



**Far North  
District Council**



**Te Kaunihera o Tai Tokerau ki te Raki**

# **AGENDA**

## **Regulatory Compliance Committee Meeting**


**Tuesday, 12 October 2021**

**Time: 1.00 pm**

**Location: Virtual via TEAMs**

**Membership:**

Cr Kelly Stratford - Chairperson  
Cr Dave Collard – Deputy Chairperson  
Mayor John Carter  
Deputy Mayor Ann Court  
Cr David Clendon  
Cr Rachel Smith  
Cr John Vujcich  
Member Belinda Ward

	<b>Authorising Body</b>	Mayor/Council
	<b>Status</b>	Standing Committee
<b>COUNCIL COMMITTEE</b>	<b>Title</b>	Regulatory Compliance Committee Terms of Reference
	<b>Approval Date</b>	19 December 2019
	<b>Responsible Officer</b>	Chief Executive

### Purpose

The purpose of the Regulatory Compliance Committee (the Committee) is to implement and monitor regulatory compliance and statutory matters on behalf of the Governing Body. The Committee will conduct hearings (except those under the *Resource Management Act 1991*) and undertake any functions as requested or delegated by Council from time to time provided the functions conform to the *Local Government Act 2002*.

The Committee will have functional responsibility for the following aspects:

- Hearings (excluding RMA and DLC)
- Regulatory activities
- Regulatory policies and bylaws
- Regulatory compliance
- Mana Whakahono

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities and key legislation.

### Delegations

The Regulatory Compliance Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the Regulatory Compliance Committee will operate within:

- policies, plans, standards or guidelines that have been established and approved by Council.
- the overall priorities of Council.
- the needs of the local communities; and
- the approved budgets for the activity.

### Power to Delegate

The Regulatory Compliance Committee may not delegate any of its responsibilities, duties or powers.

### Membership

The Council will determine the membership of the Regulatory Compliance Committee.

The Regulatory Compliance Committee will comprise of at least six elected members (one of which will be the chairperson).

When the Regulatory Compliance Committee is meeting as a Hearing Committee, the Chairperson and a majority of the Committee members must be accredited commissioners under the relevant Act.

When the Regulatory Compliance Committee is meeting as a Hearing Committee, the Chairperson shall hold the 'chair certification' as per the Act.

The Committee membership for each hearing shall be appointed by the Chairperson of the

Regulatory Compliance Committee together with the Chief Executive and will normally comprise the core Regulatory Compliance Committee members.

The Regulatory Compliance Committee will comprise of at least six elected members (one of which will be the chairperson).

Mayor Carter

Kelly Stratford – Chairperson

Dave Collard – Deputy Chairperson

John Vujcich

Rachel Smith

David Clendon

Ann Court

Belinda Ward – Bay of Islands-Whangaroa Community Board Chair

Non-appointed Councillors may attend Regulatory Compliance Committee (but not Hearings) with speaking rights, but not voting rights.

## **Quorum - Committee**

The quorum at a meeting of the Regulatory Compliance Committee is 4 members.

## **Frequency of Meetings**

The Regulatory Compliance Committee shall meet every 6 weeks but may be cancelled if there is no business.

## **Committees Responsibilities**

The Committees responsibilities are described below:

## **Hearings, Objections and Appeals**

- Conduct hearings, as delegated by Council, in accordance with the relevant legislative and policy requirements (excluding Resource Management Act and District Licensing)
- Approve and monitor Council's list of hearing Commissioners for Resource Management Act and District Licensing hearings.

## **Regulatory Activities**

- Assess and provide advice to Council on level of service and policy issues relating to:
  - regulatory matters; and
  - provision of services
- Reviewing and making recommendations to the Chief Executive in respect to functions and activities within the purpose of the Committee regarding codes of practice.

**Policies and Bylaws**

- Recommend the development and review of Council's regulatory policies and district bylaws
- Make a recommendation where in a bylaw the Council has specified that a matter be regulated, controlled or prohibited by the Council by resolution (eg dog areas under the dog control bylaw, speed limits)

**Compliance**

- Ensure that Council's planning and regulatory functions comply with legislative requirements and Council policy and processes
- Monitor operational functions comply with legislative requirements and Council policy
  - BCA (building consents)
  - RMA (resource consents)
- Ensure that consents associated with Council's infrastructure are being met and renewals are planned for
- Receive traffic light reports on regulatory compliance (policy, plans, functions and bylaws) such as:
  - District Plan (when proposed)
  - Building Act
  - Resource Management Act
  - Licences (various acts)
  - Animal management

**Mana Whakahono-ā-Rohe (Mana Whakahono)**

- Monitor regulatory matters arising from Mana Whakahono under the Resource Management Act 1991.

The committee seeks to foster and encourage participation and engagement with constituents.

**HEARINGS, OBJECTIONS AND APPEALS****Regulatory Compliance Committee, meeting as a Hearing Committee**

The Regulatory Committee, when meeting as a Hearing Committee, shall be delegated authority to hear and determine matters as follows:

**Public Works Act 1981**

Public work requirements.

**Local Government Act 2002**

Objections against the construction of public works on private land.

**Local Government Act 1974**

Objections and appeals to road stopping proposals.

**Fencing of Swimming Pools Act 1987**

Applications for exemption, waiver or compliance.

**Delegated decisions**

- Requests for review or objections to delegated decisions by the Committee and/or delegated officers.

- Appeals against decisions made by officials acting under delegated authority in accordance with approved Council Policy.

**Dog Control Act 1996**

Objections.

**Gambling Act 2003, Health Act 1956 and Building Act 2004**

Hearings, objections and related matters.

And any other such matters as required under the legislation (but not Resource Management Act or the Supply and Sale of Alcohol Act for matters outside the district licensing committee).

**Rules and Procedures**

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

**Annual reporting**

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

**REGULATORY COMPLIANCE COMMITTEE - MEMBERS REGISTER OF INTERESTS**

<b>Name</b>	<b>Responsibility (i.e. Chairperson etc)</b>	<b>Declaration of Interests</b>	<b>Nature of Potential Interest</b>	<b>Member's Proposed Management Plan</b>
<b>Hon John Carter QSO</b>	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
<b>Kelly Stratford (Chair)</b>	KS Bookkeeping and Administration	Business Owner, provides bookkeeping, administration and development of environmental management plans	None perceived	Step aside from decisions that arise, that may have conflicts
	Waikare Marae Trustees	Trustee	Maybe perceived conflicts	Case by case basis
	Bay of Islands College	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Karetu School	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Māori title land – Moerewa and Waikare	Beneficiary and husband is a shareholder	None perceived	If there was a conflict, I will step aside from decision making
	Sister is employed by Far North District Council			Will not discuss work/governance matters that are confidential
	Gifts - food and beverages	Residents and ratepayers may 'shout' food and beverage	Perceived bias or predetermination	Case by case basis
	Taumarere Counselling Services	Advisory Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	Sport Northland	Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	He Puna Aroha Putea Whakapapa	Trustee	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Kawakawa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Whangaroa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	National Emergency Management Advisor Committee	Member		Case by case basis
	Te Rūnanga ā Iwi o Ngāpuhi	Tribal affiliate member	As a descendent of Te Rūnanga ā Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā Iwi o Ngāpuhi Council relations	Declare a perceived conflict should there appear to be one
	Te Rūnanga ā Iwi o Ngāti Hine	Tribal affiliate member	Could have a perceived conflict of interest	Declare a perceived conflict should I determine there is a conflict
	Kawakawa Business and Community Association	Member		Will declare a perceived conflict should there appear to be one
<b>Kelly Stratford - Partner</b>	Chef and Barista	Opua Store	None perceived	
	Māori title land – Moerewa	Shareholder	None perceived	If there was a conflict of interest, I would step aside from decision making
<b>David Collard (Deputy Chair)</b>	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
<b>David Clendon</b>	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
<b>David Clendon – Partner</b>	Resident Shareholder on Kerikeri Irrigation			
<b>Deputy Mayor Ann Court</b>	Waipapa Business Association	Member		Case by case
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	District Licensing	N/A	N/A	N/A
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre-determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
	Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
	Warren Pattinson	My husband is a builder and may do work for Council staff		Case by case
<b>Ann Court - Partner</b>	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
<b>Rachel Smith</b>	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
	Vision Kerikeri	Financial Member		
<b>Rachel Smith (Partner)</b>	Property Owner	Kerikeri		
	Friends who work at Far North District Council			



Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Kerikeri Cruising Club	Subscription Member and Treasurer		
	Vision Kerikeri	Financial Member		
	Town and General Groundcare Limited	Director, Shareholder		
<b>John Vujcich</b>	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest
<b>Belinda Ward</b>	Ward Jarvis Family Trust	Trustee		
	Kenneth Jarvis Family Trust	Trustee		
	Residence in Watea			
<b>Belinda Ward (Partner)</b>	Ward Jarvis Family Trust	Trustee and beneficiary		
	Kenneth Jarvis Family Trust	Trustee and beneficiary		
	Residence in Watea	Trustee		



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**Far North District Council**  
**Regulatory Compliance Committee Meeting**  
**will be held in the Council Chamber, Memorial Avenue, Kaikohe on:**  
**Tuesday 12 October 2021 at 1.00 pm**

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**Te Paeroa Mahi / Order of Business**

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<b>6</b>	<b>Karakia Whakamutunga / Closing Prayer.....</b>	<b>102</b>
<b>7</b>	<b>Te Kapinga Hui / Meeting Close.....</b>	<b>102</b>



**1 KARAKIA TIMATANGA – OPENING PRAYER****2 NGA WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Committee and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

**3 TE TONO KŌRERO / DEPUTATION**

No requests for deputations were received at the time of the Agenda going to print.

## **4 CONFIRMATION OF PREVIOUS MINUTES**

### **4.1 CONFIRMATION OF PREVIOUS MINUTES**

**File Number:** A3052648

**Author:** Marlema Baker, Meetings Administrator

**Authoriser:** Aisha Huriwai, Team Leader Democracy Services

#### **PURPOSE OF THE REPORT**

The minutes of the previous Regulatory Compliance Committee meeting are attached to allow the Committee to confirm that the minutes are a true and correct record.

#### **RECOMMENDATION**

**That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 7 September 2021 are a true and correct record.**

#### **1) BACKGROUND**

Local Government Act 2002 Schedule 7 clause 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

#### **2) DISCUSSION AND OPTIONS**

The minutes of the meeting are attached. Far North District Council Standing Orders Section 27.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

#### **Reason for the recommendation**

The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meeting.

#### **3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial implications or the need for budgetary provision as a result of this report.

#### **ATTACHMENTS**

1. 2021-10-12 RegC Meeting Minutes - A3374138 [↓](#) 

**Compliance schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This is a matter of low significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	This report is asking for the minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

**MINUTES OF FAR NORTH DISTRICT COUNCIL  
REGULATORY COMPLIANCE COMMITTEE MEETING  
HELD AT THE HELD ELECTRONICALLY VIA MICROSOFT TEAMS  
ON TUESDAY, 7 SEPTEMBER 2021 AT 1.03 PM**

**PRESENT:** Chairperson Kelly Stratford, Cr Dave Collard, Cr David Clendon, Deputy Mayor Ann Court, Cr Rachel Smith, Cr John Vujcich, Member Belinda Ward

**IN ATTENDANCE:** Adele Gardner – Te Hiku Community Board Chairperson

**STAFF PRESENT:** Dean Myburgh (General Manager Districts Services), Darren Edwards (General Manager Strategic Planning and Policy)

**1 KARAKIA TIMATANGA – OPENING PRAYER**

Member Stratford opened the meeting with a karakia/prayer.

The meeting was adjourned from 1.05 pm to 1.17 pm.

**2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST**

Nil

**3 NGĀ TONO KŌRERO / DEPUTATION**

Nil

**4 CONFIRMATION OF PREVIOUS MINUTES**

**4.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 4.1 document number A3052646, pages 14 - 18 refers.

**RESOLUTION 2021/23**

Moved: Member Belinda Ward

Seconded: Cr Dave Collard

**That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 20 July 2021 are a true and correct record.**

In Favour: Chairperson Kelly Stratford, Crs Dave Collard, David Clendon, Ann Court, Rachel Smith, John Vujcich and Belinda Ward

Against: Nil

**CARRIED**

**5 INFORMATION REPORTS**

**5.1 ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2020/2021**

Agenda item 5.1 document number A3336354, pages 19 - 34 refers.

**RESOLUTION 2021/24**

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith



**That the Regulatory Compliance Committee receive the report Annual Report on Dog Control Policy and Practices 2020/2021.**

In Favour: Chairperson Kelly Stratford, Crs Dave Collard, David Clendon, Ann Court, Rachel Smith, John Vujcich and Belinda Ward

Against: Nil

**CARRIED****5.2 SIGNIFICANT FLORA AND FAUNA ASSESSMENT UNDER THE OPERATIVE DISTRICT PLAN AND DRAFT PROPOSED DISTRICT PLAN**

Agenda item 5.2 document number A3346399, pages 35 - 46 refers.

**RESOLUTION 2021/25**

Moved: Cr John Vujcich

Seconded: Cr Dave Collard

**That the Regulatory Compliance Committee receive the report Significant Flora and Fauna Assessment under the Operative District Plan and Draft Proposed District Plan.**

In Favour: Chairperson Kelly Stratford, Crs Dave Collard, David Clendon, Ann Court, Rachel Smith, John Vujcich and Belinda Ward

Against: Nil

**CARRIED****5.3 RESOURCE CONSENT UPDATE**

Agenda item 5.3 document number A3346401, pages 47 - 55 refers.

**RESOLUTION 2021/26**

Moved: Member Belinda Ward

Seconded: Cr Rachel Smith

**That the Regulatory Compliance Committee receive the report Resource Consent Update.**

In Favour: Chairperson Kelly Stratford, Crs Dave Collard, David Clendon, Ann Court, Rachel Smith, John Vujcich and Belinda Ward

Against: Nil

**CARRIED**

Note: The Chair and the General Manager of District Services will discuss offline what a joint building/resource consent model would look like e.g Northland Transport Authority, to help retain staff and the ability to maintain the high level of service currently provided.

