

Community Environment Group Monthly Report - June 2015

TO Judicial Committee
FROM Marion Smith - Group Manager Community Environment
DATE 24 July 2015
SUBJECT **Community Environment Group Monthly Report for the month of June 2015**

1 Purpose of Report

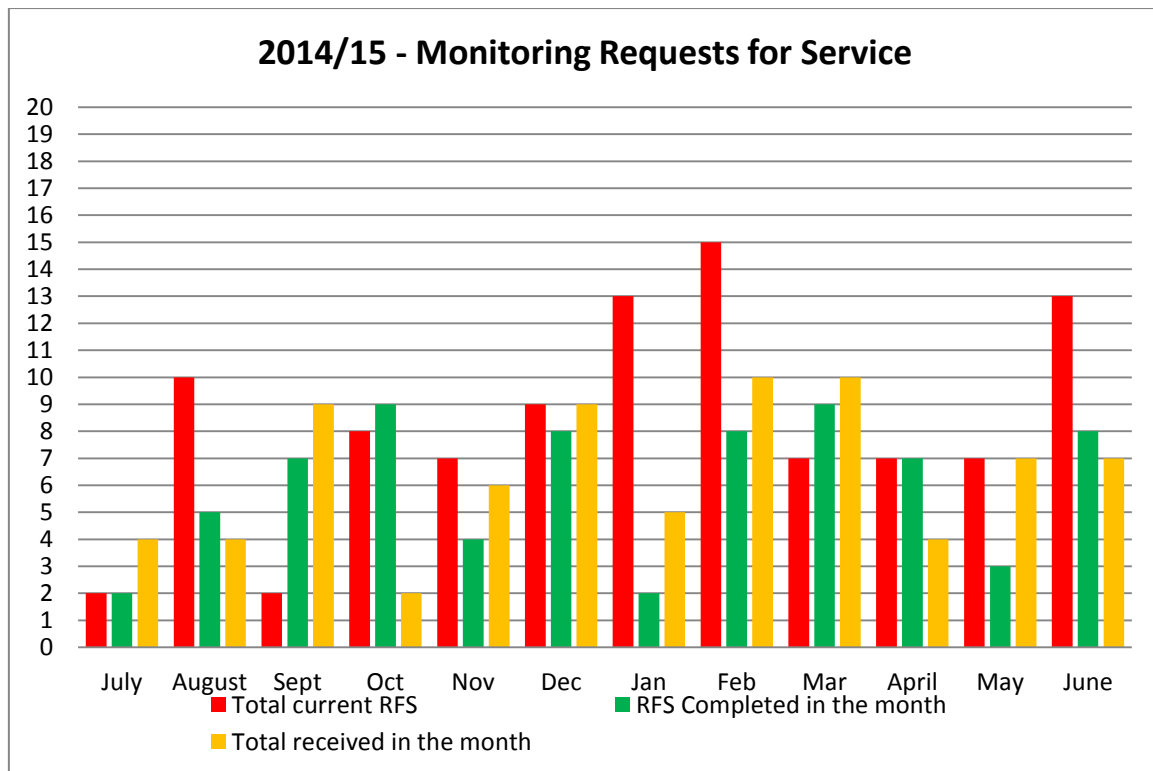
This paper reports on key activities within Community Environment Group for the month of June 2015.

