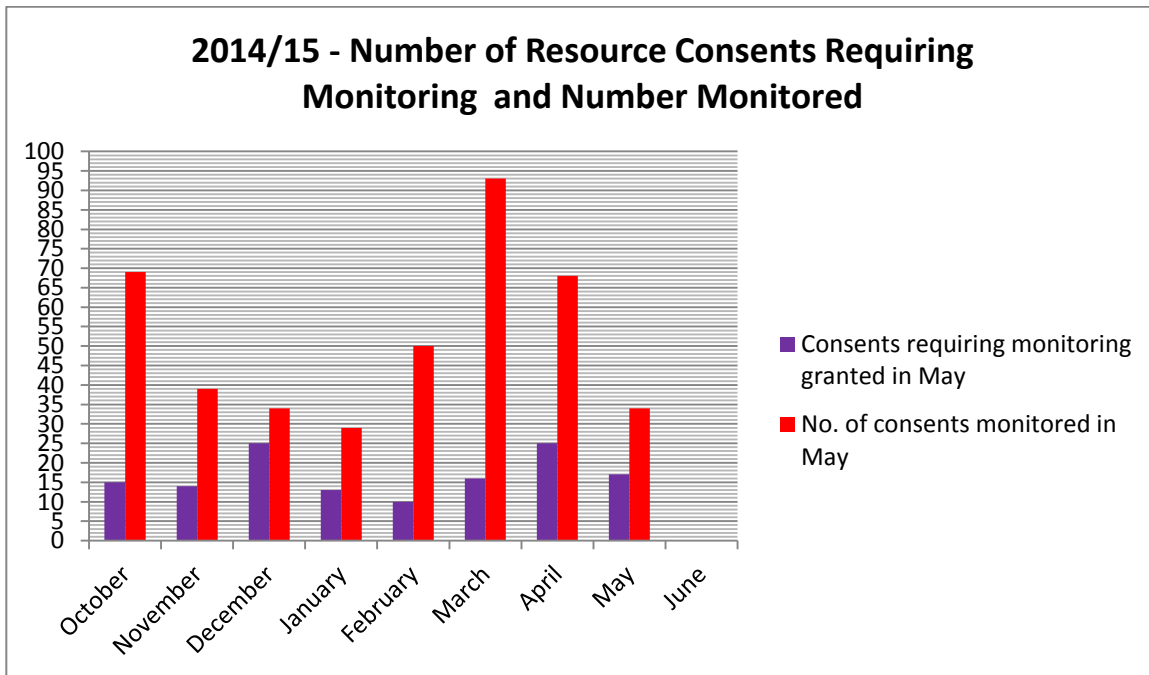
### RMA Investigations

Planning	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015
New investigations commenced	3	0	1	3	0	0
Investigations Completed	0	0	0	3	0	0
Current Live RMA Investigations *	28	28	29	29	29	29

\* All investigations are currently under review



## Planning Monitoring



The number of consents monitored is the total number of consents not just for the consents granted in the current month.

The monitoring inspection figures for May are a bit down on previous months, due to the Monitoring Team Leader was away on annual leave for the month of May and as such the newest Monitoring Officer carried out combined inspections with the more experienced Officer to gain experience.

Out of all consents that require monitoring granted since 2010, approximately 300 have now had their monitoring completed. This means that these consents on the day of inspection complied with all the conditions of their consent. This number is just the number completed, not the entire number of consents monitored.

### **Significant Monitoring issues occurring in May 2015**

**1025 SH 25 Whenuakite** - This matter was discussed at the June 4 2015 Judicial Committee meeting, and a full report on this investigation is currently being prepared.

### **Levels of Service for Compliance and Regulation**

#### **Compliance & Regulation - May 2015**

##### **Freedom Camping**

Staff are noticing an increase in the number of "certified" small backpacker type cars and vans parking with the 35 designated areas put aside for certified self-contained vehicles. The majority of these "certified" vehicles have a porta potty cassette type toilet and have been certified by a qualified NZMCA certifier.

As these vehicles are "certified" compliance officers are unable to take any action despite the fact the on board toilets are rarely ever used and are merely just fitted to vehicles to gain certification. As the vehicles do not portray to be the more common certified type of vehicle (a motor home) the public are raising concerns that compliance staff are not moving

the vehicles on from the designated areas.



Certified self-contained lite ace van parked up at the Buffalo Beach Designated site.



Certified Lite Ace van showing self-contained sticker on rear.