**5.4 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR JULY 2021**

Agenda item 5.4 document number A3349642, pages 56 - 95 refers.

**COMMITTEE RESOLUTION 2021/27**

Moved: Cr John Vujcich

Seconded: Cr Dave Collard

**That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for July 2021.**

In Favour: Chairperson Kelly Stratford, Crs Dave Collard, David Clendon, Ann Court, Rachel Smith, John Vujcich and Belinda Ward

Against: Nil

**CARRIED****5.5 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE SEPTEMBER 2021**

Agenda item 5.5 document number A3352204, pages 96 - 97 refers.

**RESOLUTION 2021/28**

Moved: Member Belinda Ward

Seconded: Cr John Vujcich

**That the Regulatory Compliance Committee receive the report Action Sheet Update September 2021.**

In Favour: Chairperson Kelly Stratford, Dave Collard, David Clendon, Ann Court, Rachel Smith, John Vujcich and Belinda Ward

Against: Nil

**CARRIED**

Note: Chairperson Stratford and Cr Smith will follow up on the delegation in relation to the parking offences and on the State Highways in the Far North District.

**6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Chairperson Stratford closed the meeting with a karakia/prayer.

**7 TE KAPINGA HUI / MEETING CLOSE**

The meeting closed at 2.32 pm.

The minutes of this meeting will be confirmed at the Regulatory Compliance Committee meeting to be held on 19 October 2021.

.....  
**CHAIRPERSON**

## **5 INFORMATION REPORTS**

### **5.1 NOISE CONTROL AND PARKING ENFORCEMENT UPDATE**

**File Number:** A3404022

**Author:** Rochelle Deane, Manager - Environmental Services

**Authoriser:** Dean Myburgh, General Manager - District Services

#### **TAKE PŪRONGO / PURPOSE OF THE REPORT**

To report to the committee on:

- The number of noise related RFSs received and response times
- The number of noise abatements issued
- The number of parking infringements issued, the type, and locations
- The effectiveness of the noise control contract (and renewal of contract timeframes)
- The effectiveness of the parking enforcement and further options

#### **WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

This report is an update on noise and parking enforcement activities in the district, between 1 January 2021 and 31 August 2021, this being the period since the last Committee report received 9 February 2021.

##### **Noise**

To ensure compliance with the Resource Management Act for noise pollution, First Security is contracted to FNDC to respond to noise complaints across the district.

The performance measure in place for noise complaints is to respond within the following timeframes:

- Urban areas: 1 hour
- Rural areas: 2 hours

The current KPI performance measure for Council's level of service is to respond to complaints ≥95% within the set time. There has been a total of 784 noise RFS received between 1 January 2021 to August 2021. This is 109 more complaints than for the same period last year. This is largely due to Covid Alert Level 4 restrictions during March and April last year when noise complaints were not responded to.

90% of these complaints were categorised as urban complaints, however within the contract there is no mapped definition of rural and urban. These locations have been defined by the administration team where urban is seen to be the main residential and industrial areas (Kerikeri, Kaikohe, Kawakawa, Moerewa, Kaitaia, Russel, and Paihia). There has been a gradual improvement in rural response times, with a percentage average of 86% achieved from January to end of August. Urban response times remain low for this same period with an average of 78%.

Police resourcing has, at times, influenced meeting levels of service, as Police are required to be present when completing a seizure and to assist entry on to a number of 'red flagged' properties in the district (i.e. properties where threats and aggressive behaviour by occupants has been experienced on previous visits and registered in the Council system). There have been 144 verbal warnings, 76 Excessive Noise Directives (END's) issued, and 7 seizures performed since January 2021.

The Security Services Contract with First Security remains on an extension for Council to undertake a service delivery review. This contract currently includes building security, alarm monitoring and cash collection.

A separate contract specific to Noise Control that reflects Council's levels of service expectations and performance indicators is currently being explored. This would provide clearer definitive areas for response times and include a coastal zone, where travel times are extended.

First Security are committed to make improvements to meet KPI targets and provide a better service.

### **Parking Enforcement**

Parking Wardens are warranted under the Land Transport Act 1998 to enforce the provisions of any stationary vehicle offence or special vehicle lane offence. The Council's sole Parking Warden monitors all parking across the district focusing on central business districts on Council-controlled roads. We are currently seeking a delegation agreement for enforcement on State Highway between Waka Kotahi (NZTA) and FNDC.

There were 431 parking infringements issued between 1 January 2021 and 31 August 2021, slightly less than for the same period last year (448). Most infringements issued within the district are for the breaching of parking time limits in the areas of Kerikeri and Paihia. People parking in areas reserved for disabled persons without a permit also requires ongoing monitoring and enforcement across the district.

### **TŪTOHUNGA / RECOMMENDATION**

**That the Regulatory Compliance Committee receive the report Noise Control and Parking Enforcement Update.**

### **TĀHUHU KŌRERO / BACKGROUND**

#### **Noise**

The Council can step in when noise being generated is excessive and causing a disturbance to others. Excessive noise is any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort and convenience of any person. Examples of excessive noise are noise from a loud party (people noise), stereos, band practices, burglar alarms or machinery.

There is no one set level for noise that is acceptable. The level of noise that is acceptable varies according to location of neighbours, time of day, zone you live/work in, presence of sound barriers and the type of noise. The same noise levels during the day may not be acceptable at night. Under the Resource Management Act (1991), FNDC has the power to control excessive or unreasonable noise. FNDC currently contracts this service to First Security.

If a Noise Control Officer is called out to investigate noise they will determine if the noise is reasonable and within permissible levels.

- It is not necessary to use monitoring equipment to determine if the noise is excessive.
- The noise may have ceased or subsided or be deemed not excessive by the Officer.
- If the noise is deemed to be excessive, a Noise Control Officer may give a verbal warning or serve a written direction to reduce the noise. This is in force for up to 72 hours.
- If the noise continues, recurs or increases and the written direction has been breached, the Officer and the police can seize the equipment.
- If seizure is not possible a notice of *Non-Compliance with Direction to Abate Excessive Noise* is issued, and prosecution may result. Fines of up to \$10,000 may apply.

## **Parking**

Parking infringements fees are set by legislation and of low monetary value in comparison to other legislation penalties for offences, as a result income from enforcement is minimal– see attachment A, Parking Infringement Fees.

Following the VADE model, the aim, however, is to encourage voluntary compliance and having the presence of a warden and an educational approach encourages this within the community.

## **Vehicle Warrant of Fitness and Registration Parking Trial**

It is illegal to operate a vehicle without a valid and visible WoF and Registration unless driving directly to a place where repairs will be conducted. Council Parking Wardens are authorised to enforce these provisions on stationary vehicles.

Government makes the regulations that prescribe the fees for these offences. Council does not have the ability to change the amount. The fine amount is \$200 for not displaying or having an outdated WoF/Registration. Waka Kotahi have recently released 'Road to Zero – NZ's road safety strategy, which sets a target to reduce deaths and serious injuries on New Zealand roads, streets, cycleways and footpaths by 40 percent over the next 10 years.

One key focus area under 'Road to Zero' is vehicle safety.