2 Discussion

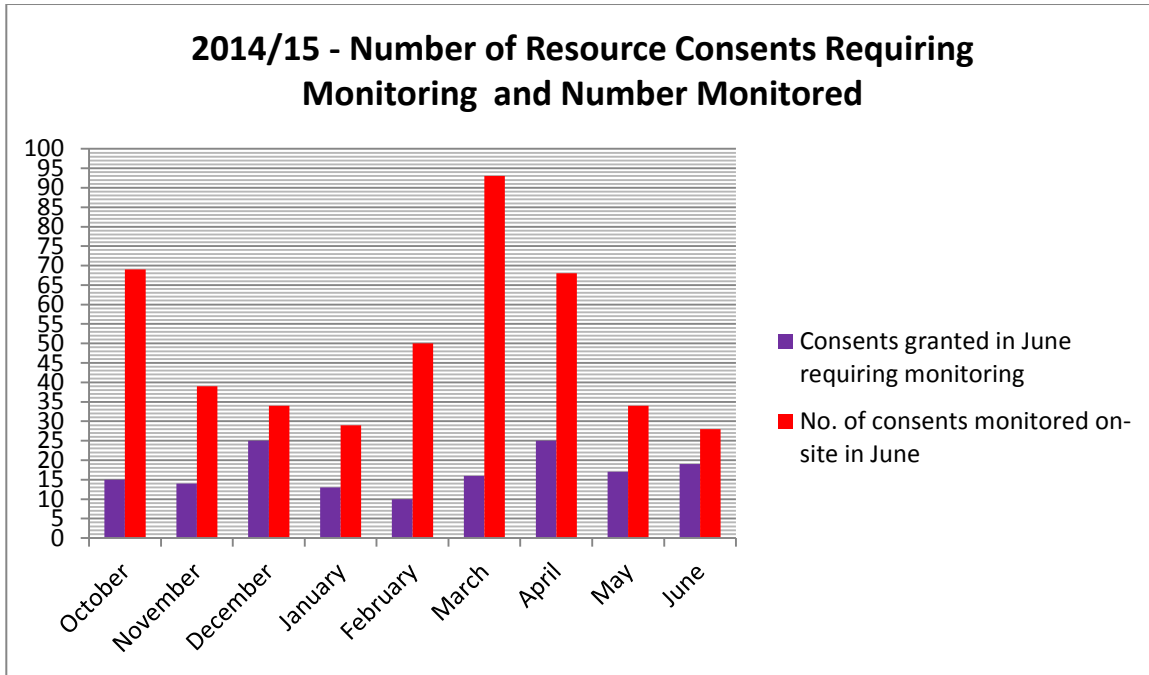
RMA Investigations

RMA Investigation activity for the month	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015	June 2015
New investigations commenced	3	0	1	3	0	0	2
Investigations Completed	0	0	0	3	0	0	8
Current Live RMA Investigations *	28	28	29	29	29	29	23

* All investigations are currently under review



Conditions of Resource Consent Monitoring



The number of consents monitored is the total number of consents not just for the consents granted in the current month. The figures above related to on-site monitoring actions, however the officers (including the Team Leader) are often involved in undertaking complicated and time consuming desktop monitoring actions as well.

New targets have been set for monitoring officers to carry out a minimum of 10 on-site monitoring inspections per week each. In addition to this the officers will be busy progressing and following up on investigations and resolving complaints.

RMA Monitoring highlights for the 2014/2015 year:

- A new monitoring of conditions of consent regime with achievable targets that can be audited
- Accountability of officers time
- A known quantity of existing consents that still require monitoring (back log) located in one repository as a master working document. This document is updated regularly.
- New tracking workflows in pathway that show a date and time when conditions of consent monitoring were all complied with, leaving any further monitoring to be addressed as a complaint
- Robust response to RFS complaints with team leader over-seeing all complaints to do with RMA breaches
- Good reporting structures in place, spearheaded by the Ministry for the Environment's requirement for statistics under the new National Monitoring System
- Monitoring officers now have smart winter jackets with TCDC logo installed - a first for monitoring officers. This makes them easily identified as officers of Council and it looks professional.

Current significant monitoring issues

1025 SH 25 Whenuakite - See Public Excluded Report

Tairua Marina - The Monitoring Team Leader is in regular contact with both the consent holders Tairua Marina Limited (TML) and the Guardians of Paku with regard to the monitoring of the various Marina consents. Currently, the Monitoring Team Leader and Council's Legal Counsel are reviewing the car parking conditions of various consents in

order to ensure TML comply with the conditions. This is taking longer than expected as there are several consents, with differing conditions around parking and this requires legal input. Council's confirmed position on the location of the required car parks should be in place week starting 27 July 2015.

Quality Management

On-going audits of the Building Consent Authorities (BCA) processes continues, as does the overall on-going quality requirements ensuring the BCA is continually complying with the Building Regulations. A programme of works has just been put together, outlining all of regulatory requirements that need to be in place, and by when, for the March 2016 IANZ assessment. Quality staff is working closely with the Building Unit Manager to ensure that the BCA undertake the required assessments, technical audits, recording of outcomes of continuous improvements, training etc. and that all these actions are recorded. An important part of this work is reviewing Service Level Agreements with parts of Council that directly affect the BCA being able to carry out its functions such as IT and Human Resources. The Building Unit Manager is currently reviewing and working on these agreements.