Porter Potty cassette toilet under a bed in a small Lite Ace van.

In addition to this problem with "certified" vehicles another small backpacker type van was located recently at the Whangapoua designated site for certified self-contained vehicles with a genuine looking certification sticker on the rear. When questioned by the officer about the certification documentation the occupant (from Belgium) admitted that he didn't have any documents and no toilet. He then admitted buying the sticker. The officer peeled the sticker off the vehicle, ripped it apart, handed it to the occupant along with a \$200 infringement and gave him 10 minutes to depart the area.





Whenever officers are in doubt about a vehicle's certification they ask to sight the vehicles self-containment certificate, the certification label (usually on the front windscreen) and then they will check the toilet, waste system.

Freedom Camping patrols are continuing throughout the district four to six days per week with the exception of northern Coromandel where officers will respond to complaints as required.

### **Dog Control**

Compliance Officers have completed the majority of visits to properties within the district where classified dogs are being held. These annual property visits are an excellent opportunity for officers to get to know all classified dogs in their areas, discuss dog control requirements with owners, ensure classification conditions are being met and photograph the dogs for Council's records.

Dog registration levels continue to rise in our district with the number of dogs currently at 4606 whereas in May 2012 we only had 4094 dogs giving an increase of 515 registered dogs in our district. The additional new dogs are a direct result of Council's zero tolerance for unregistered dogs introduced in 2011 when dog control services were brought in house.

No significant dog control issues were raised in May 2015.

### **Noise Control**

An ongoing noise control issue in Cook Drive Whitianga is under review by the Compliance Team Leader as it raises serious concerns in relation to a prolonged noise nuisance to an elderly neighbour.

The complainant neighbour has logged 39 complaints in regard to her neighbour creating late night noise with a stereo or drum set over a period of four years. Of these complaints the noise control contractor has substantiated the noise as being excessive as defined

under S327 of the Noise Control Act on 12 occasions. The complainant cancelled or withdrew 13 of the complaints.

As a result of the ongoing noise the elderly neighbour is suffering from lack of sleep and is constantly anxious about noise occurring when she retires to bed. This is affecting her health and enjoyment of her home in Cook Drive Whitianga.

The offending neighbour has been compliant once the 72 hour noise direction notice has been issued so there has not been any opportunity to seize equipment or issue infringements. The matter is under review by the TCDC compliance and legal team to ascertain whether any other legal avenues exist to deal with the ongoing issues.

**Workload** (new statistics to be supplied for Judicial Committee Reporting)

During the month of May the following workload was undertaken by the Compliance Team.

New Requests for Service (RFS) received	131
Incidents discovered and dealt with while officers were on patrols	253
Unregistered / New Dog property checks	383
Classified dogs property inspections	33

**Total Incidents / RFS** **800**

**Dogs Registered**

Dogs Registered 2013/14	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14
Registered	3669	3941	4100	4179	4223	4265	4296	4322	4358	4418	4473
Unreg	633	416	172	28	0	1	1	0	1	1	0
Total	4302	4357	4272	4207	4223	4266	4297	4322	4359	4419	4473
% Reg	85%	93%	95%	99%	100%	99%	99%	100%	99%	99%	100%
% Unreg	15%	7%	5%	1%	0%	1%	1%	0%	1%	1%	0%
Infringements	7	3	8	27	0	0	0	9	5	15	6
Dogs Registered 2014/15	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15
Registered	3390	3942	4292	4331	4355	4420	4423	4498	4520	4566	4604
Unreg	1053	557	113	28	4	2	2	5	1	1	2
Total	4443	4499	4405	4359	4359	4422	4425	4503	4521	4467	4606
% Reg	76%	87.6%	97.5%	99%	99.9%	99%	99%	99%	99%	99%	99%
% Unreg	23.00%	12.40%	2.50%	1%	0.09%	1%	1%	1%	1%	1%	1%
Infringements	2	5	27	36	12	20	9	5	4	5	12

**Dogs Impounded**

Dogs Impounded 2013/14	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14
Impounded	11	14	20	18	16	14	19	17	17	14	12
Claimed	4	3	9	8	7	9	13	6	7	9	6