It is important that a vehicle always remains safe to drive and can prevent a crash or protect its occupants to reduce the numbers of deaths and injuries on our roads. A warrant of fitness (WoF) is a regular check to ensure that a vehicle meets required safety standards. Council Parking Wardens can play an important role to ensure that there are fewer unsafe and unregistered vehicles on our roads across the district. FNDC wardens to date have not been enforcing this requirement across the district.

At the May 2021 Regulatory Compliance Committee Meeting it was approved to trial the enforcement of stationary vehicle Warrant of Fitness (WoF) and Vehicle Registrations across the Far North District for a period of 12 months. This trial commenced 1 July 2021.

## **State Highway Delegation**

Waka Kotahi (the NZ Transport Agency) has sole powers of control for all purposes of all state highways under the Government Roading Powers Act 1989 (GRPA).

Section 62(1) of the GRPA, authorises the Transport Agency to delegate to territorial authorities all or any of the functions, duties, and powers of control conferred on the Transport Agency by the GRPA with respect to any state highway or any portion of a state highway where it makes good sense for the Council to perform that role.

One of the powers the agency can delegate to council is for stationary vehicle offences via an Instrument of delegation

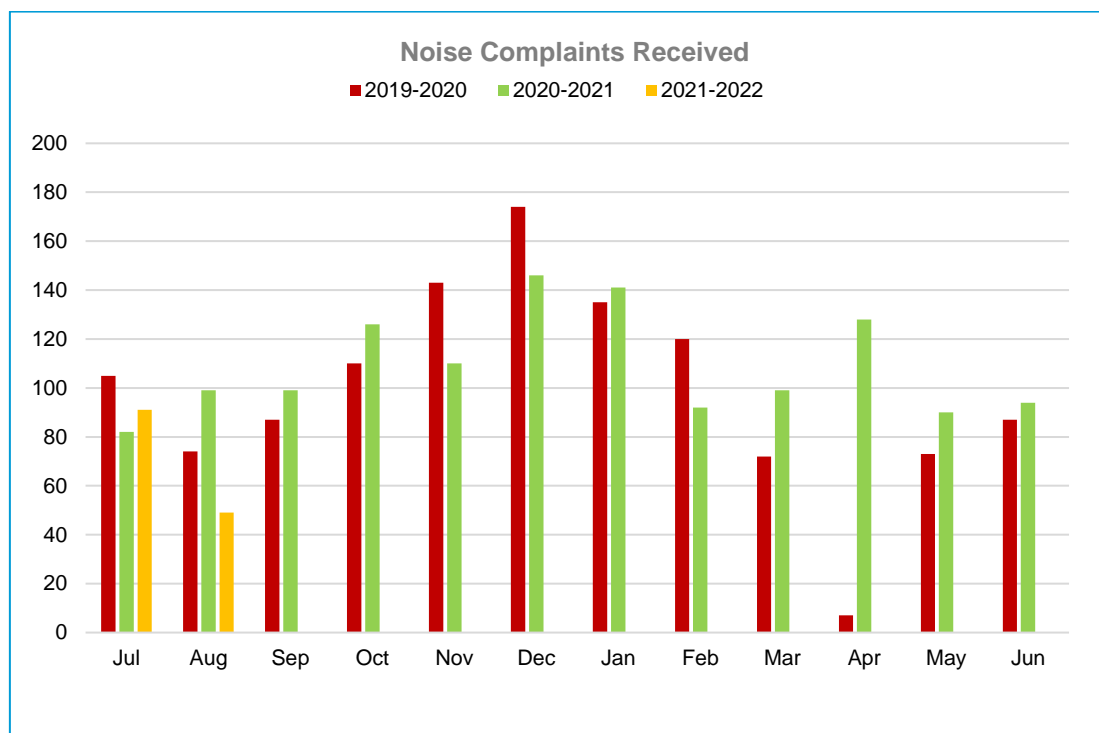
If delegations are received it allows Council to.

- (a) put vehicle parking restrictions on state highways in our bylaw, and
- (b) enforce stationary vehicle offences on state highways.

At the May 2021 Regulatory Compliance Committee Meeting it was approved to seek delegation from Waka Kotahi for the power to enforce any stationary vehicle parking restrictions on State Highway on behalf of the agency.

**MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS**

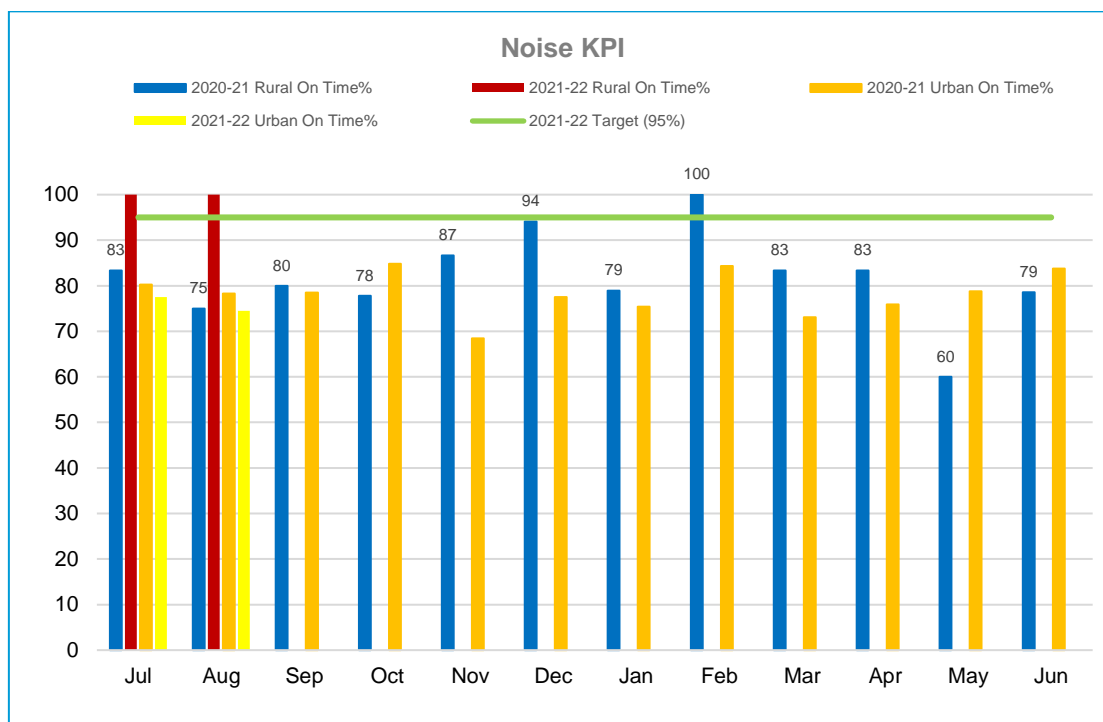
The following graph shows the total numbers of noise complaints received from 2019 to present. Noise Control is not deemed to be an essential service in Covid Alert Level 4 lockdowns, and the graph shows a significant decrease in these periods in the respective years. There is an expected increase over the summer months where there are more social gatherings and holiday periods.



The graph below shows First Security response times as a percentage towards KPI achievement. There has been a gradual improvement in rural response times, with a percentage of 86% from January to end of August.

Urban response times remain lower on average for this same period with 78%.

Response times are often affected by the availability of Police to assist to enter on to properties and the distance required to travel to respond.