Compliance and Regulation

Levels of Service for Compliance and Regulation - June 2015

June is traditionally a quiet month for the Compliance Team as registration is about to roll over to the next registration year from July 1, freedom camping numbers diminish and all performance targets are on track. Officers were encouraged to take annual leave in June and the team operated on a skeleton workforce roster over this period but continued to meet its Service Level Agreements.

Dog Control

The annual audit of 64 classified dog properties was completed in June with all properties checked within the target period but as several owners had moved from the known address officers were still trying to locate their whereabouts. There were no serious issues with noncompliance identified.

The annual campaign to check 500 properties to identify any unregistered (unknown) dogs throughout the district was also completed by June 30 with a total of 571 properties checked.

Area where unknown dogs located	Number of unknown dogs located in area
Whangamata	6
Mercury Bay	18
Thames	7
Coromandel	23
TOTAL	54

Of these 46 dogs were registered immediately and eight dogs were seized.

Dog Attack Prosecutions

A serious dog attack that occurred in Tairua on 5 December 2014 involving an elderly Australian tourist concluded in the Thames District Court on 23 June 2015 with the registered dog owner pleading guilty to the charge of owning a dog that caused serious injury pursuant to s58 of the Dog Control Act 1996.

He was subsequently sentenced on 21 July 2015 with the following outcome:

- Reparation of \$3,528.27 payable to the victim
- Payment of \$1,500.00 towards Council's sustenance fees.
- 100 hours community work.
- Prosecution costs as per the scale set out in Costs in Criminal Cases Regulations 1987 (amount to be confirmed).

The dog was euthanised soon after the guilty plea was entered in June.

Freedom Camping

While freedom camping has been quiet for the month of June there were still 51 infringements and 2 warning issued which was higher than June 2014 with only 32 infringements and 3 warnings issued.

Annual Freedom Camping infringements:

2014/15	1226
2013/14	938

The increase of over 288 infringements compared to the previous year is a significant upward trend and indicates that there are still a large number of non-self-contained campers coming into our district.

Noise Control

Noise call outs are relatively quiet for June as most celebrations and parties are held indoors. A total of 22 callouts were attended to by contractors / staff with 8 Noise Direction Notices being issued. In Whangamata one occupier made threats towards the Noise Control Officer when his stereo was being uplifted by the officer and police. He was also issued an infringement notice of \$500 for failing to abide by a Noise Direction Notice.

There have been no further complaints from the Cook Drive, Whitianga property that has been the subject of on-going noise complaints. The last noise complaint was received on 25 April 2015. Compliance Officers have door knocked in the immediate neighbourhood and no other neighbour reported an issue with noise in the area.

Workload

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

New Requests for Service (RFS) received	114
Incidents discovered and dealt with while officers were on patrols	130
Unregistered / New Dog property checks	8
Classified dogs property inspections	6
Total Incidents / RFS - June 2015	258

Dogs Registered

Dogs Registered	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	YTD 13/14
Registered	3669	3941	4100	4179	4223	4265	4296	4322	4358	4418	4473	4488	4488
Unreg	633	416	172	28	0	1	1	0	1	1	0	5	5
Total	4302	4357	4272	4207	4223	4266	4297	4322	4359	4419	4473	4493	4493
% Reg	85%	93%	95%	99%	100%	99%	99%	100%	99%	99%	100%	99%	99%
% Unreg	15%	7%	5%	1%	0%	1%	1%	0%	1%	1%	0%	1%	1%
Infringements	7	3	8	27	0	0	0	9	5	15	6	8	88
Dogs Registered	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD 14/15
Registered	3390	3942	4292	4331	4355	4420	4423	4498	4520	4566	4604	4604	4604
Unreg	1053	557	113	28	4	2	2	5	1	1	2	2	2
Total	4443	4499	4405	4359	4359	4422	4425	4503	4521	4467	4606	4608	4608
% Reg	76%	88%	98%	99%	100%	99%	99%	99%	99%	99%	99%	99%	99%
% Unreg	23%	12%	3%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Infringements	2	5	27	36	12	20	9	5	4	5	12	4	141