Euthanized	3	3	5	3	3	3	0	3	5	0	3
Adopted	2	4	0	1	2	0	3	0	1	2	0
SPCA	2	3	6	5	4	4	2	6	2	2	3
Kept impounded	0	0	0	0	1	0	0	0	2	1	0
<b>Dogs Impounded 2014/15</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>Oct-14</b>	<b>Nov-14</b>	<b>Dec-14</b>	<b>Jan-15</b>	<b>Feb-15</b>	<b>Mar-15</b>	<b>Apr-15</b>	<b>May-15</b>
Impounded	11	18	21	24	11	15	13	23	12	13	14
Claimed	6	7	12	12	6	3	8	14	3	7	4
Euthanized	1	8	5	3	2	0	2	0	2	3	6
Adopted	1	1	0	1	1	6	0	0	0	0	1
SPCA	1	1	2	3	1	0	2	4	0	0	2
Kept impounded	2	1	2	5	1	0	3	3	7	3	1

### Dog Complaints (commenced reporting September 2013)

<b>Dog Complaints 2013/14</b>	<b>Jul y-13</b>	<b>Aug -13</b>	<b>Sep -13</b>	<b>Oct -13</b>	<b>Nov -13</b>	<b>Dec -13</b>	<b>Jan -14</b>	<b>Feb -14</b>	<b>Mar -14</b>	<b>Apr -14</b>	<b>May -14</b>
Lost / Found			38	23	21	26	66	20	11	34	43
Dog Attack - person			4	2	5	1	5	1	5	3	2
Dog Attack - animal			6	3	2	3	10	3	3	7	5
Dog Rushing			6	3	9	3	4	4	8	4	4
Stray Dogs Returned to owner			2	6	5	10	11	2	10	12	8
Stray Dog impounded			8	6	0	4	4	3	6	11	6
Uncontrolled Dogs			26	16	18	8	30	19	15	23	21
Property Surveys			70	145	44	0	1	0	20	182	65
<b>Dog Complaints 2014/15</b>	<b>Jul-14</b>	<b>Aug -14</b>	<b>Sep -14</b>	<b>Oct -14</b>	<b>Nov -14</b>	<b>Dec -14</b>	<b>Jan -15</b>	<b>Feb -15</b>	<b>Mar -15</b>	<b>Apr -15</b>	<b>May -15</b>
Lost / Found	29	24	23	37	27	2	57	25	1	28	30
Dog Attack - person	2	5	2	3	1	1	2	0	2	6	2
Dog Attack - animal	6	17	6	4	5	2	8	1	1	2	8
Dog Rushing	5	9	7	11	2	1	1	2	2	2	4
Stray Dogs Returned to owner	6	6	26	6	7	14	11	7	2	5	6
Stray Dog impounded	5	10	4	6	3	12	6	2	5	5	0
Uncontrolled Dogs	26	73	39	47	21	5	26	16	6	21	28
Property Surveys	3	19	53	45	0	0	0	120	1	0	383

### Freedom Camping (commenced reporting in December 2013)

Freedom Camping 2013/14	Jul 13	Aug 13	Sep 13	Oct 13	Nov 13	Dec -13	Jan -14	Feb -14	Mar -14	Apr -14	May -14
Warnings						38	54	19	7	2	11
Waivers						161	184	112	66	65	55
Infringements						199	238	131	73	67	66
Total						9	15	9	2	2	3
Freedom Camping 2014/15	Jul-14	Aug -14	Sep -14	Oct -14	Nov -14	Dec -14	Jan -15	Feb -15	Mar -15	Apr -15	May -15
Warnings	2	5	0	2	1	4	4	3	33	13	8
Waivers	22	23	53	86	69	202	242	140	171	106	61
Infringements	24	28	53	88	70	206	246	143	204	119	69
Total	3	2	2	10	1	1	6	11	3	1	5

\* Waiver statistics for the previous month are not indicative of potential waivers as appeals may still be considered two months after the infringement issue date.

### Bylaw Activity

Bylaw Activity 2013/14	Jul 13	Aug -13	Sep -13	Oct -13	Nov -13	Dec -13	Jan -14	Feb -14	Mar -14	Apr -14	May -14
Mobile Shop Permits		0	0	0	0	6	8	0	2	0	0
Signage		2	0	0	3	6	14	0	5	1	1
Alfresco		0	1	2	0	0	2	0	0	0	0
Open Fires		6	3	3	2	5	8	1	12	39	54
Skateboards/cyclists on footpaths		12	17	18	15	26	28	14	30	12	14
Illegal Litter		14	15	18	10	12	14	15	22	17	17
Bylaw Activity 2014/15	Jul -14	Aug -14	Sep -14	Oct -14	Nov -14	Dec -14	Jan -15	Feb -15	Mar -15	Apr -15	May -15
Mobile Shop Permits	0	0	0	0	0	4	2	0	4	0	1
Signage	0	1	0	0	1	1	1	2	0	0	0
Alfresco	10	2	0	0	6	8	0	0	0	0	0
Open Fires	7	2	6	3	12	5	0	0	0	13	1
Skateboards/cyclists on footpaths	12	0	0	0	0	0	3	0	2	0	5
Illegal Litter	26	9	11	7	14	15	19	9	15	17	16