Rural on time (Less than 2 hours)

Urban on time (Less than 1 hour)

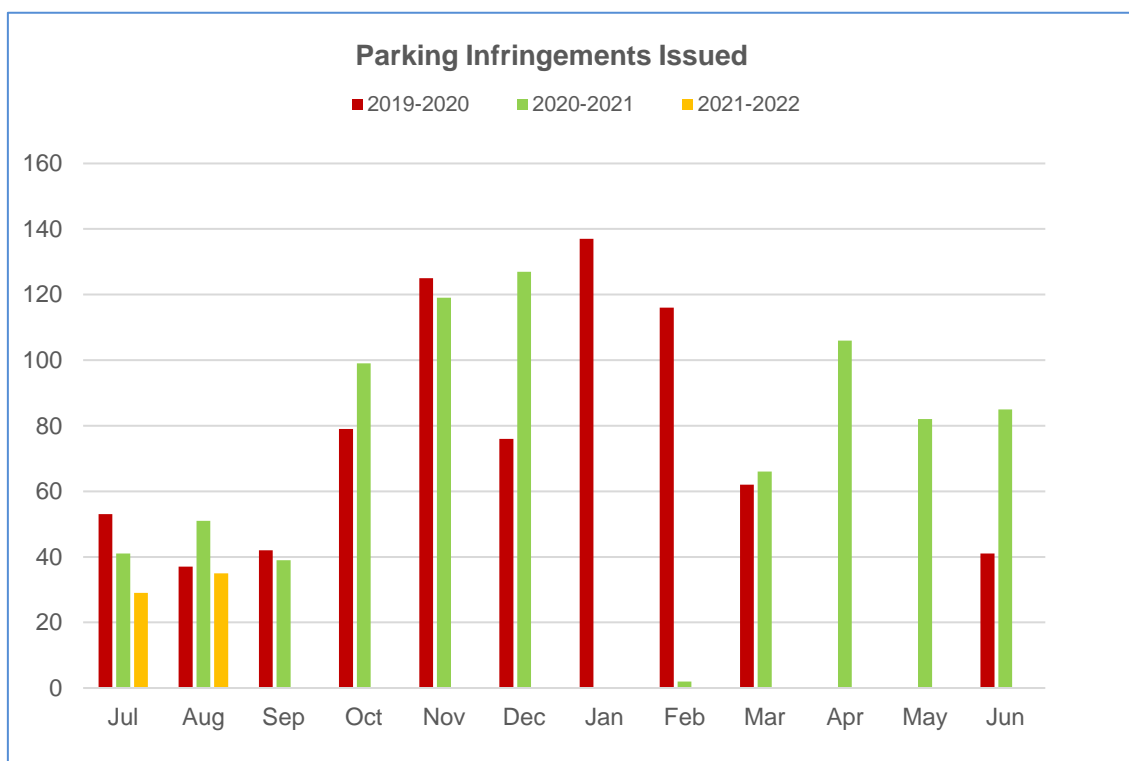
Between 1 January and 31 August 2021 there have been 76 Excessive Noise Directive (END) notices issued, 144 verbal warnings and seven seizures performed.

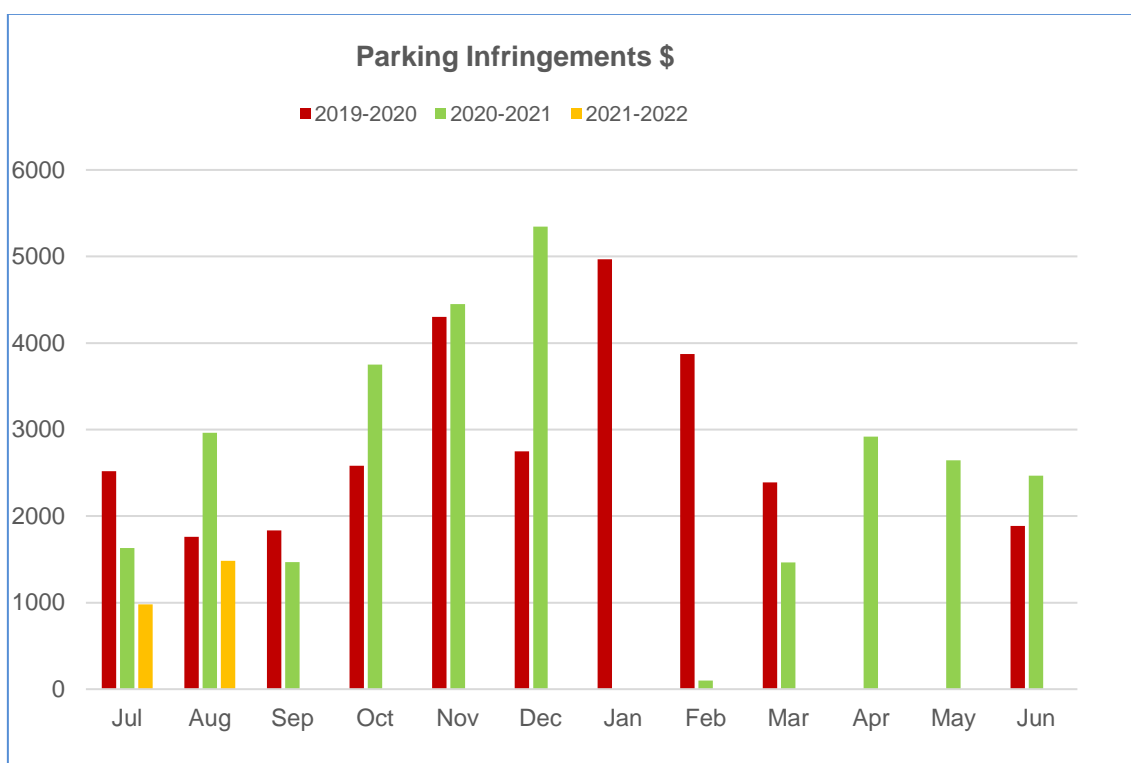
Action Taken January 2021 to August 2021	Count
Abatement notice issued	0*
Seizure performed	7
Excessive Noise Directive issued (END's)	76
Verbal warning	144

*\*In the previous report END's have been incorrectly reported to FNDC by the Contractor as abatement notices. The data was subsequently entered into Pathways resulting in incorrect reporting by FNDC. Only FNDC issues abatement notices for noise. This has come about due an outdated END form being used by First Security officers that had some confusing wording around END's and abatement notices. A new, accurate form has now been drafted and is being sent to the printers for new books to be made. First Security have also been made aware to only report on END's.*

### Parking Enforcement

There were 431 parking infringements issued between 1 January 2021 and 31 August 2021, slightly less than for the same period last year (448). Due to a resignation, during January and February 2021 there was no parking warden, so no proactive enforcement was undertaken. Any parking RFSS received during this time was actioned by the Monitoring team. The new Parking Warden commenced training in February 2021 and began enforcement in March 2021. The Parking Warden did not operate during Alert Levels 4 and 3 and recommenced duties in Alert Level 2 (8 September 2021).