Dogs Impounded

Dogs Impounded	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	YTD 13/14
Impounded	11	14	20	18	16	14	19	17	17	14	12	12	184
Claimed	4	3	9	8	7	9	13	6	7	9	6	6	87
Euthanized	3	3	5	3	3	3	0	3	5	0	3	0	31
Adopted	2	4	0	1	2	0	3	0	1	2	0	1	16

SPCA	2	3	6	5	4	4	2	6	2	2	3	0	39
Kept impounded	0	0	0	0	1	0	0	0	2	1	0	5	9
Dogs Impounded	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD 14/15
Impounded	11	18	21	24	11	15	13	23	12	13	14	17	192
Claimed	6	7	12	12	6	3	8	14	3	7	4	7	89
Euthanized	1	8	5	3	2	0	2	0	2	3	6	2	34
Adopted	1	1	0	1	1	6	0	0	0	0	1	4	15
SPCA	1	1	2	3	1	0	2	4	0	0	2	2	18
Kept impounded	2	1	2	5	1	0	3	3	7	3	1	2	30

Dog Complaints (commenced reporting September 2013)

Dog Complaints	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	
Lost / Found	N/A	N/A	38	23	21	26	66	20	11	34	43	26	
Dog Attack - person	N/A	N/A	4	2	5	1	5	1	5	3	2	5	
Dog Attack - animal	N/A	N/A	6	3	2	3	10	3	3	7	5	8	
Dog Rushing	N/A	N/A	6	3	9	3	4	4	8	4	4	7	
Stray Dogs Returned to owner	N/A	N/A	2	6	5	10	11	2	10	12	8	9	
Stray Dog impounded	N/A	N/A	8	6	0	4	4	3	6	11	6	4	
Uncontrolled Dogs	N/A	N/A	26	16	18	8	30	19	15	23	21	23	
Property Surveys	N/A	N/A	70	145	44	0	1	0	20	182	65	228	
Dog Complaints	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD 14/15
Lost / Found	29	24	23	37	27	2	57	25	1	28	30	25	308

Dog Attack - person	2	5	2	3	1	1	2	0	2	6	2	1	27
Dog Attack - animal	6	17	6	4	5	2	8	1	1	2	8	3	63
Dog Rushing	5	9	7	11	2	1	1	2	2	2	4	7	53
Stray Dogs Returned to owner	6	6	26	6	7	14	11	7	2	5	6	4	100
Stray Dog impounded	5	10	4	6	3	12	6	2	5	5	0	13	71
Uncontrolled Dogs	26	73	39	47	21	5	26	16	6	21	28	17	325
Property Surveys	3	19	53	45	0	0	0	120	1	0	383	8	632

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	Jun-14	
Warnings	N/A	N/A	N/A	N/A	N/A	38	54	19	7	2	11	5	
Waivers	N/A	N/A	N/A	N/A	N/A	9	15	9	2	2	3	5	
Infringements	N/A	N/A	N/A	N/A	N/A	161	184	112	66	65	55	32	
Total	N/A	N/A	N/A	N/A	N/A	199	238	131	73	67	66	37	
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	Jun-15	YTD 14/15
Warnings	2	5	0	2	1	4	4	3	33	13	8	2	77
Waivers	3	2	2	10	1	1	6	11	3	1	5	3	48
Infringements	22	23	53	86	69	202	242	140	171	106	61	51	1226
Total	24	28	53	88	70	206	246	143	204	119	69	53	1303

* 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 (started reporting August 2013)

Bylaw Activity	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14
Mobile Shop Permits	N/A	0	0	0	0	6	8	0	2	0	0	0
Signage	N/A	2	0	0	3	6	14	0	5	1	1	1
Alfresco	N/A	0	1	2	0	0	2	0	0	0	0	0
Open Fires	N/A	6	3	3	2	5	8	1	12	39	54	21
Skateboards/ cyclists on footpath	N/A	12	17	18	15	26	28	14	30	12	14	10
Illegal Litter	N/A	14	15	18	10	12	14	15	22	17	17	10
Bylaw Activity	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15
Mobile Shop Permits	0	0	0	0	0	4	2	0	4	0	1	0
Signage	0	1	0	0	1	1	1	2	0	0	0	0
Alfresco	10	2	0	0	6	8	0	0	0	0	0	1
Open Fires	7	2	6	3	12	5	0	0	0	13	1	0
Skateboards/ cyclists on footpath	12	0	0	0	0	0	3	0	2	0	5	0
Illegal Litter	26	9	11	7	14	15	19	9	15	17	16	13