### Fire Permits

#### Parking

Parking 2013/14	Jul 13	Aug -13	Sep -13	Oct -13	Nov -13	Dec -13	Jan -14	Feb -14	Mar -14	Apr -14	May -14
Total Parking Infringements		72	24	40	23	121	215	81	51	69	73



Whangamata Parking offences		0	0	8	1	26	53	8	10	7	4
Rego & Warrant offences		4	6	11	3	10	13	2	7	3	9
Thames Parking offences		11	0	12	5	17	0	4	1	0	2
Rego & Warrant offences		44	17	9	11	1	7	8	3	8	25
Mercury Bay Parking offences		13	1	0	3	67	142	59	30	51	33
Coromandel Parking offences											
<b>Parking 2014/15</b>	<b>Jul -14</b>	<b>Aug -14</b>	<b>Sep -14</b>	<b>Oct -14</b>	<b>Nov -14</b>	<b>Dec -14</b>	<b>Jan -15</b>	<b>Feb -15</b>	<b>Mar -15</b>	<b>Apr -15</b>	<b>May -15</b>
Total Parking Infringements	74	25	73	87	32	95	191	129	58	68	47
Whangamata Parking offences	1	1	6	15	0	16	68	39	4	28	4
Rego & Warrant offences	5	4	1	1	2	0	0	0	0	0	0
Thames Parking offences	11	3	20	8	0	9	12	16	8	4	2
Rego & Warrant offences	44	13	39	30	18	15	2	22	10	1	9
Mercury Bay Parking offences	13	4	7	33	12	55	109	52	36	35	14
Coromandel Parking offences											0

## Noise

Noise 2013/14		Aug -13	Sep -13	Oct -13	Nov -13	Dec -13	Jan -14	Feb -14	Mar -14	Apr -14	May -14
Noise Requests for Service		12	42	60	39	75	126	49	32	45	16
Excessive noise directions		7	15	19	10	25	51	8	19	26	3
Noise 2014/15	Jul -14	Aug -14	Sep -14	Oct -14	Nov -14	Dec -14	Jan -15	Feb -15	Mar -15	Apr -15	May -15
Noise Requests for Service	19	29	24	29	47	28	166	70	29	54	23
Excessive noise directions	9	5	8	9	12	13	35	17	7	17	4

## Licensing

### Environmental Health and Licensing - the year in review

Although the year has not yet complete, it is appropriate to provide a brief overview of current key work activities.

#### Food Act - food control plans

Progress continues to be made with transitioning service food operators to food control plans. Currently there are 72 operators who are exempted from the licensing and compliance requirements of the food Hygiene Regulations 1974 and now operate a template Food Control Plan under the provisions of the Food Act 2012. The transition

process involves the mentoring of food operators on how to tailor their operation to comply with key food safety components of the plan. A pre-audit is usually done before the plan is fully audited involving the checking for compliance with the plan, the completeness of records, verifying procedures, checking the knowledge of staff about the plan, observing practices and inspecting the premises. The initial establishment and the first full audit of a plan is time consuming but subsequent audits are often less intensive if only a partial audit is performed. However whenever a food business is sold, mentoring procedures etc have to be repeated for the new operator who must establish their own plan and this can be a challenge for those that are new to the industry and time consuming for staff.

Submissions were made to a proposal for regulations under the new act. It is expected that regulations, due out later this year, will prescribe the timetable whereby certain food operations will be required to formally transit to operating a food control plan. In anticipation of the timetable, work is progressing to persuade food operators to transit to food control plans in a timely manner but without a regulatory timetable and no regulatory requirement, it remains a voluntary programme.

#### Health Act - licences

There are a number of health regulations whereby certain premises are required to be licensed. The past year has seen the focus of inspection being on those premises that are classified as high risk with lower risk premises, such as those selling packaged food stuffs, being of secondary importance. Where services are provided at camping grounds, the main concern has been to ensure that the water supply is adequate and potable and on-going work in this area will continue.