The most common offence type is for parking in breach of the time limit. Parking in areas reserved for disabled persons also require ongoing enforcement in the community throughout the year

Parking Offence	Q3 2020/21	Q4 2020/21	Q1 2021/22 * to end of August
Inconsiderate Parking	2	5	5
Incorrect Angle Parking	2	2	0
Incorrect Kerb Parking – left side	6	14	1
Parked in a prohibited area	9	12	3
Parked in area reserved for disabled persons	21	38	5
Parked in area reserved for hire/reward vehicles	4	5	0
Parked on a loading zone	2	7	1
Parked on a broken yellow line	2	7	5
Parked on footpath	1	15	1
Parking in breach of time limit 0 – 30	14	35	6
Parking in breach of time limit 31 – 60	31	74	18
Parking in breach of time limit 61- 120	18	81	9
Parking in breach of time limit 121 - 240	16	42	8



Parking in breach of time limit 241 – 360	2	8	1
Parking in breach of time limit 361 – 1000	1	0	0
Parked within 6 metres of an intersection	0	0	1

Kerikeri and Paihia have the highest number of infringements issued across the district. This is due to a higher demand for carparks in these areas and an increased presence in these areas by the warden during busy periods. It should be noted that, until delegations are obtained from Waka Kotahi for enforcement on State Highways, all parking infringement statistics exclude these areas, e.g., Marsden Road in Paihia.

#### **Parking Infringements Issued by Suburb January – August 2021**

<b>Suburb</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>
Kaitaia	0	0	0	4	3	2	2	7
Kerikeri	0	2	32	49	44	47	14	19
Paihia	0	0	34	53	35	36	13	9
Kaikohe	0	0	0	0	0	0	0	0

#### **Vehicle Warrant of Fitness and Registration Trial**

From 1 July 2021 to 16 August 2021 (Alert Level 4 commencement) flyers advertising that FNDC will begin to monitor vehicles not displaying a current warrant of fitness and/or current license were distributed in the main towns in the Far North. These towns were Kaitaia, Kerikeri, Paihia and Kaikohe.

# Safer roads in the Far North

**Ensuring our vehicles are safe helps protect our whānau and all road users.**

From 1 July, we are checking that parked vehicles have a current warrant of fitness and license.

Other councils do this and we are trialling this approach for 12 months in our district.

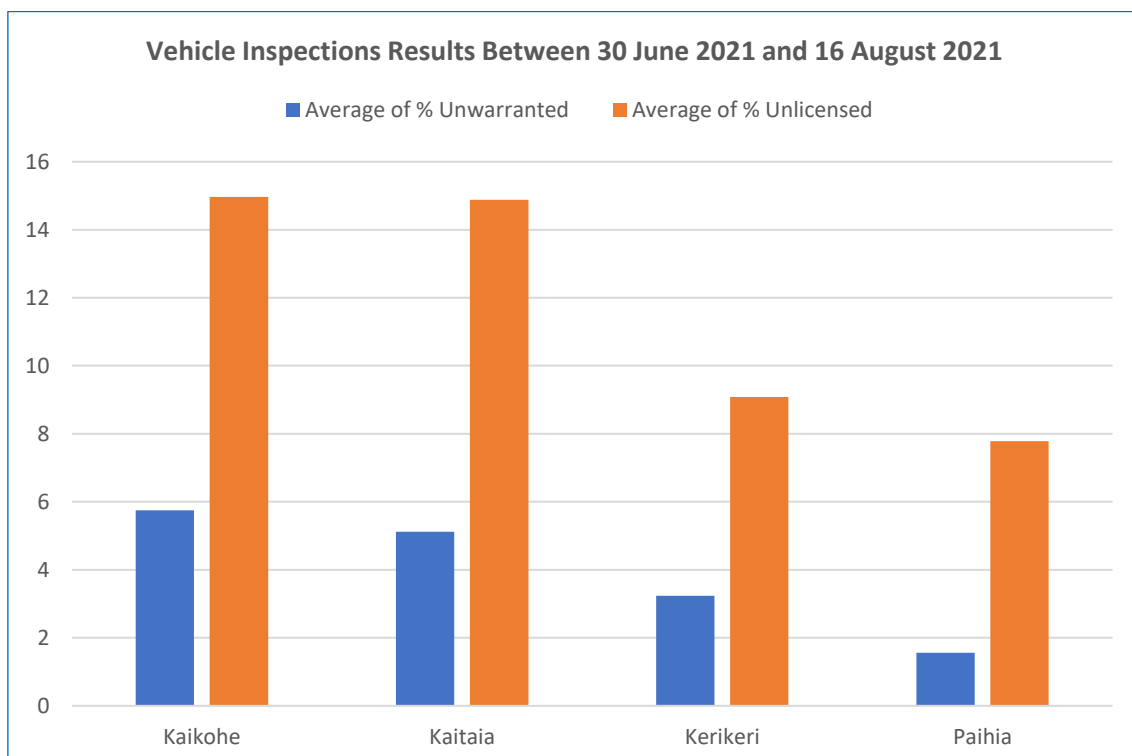
We notice that your warrant and/or license are expired. To avoid a \$200 fine, please ensure your warrant and license are up to date.

For information about how to renew your WoF and license visit:  
[www.nzta.govt.nz/vehicles/licensing-rego](http://www.nzta.govt.nz/vehicles/licensing-rego)

 **Far North District Council**  
*Te Kaitiaki o te Tai Tokomau ki te Kaitiaki*

**HE ARA TĀMATA**  
**CREATING GREAT PLACES**  
*Supporting our people*

During normal patrols, the Parking Officer, kept a record of how many vehicles were not displaying a current warrant of fitness and/or license from the total number sighted. Unlicensed vehicles were more common than unwarranted in all areas. Kaitaia and Kaikohe had the highest number of non-compliant vehicles with 15% unlicensed and 5-6% unwarranted.



During the flyer period, the public have given mixed feedback to the trial, with some being outraged believing FNDC were on a revenue gathering exercise in areas of low income, whilst others have thanked FNDC for the reminder that their vehicles license had expired. It was decided to extend the education (flyer) period from one to two months prior to enforcement giving the community further time to become compliant.

All FNDC system updates are now completed, and Council can now issue infringements for \$200 for not displaying a current warrant of fitness and/or current license.

Due to the lock down period Waka Kotahi have provided temporary extensions on both licenses and warrants which came into effect on 15 September. This allows for any WoF's or Registration Licenses that expire during the period of 21 July 2021 to 30 November 2021, to have a renewal date extension to 30 November 2021.

At this time the focus is on vehicles that have not had a warrant for six months or more. If an infringement is issued all offenders will be given opportunity to obtain a warrant within 56 days. Evidence of a new warrant will be grounds for the infringement to be waived.

FNDC are currently exploring options to work with the Ministry of Social Development (MSD), and other budgeting organisations to assist and encourage vehicle owners towards compliancy rather than infringement payments.

#### **State Highway Delegation**

Council is currently determining which parts of state highway across the district are appropriate to include in the parking bylaw and receive delegation for. Once the delegation has been prepared, including the appendix of the locations of parking restrictions on state highways, we will incorporate the locations by cross referencing those in our new bylaw.