Bylaw Activity	YTD 14/15
Mobile Shop Permits	11
Signage	6

Alfresco	27
Open Fires	49
Skateboards/ cyclists on footpath	22
Illegal Litter	171

Parking

Parking	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	YTD 13/14
Total Parking Infringements	44	72	24	47	24	124	289	82	71	70	74	43	964
Whangamata Parking offences	6	0	0	7	1	26	54	8	17	7	4	1	131
Whangamata Rego & Warrant offences	10	4	6	11	3	10	15	2	4	3	9	1	78
Thames Parking offences	5	11	2	9	5	18	0	4	1	0	2	3	60
Thames Rego & Warrant offences	21	44	15	12	11	1	7	8	3	8	25	32	187
Mercury Bay Parking offences	2	13	1	8	1	68	208	59	46	52	34	6	498
Mercury Bay Rego & Warrant offences	0	0	0	0	3	1	5	1	0	0	0	0	10
Coromandel Parking Offences	0	0	0	0	0	0	0	0	0	0	0	0	0
Coromandel Rego & Warrant offences	0	0	0	0	0	0	0	0	0	0	0	0	0
Parking	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD 14/15
Total Parking Infringements	67	25	73	88	73	129	237	182	103	102	47	36	1162

Whangamata Parking offences	2	1	6	15	4	17	68	39	4	28	4	0	188
Whangamata Rego & Warrant offences	4	4	1	1	17	0	0	0	0	0	0	0	27
Thames Parking offences	11	3	20	8	15	8	8	22	8	9	2	3	117
Thames Rego & Warrant offences	42	13	39	30	19	16	6	17	10	13	9	11	225
Mercury Bay Parking offences	8	4	7	33	18	77	117	55	36	40	18	9	422
Mercury Bay Rego & Warrant offences	0	0	0	1	0	0	0	2	0	0	0	0	3
Coromandel Parking Offences	0	0	0	0	0	11	38	36	38	11	14	12	160
Coromandel Rego & Warrant offences	0	0	0	0	0	0	0	11	7	1	0	1	20

Noise (started reporting August 2013)

Noise	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	
Mobile Shop Permits	N/A	12	42	60	39	75	126	49	32	45	16	34	
Signage	N/A	7	15	19	10	25	51	8	19	26	3	9	
Noise	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD 14/15
Mobile Shop Permits	19	29	24	29	47	28	166	70	29	54	23	22	540
Signage	9	5	8	9	12	13	35	17	7	17	4	8	144

Licensing

Environmental Health and Licensing

Food Act - Food Control Plans

Earlier this year submissions were made on the proposals for regulations. It is expected that regulations will be available before the end of the year which will set out the timetable for premises to transition to food control plans and also identify those premises that will operate under national programmes along with relevant requirements and enforcement provisions.

As the current food control plan (FCP) operators are only using a FCP on a voluntary basis, wherever a business is sold, the new operator has to be persuaded to also operate under voluntary exemption provisions. Some new operators are opting out, preferring to wait until compelled to by regulations.

The Ministry for Primary Industries coordinates cluster meetings and the frequency of these regional meetings with Environmental Health Officers, representing various territorial authorities, is expected to increase once regulations have been promulgated and the timetable finalised for premises to transition to food control plans. In the meantime planning is being undertaken to ensure that premises transition in a structured manner although such planning is hampered by the delay in the availability of regulations.

Work undertaken to date indicates that about 186 premises may be required to operate a food control plan. These are premises that predominantly prepare meals or particular snack foods. They consist mainly of restaurants and cafes and some takeaway food operators. Currently there are 72 operators who are using food control plans so it is anticipated that about 110 premises will need to transition to food control plans. Once the regulations are available, detailed planning will be able to be finalised and additional resources identified if needed and work prioritised according to MPIs timetable and type of premises that will be required to transition by determined dates.

Health Act - licences

The table contained within this report provides the statistics of monitoring carried out. This year we were able to achieve monitoring visits to all food premises. The statistics for food premises do not include those premises that were operating a food control plan as these are separately recorded as food control plan audits.