Work is also continuing towards completing the required inspection targets which has been hampered by a shortage of staff due to the resignation of an Environmental Health Officer.

#### Sale and Supply of Alcohol Act

Overall, alcohol licences and certificates have been processed in a timely manner and this has largely been as a result of good procedures and systems that have been introduced and the efficient work of administrative staff. Collaborative meetings have been held with the Police, the Medical Officer of Health and the NZ Fire Service who we consult with on various applications and on compliance matters.

A current national issue concerns the interpretation of a single alcohol area which is applicable in food stores that also sell alcohol. We expect some clarity on the issue of the single alcohol area (SAA) after the High Court matters are heard later this month. In the meantime we, as are other licensing committees and our collaborative parties are deferring further discussion regarding existing applications where the SAA is contentious.

Inspections of licensed premises to assess general compliance has proven difficult particularly where premises close earlier than expected or in the case of clubs, are seasonal or open infrequently or on an as when required basis. Monitoring of events such as the scallop festival involving the sale of alcohol and food has ensured that alcohol harm is minimised and food safety has not been compromised which has contributed to the success of those events.

#### Health complaints

So far this year has seen approximately, a 50% increase in the number of health related complaints or investigations. Public health information and guidance has been provided on a variety of matters not specifically in response to request for service.

## Health Licensing

Health Licence Inspections	July 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	April 2015	May 2015	YTD Total
Food Premises	37	41	24	24	19	6	20	40	36	21	36	304
Camping Grounds	0	1	0	0	1	12	4	0	0	0	5	23
Hairdressers	5	7	2	0	0	0	0	0	3	6	8	31
Funeral Directors	0	0	0	0	0	0	0	0	0	0	0	0
Mobile/Itinerant Traders	0	0	0	0	2	1	0	1	0	0	1	5
Event Monitoring	0	0	1	0	0	0	1	1	0	1	0	4
MPI Food Control Plans Audited	8	4	7	16	13	3	4	8	5	6	16	90

## Alcohol Licensing

Liquor Application activity for the month	July 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	April 2015	May 2015	YTD Total
Applications assessed, reported on and finalised for the month	49	42	28	48	48	57	34	33	39	32	37	447
General Manager Interviews held	11	12	6	4	3	5	2	7	10	10	11	81
Alcohol Hearings before DLC	0	0	4	0	0	1	0	1	1	1	0	8
Alcohol Hearings before ARLA *	-	3	4	0	0	0	0	0	0	0	0	7

\* ARLA hearings only occur approximately once per annum

## Alcohol Inspections

These premises are inspected to ensure that they meet the requirements of the Sale and Supply of Alcohol Act 2012.

Sale of Liquor Licenses	Registered 2014/2015	Jul 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	April 2015	May 2015	YTD Total
On	115	8	6	4	7	6	1	9	3	9	7	7	67
Off	62	3	4	1	4	7	1	4	1	8	2	2	37
Club	32	4	4	1	1	2	0	0	1	3	3	3	22
Temporary authority					2	1	1	0	0	0	0	0	4

## **Financial Results for Compliance and Environmental Health for May 2015**

### **Revenue - May 2015**

<b>Cost Centre</b>	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>Variance</b>
Animal control	582,784.00	580,834.00	616,172.09	35,338.09
Health Licensing	236,370.00	234,670.00	244,864.96	10,194.96
Parking	100,000.00	94,000.00	77,859.90	(16,140.10)
By-Laws	118,000.00	116,500.00	174,089.43	57,589.43
Noise Control	-	-	-	-
Liquor	337,833.00	327,683.00	390,605.60	62,922.60
Liquor Bans	-	-	-	-

### **Expenditure - May 2015**

<b>Cost Centre</b>	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>Variance</b>
Animal control	579,496.00	532,028.00	530,584.36	1,443.64
Health Licensing	236,370.00	216,226.00	212,566.34	3,659.66
Parking	50,668.00	45,667.00	36,975.42	8,691.58
By-Laws	105,048.00	97,520.00	85,033.50	12,486.50
Noise Control	103,089.00	94,914.00	83,346.69	11,567.31
Liquor	332,833.00	306,632	292,726.07	13,905.93
Liquor Bans	5,000.00	5,000.00	2,452.80	2,547.20

### **3 Suggested Resolution(s)**

That the Judicial Committee:

1. Receives the 'Community Environment Group Monthly report' for May 2015, dated 29 April 2015.