The delegation does not give the Council the power (or responsibility) to create new parking restrictions on state highways, the delegation is only about enforcement, i.e. parking warden issuing tickets. The decision to have parking restrictions or change them is, and always will be, for Waka Kotahi to make. Even when they are added into our bylaw, they will only be amended if/as directed by Waka Kotahi.

The delegation allows FNDC to enforce any restrictions on behalf of Waka Kotahi.

#### **PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial or resource implications associated with this report.

#### **ĀPITI HANGA / ATTACHMENTS**

1. **Attachment A - Parking Infringement Fees - A3420857** [↓](#) 

**Compliance schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1) A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2) This section is subject to Section 79 - Compliance with procedures in relation to decisions

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Low Significance – this matter does not meet the criteria/threshold for a matter of significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Local Government Act 2002 FNDC Parking and Traffic Control Bylaw 2010 Resource Management Act 1991 Land Transport Act 1998 Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011 Land Transport (Offences and Penalties) Regulations 1999 LTP Community Outcomes: Communities that are healthy, safe, connected and sustainable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District Wide Significance
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	No specific implications
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example	Information report only

– youth, the aged and those with disabilities.	
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.



## Parking Infringement Fees

Parking infringements		Set by legislation
P101	Parked within an intersection	\$60.00
P102	Parked within six meters of an intersection	\$60.00
P103	Parking near corner, bend or rise	\$40.00
P104	Parking on or near a pedestrian crossing	\$60.00
P105	Parked in prohibited area	\$40.00
P106A	Parked over the time limit	\$40.00
P107	Parked on broken yellow line	\$60.00
P108	Parked in area reserved for vehicles hire/reward	\$60.00
P109	Parking within six meters of an indicated bus stop	\$40.00
P110	Parked across a vehicle entrance	\$40.00
P111	Parked near fire hydrant	\$40.00
P112	Parked between fire hydrant and road marking	\$40.00
P113	Double parked	\$60.00
P114	Incorrect kerb parking – left side of road	\$40.00
P115	Parked on footpath	\$40.00
P116	Parking trailer on road more than seven days	\$60.00
P117	Inconsiderate parking	\$60.00
P119	Parked on a loading zone*	\$40.00
P120	Incorrect angle parking	\$40.00
P127	Parked on a flush median or traffic island	\$40.00
P508	Parked in a clearway	\$60.00
P969	Parked in an area reserved for disabled persons	\$150.00
P106 / T30	Parking in breach of a time limit 0-30 mins	\$12.00
P106 / T60	Parking in breach of a time limit 31- 60 mins	\$15.00
P106 / T120	Parking in breach of a time limit 61-120 mins	\$21.00
P106 / T240	Parking in breach of a time limit 121-240 mins	\$30.00
P106 / T360	Parking in breach of a time limit 241-360 mins	\$42.00
P106 / T1000	Parking in breach of a time limit six hours or more	\$57.00
Infringements do not attract GST		
* Use for when goods and service vehicles overstay on loading zone		
C = Car		U = Ute
B = Bus		V = Van
T = Truck		CV = Campervan
S = Station Wagon		MB = Motorbike

## 5.2 ENVIRONMENTAL HEALTH SERVICES: FOOD LICENSING UPDATE

**File Number:** A3414998

**Author:** Rochelle Deane, Manager - Environmental Services

**Authoriser:** Dean Myburgh, General Manager - District Services

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide an update to the committee on Food Licensing in the District, reporting on:

- The number of premises registered
- The number of food verifications completed
- The number of complaints received, and enforcement action taken
- Recognised Agency Assessment
- Impact of COVID-19
- Mobile Shop, Street Stall and Alfresco Dining Approvals

### WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

The Far North District Council, as a territorial authority, is deemed a recognised agency under the Food Act 2014 (s137) and is therefore authorised to act as a verification agency (FVA) for template food control plans operating entirely within the Far North District area and where the sales are primarily directly to consumers.

The Food Act 2014 (the Act) aims to ensure that food sold throughout New Zealand is safe. A central feature of this legislation is a sliding scale where businesses that are higher risk, from a food safety point of view, will operate under more stringent food safety requirements than lower-risk food businesses. The Food Act 2014 promotes food safety by focusing on the processes of food production, not the premises where food is made.

This report is an update on food licencing activities in the district, between 1 April 2021 and 31 August 2021, the period since the last Committee report received 4 May 2021.

### TŪTOHUNGA / RECOMMENDATION

**That the Regulatory Compliance Committee receive the report Environmental Health Services: Food Licensing Update.**

### TĀHUHU KŌRERO / BACKGROUND

Food businesses can fall into two food safety measure groups:

**Food Control Plans:** Written plans for managing food safety on a day-to-day basis. These are used by higher-risk businesses.

**National Programmes (1-3):** A set of food safety rules for medium and low-risk businesses. Although a written plan is not required, these businesses still need to register, meet food safety standards, keep some records, and be verified.

The focus of the Food Act 2014 is for verifiers to focus on what is most important for achieving food safety at each type of business. Guidelines for verifiers are aimed at supporting them to use their professional judgement and technical expertise.

The Act introduced a verification based method to check that food operators conform to procedures outlined in their documented plan or programme. This is different to the previous inspection regime used under the Health (Registration of Premises) Regulations 1966.



FNDC, as a territorial authority, is deemed a recognised agency under s137 of the Act and is therefore authorised to act as a verification agency for template food control plans operating entirely within the Far North district and where the sales are primarily directly to consumers.

There is also a requirement for council to apply for approval from the Ministry of Primary Industries (MPI) to verify certain businesses subject to National Programmes. FNDC currently holds a Notice of Recognition, issued (under delegation) by the Chief Executive of the MPI to verify National Programmes.

MPI has independently assessed staff at the Far North District Council and confirmed technical, legislative, verification and quality management system competencies to provide verification services in the following areas:

#### Template Food Control Plans (FCP)

- Section 39 template food control plans registered by the Far North District Council where the business is only in the Far North District and sells primarily directly to consumers
- Section 40 template food control plans with food service or food retail focus as specified in the food notice

#### National Programme 1 (NP1)

- Extract or pack honey
- Make sugar molasses, syrups or related products
- Sell tea, coffee, hot chocolate and packaged shelf stable food only
- Sell packaged ice creams, ice blocks or similar items only
- Store or transport food only

#### National Programme 2 (NP2)

##### Manufacture:

- Bread, fruit loaves, bagels pita bread etc.
- Cereals, biscuits and crackers
- Crisps, popcorn and other snack foods
- Peanut butter, jams, pickles and chutneys
- Confectionery, chocolate and icing
- Ice, iced confectionery and iced desserts
- Frozen, dried or dehydrated fruits and vegetables

##### Sell:

- Chilled or frozen foods

##### Process:

- Nuts and seeds

##### Serve:

- Food at an early childhood education centre (ECE) / Kōhanga Reo

#### National Programme 3 (NP3)

- Brew, distil, manufacture alcoholic beverages (not including wine), vinegar or malt extract
- Manufacture non-alcoholic beverages
- Manufacture oils or fats (other than butter) for human consumption
- Process grain (includes milling, malting rolling and roasting)
- Handle food for retail (includes scooping ice cream and reheating manufacture prepared food)
- Process herbs or spices (includes loose tea)
- Manufacture dry mix products (includes cake mixes, powdered desserts, drinks, flavourings and soups)

## MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

### Food Premises Registered

As of 1 September 2021, FNDC have 476 food premises registered in the district. This is 12 more premises than in the 2020/2021 period.