Hairdressing premises are largely self-regulating and few concerns were identified with the operators of those premises. There remains a risk where proper sanitation procedures are not followed but with no complaints received, the risk is considered low.

The water supply and sanitation associated with rural or isolated camping grounds is still a priority and good progress is being made with camp ground operators with ensuring that the safety of water supplies is routinely verified.

Sale and Supply of Alcohol Act

At the previous Judicial Committee meeting, it was reported that 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. For the year ending 30 June, 75% of licensed premises were visited. The main purpose of such visits was to assess whether appropriate signage was visible and also to assess so far as is practicable general compliance with the Act and licensing conditions. It is unusual to find that appropriate signage is not displayed because generally once the signs have been erected, they are not removed except if redecoration occurs. Such visits do provide the opportunity for an open discussion with the licensee on licensing matters in general and particularly on alcohol harm minimisation practices.

Health investigations

There has been an increase in the number of health related complaints or investigations. Eighty seven (87) investigations were carried out during the year ending 30 June compared to 64 the previous year. In addition health information and guidance was provided on a variety of matters not specifically in response to request for service.

Staff

Following the resignation in May of an Environmental Health Officer, the position was advertised but to date we have been unsuccessful in finding a suitably qualified and experienced person with the range of skills needed to fulfil Council's responsibilities under the Health Act, Food Act and other ad hoc statutes and regulations that have a public health component.

The staff shortage has already had an impact on monitoring work and will continue to do so until an appointment has been made and the induction of the successful appointee has been completed. Although monitoring and inspection will be affected, licensing or application reporting and responses to public requests will remain a priority.

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	June 2015	YTD Total
Food Premises	37	41	24	24	19	6	20	40	36	21	36	38	342
Camping Grounds	0	1	0	0	1	12	4	0	0	0	5	4	27
Hairdressers	5	7	2	0	0	0	0	0	3	6	8	2	33
Funeral Directors	0	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	0	5
Event Monitoring	0	0	1	0	0	0	1	1	0	1	0	0	4
MPI Food Control Plans Audited	8	4	7	16	13	3	4	8	5	6	16	5	95

Alcohol Licensing

Alcohol Applications lodged for month	June 2015	YTD Lodged Jul 14 - Jun 15
On	4	79
Off	2	39
Club	9	17
Managers Certificate	26	382
Special Licence	13	199

Temporary Authority	0	47
Total for Month	54	763

Liquor Application activity for the month	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	YTD 14/15
Applications assessed, reported on and finalised for the month	49	42	28	48	48	57	34	33	39	32	37	45	492
General Manager Interviews held	11	12	6	4	3	5	2	7	10	10	11	8	89
Alcohol Hearings before DLC	0	0	4	0	0	1	0	1	1	1	0	2	10
Alcohol Hearings before ARLA *	-	3	4	0	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	N/A	N/A	N/A	N/A	2	1	1	0	0	0	0	0	4

Financial Results for Compliance and Environmental Health for June 2015

Revenue - June 2015

Cost Centre	Annual Budget	YTD Budget	YTD Actual	Variance
Animal control	582,784.00	582,784.00	619,391.00	36,607.00

Health Licensing	236,370.00	236,370.00	245,787.00	9,417.00
Parking	100,000.00	100,000.00	79,610.00	(20,390.00)
By-Laws	118,000.00	118,000.00	184,125.00	66,125.00
Noise Control	-	-	-	-
Liquor	337,833.00	337,833.00	410,833.00	7,300.00
Liquor Bans	-	-	-	-

Expenditure - June 2015

Cost Centre	Annual Budget	YTD Budget	YTD Actual	Variance
Animal control	579,496.00	579,496.00	574,560.00	4,936.00
Health Licensing	236,370.00	236,370.00	231,661.00	4,709.00
Parking	50,668.00	50,668.00	39,111.00	11,557.00
By-Laws	105,048.00	105,048.00	92,213.00	12,835.00
Noise Control	103,089.00	103,089.00	89,342.00	13,747.00
Liquor	332,833.00	332,833.00	407,403.00	(74,570.00)
Liquor Bans	5,000.00	5,000.00	2,923.00	2,077.00

3 Suggested Resolution(s)

That the Judicial Committee:

1. Receives the 'Community Environment Group Monthly report' for June 2015, dated 24 July 2015.