Covid related uncertainties and lower visitor numbers do not currently appear to have had an effect on the number of food businesses registered with the Far North District Council.

Program	Number of Premises
Template Food Control Plan (FCP)	308
National Program 1 (NP1)	47
National Program 2 (NP2)	41
National Program 3 (NP3)	80

A breakdown of food premise registration type and ward is as follows:

Template Food Control Plan (FCP)

Bay of Islands-Whangaroa Ward	193
Kaikohe-Hokianga Ward	39
Te Hiku Ward	76

National Programme (NP1)

Bay of Islands-Whangaroa Ward	23
Kaikohe-Hokianga Ward	3
Te Hiku Ward	21

National Programme (NP2)

Bay of Islands-Whangaroa Ward	20
Kaikohe-Hokianga Ward	4
Te Hiku Ward	17

National Programme (NP3)

Bay of Islands-Whangaroa Ward	34
Kaikohe-Hokianga Ward	18
Te Hiku Ward	28

## Food Verifications

A food premise operator is required to renew their registration, where the renewal frequency depends on the type of registration held. Food Control Plans require annual renewals and National Programs require renewal every two years.

Between 1 April 2021 to 31 August 2021, there have been 131 verifications completed by the Environmental Health Services team.

120 of these verifications had an “acceptable outcome” and 11 of these verifications had an “unacceptable outcome”.

If an unacceptable outcome has been achieved from an initial verification or a subsequent verification, the verifier must determine whether the operator is:

- Willing and able to comply
- Unwilling and unable to comply

- There is an immediate risk to public health.

Of the 11 unacceptable outcomes, all operators were willing and able to comply with no immediate risk to public health.

If it is an unacceptable outcome the period between verifications shortens which increases the running costs for an operator.

Acceptable Outcome	Unacceptable Outcome
<ul style="list-style-type: none"> <li>• The operator is complying with all applicable regulatory requirements of the Act.</li> <li>• Corrective action have been or are being applied appropriately and are effective.</li> <li>• The RBM is applicable to the operations of the business.</li> <li>• The RBM is effective.</li> </ul>	<ul style="list-style-type: none"> <li>• There is non-compliance that is likely to result in food being unsafe or unsuitable.</li> <li>• The operator is knowingly operating under an incorrect RBM.</li> <li>• The RBM is ineffective.</li> <li>• The operator's verification plan is failing to identify problems leading to unsafe and unsuitable food.</li> <li>• The operator has failed to identify or address a problem that could lead to critical non-compliance.</li> <li>• The verifier has no confidence in the operation due to the repeated non-compliance or problematic record keeping (absent, incomplete, or altered).</li> </ul>

The frequency of verification depends on the type of registration that an operator holds. As an incentive for operators who are compliant with food safety as per their registered FCP of NP the frequency period between verifications can be extended which is a cost saving to the operator.

## Food Control Plan

Regulations (Food regulations 87-88)		
Initial verification must be completed by		
	NEW BUSINESSES	EXISTING BUSINESSES
<b>Custom FCP*</b>	Within 3 months of registering	Within 6 months of registering
<b>Template FCP</b>	Within 6 weeks of registering	Within 1 year of registering

Regulations	
Step	Time between different verifications
5	18 months
4	12 months
3	9 months
2	6 months
1	3 months

(Food Regulations 90(1))

## National Programme

Regulations (Food regulations 91-93)		
Initial verification must be completed by		
	NEW BUSINESSES	EXISTING BUSINESSES
NP1	Within 6 weeks of registering	Within 1 year of registering
NP2	Within 6 weeks of registering	Within 1 year of registering
NP3	Within 6 weeks of registering	Within 6 months of registering

Regulations (Food regulations 91-93)		
Initial verification must be completed by		
	Existing businesses (was operating prior to 1 March 2016)	New businesses (started operating post 29 Feb 2016)
NP1	Within 1 year of registering	Within 6 weeks of registering
NP2	Within 1 year of registering	Within 6 weeks of registering
NP3	Within 6 months of registering	Within 6 weeks of registering

## Complaints Received

Between 1 April 2021 and 31 August 2021, there have been 17 complaints received via the FNDC Request for Service platform.

Type of Complaint	Total Number Received
Complaint regarding food premise staff	0
EHO Behaviour	0
Food Poisoning	2
Hygiene of Premises	3
Labelling of Product	3
Drinking Water Availability	0
Operating during lockdown	0
Sale of expired product	0
Unregistered Operator	8
Water Quality Issues	1
<b>Total</b>	<b>17</b>

All complaints received are investigated and the appropriate action taken to resolve the issue. The EHS team uses the compliance model called “VADE – Voluntary, Assisted, Directed, Enforced” approach when dealing with compliance issues.

In most instances, the Environmental Health Services team have been able to actively work with the operators to achieve positive outcomes.

In April 2021, the food infringement process was introduced in the FNDC Pathway system allowing an Environmental Health Officer (EHO) to serve an infringement notice for any breach or offence under the Food Act 2014.

Since the introduction, one food infringement notice has been issued to an unregistered operator in Kaikohe. This infringement notice relates to seven of the RFS complaints for “Unregistered Operator”. This Operator was not prepared to adhere to their responsibilities under the Act leading to the issuing of an infringement notice.

## Recognised Agency Remote Surveillance Assessment

In January 2021 FNDC (the Food Verification Agency) underwent a remote surveillance assessment by IANZ on behalf of MPI to ensure requirements of an Agency were being met. IANZ recommended that FNDC continues to meet the requirements to be a Recognised Agency to conduct verification

services under the Food Act 2014. A copy of the report was circulated in the previous Committee meeting held on 4 May 2021: Attachment A.

Overall, the assessment was an excellent result for the Food Verification Agency (FVA) and one to be commended.

To address the three non-conformances that were identified action plans have now been developed and accepted to address these and they will be closed out by MPI at the next audit scheduled for January 2022.

The non-conformances were:

### **Businesses with expired and overdue registrations**

The Food Verification Agency (FVA) has now reviewed and amended the process for businesses with expired and overdue registrations.

The FVA has issued 11 'cease trading' directions to businesses who have failed to renew their registration. Of these 11, six businesses obtained a new registration and can now operate. The remaining five have ceased trading or are no longer in operation.

The FVA has also implemented a new process called 'Intention to Suspend Registration'. This process has provided a useful tool when trying to confirm a verification appointment with an operator. If an operator fails to respond to our attempts to schedule a verification, we can suspend their registration until such time a verification is carried out.

An internal audit of the FVA's 'Expired Registrations' and 'Overdue Verifications' process was conducted by the District Services Manager – Quality in June 2021. The outcome of these audits confirmed that the FVA now has an established process for managing expired registrations and this has been consistently and effectively implemented.

### **Competence assessment forms**

The forms have now been reviewed and amended.

### **Recording decisions on competency**

The Competency Matrix has now been reviewed and amended.

### **Quality Manager's Annual Report**

On the 18 August 2021, the District Services Manager – Quality provided an annual report providing a snapshot view of the annual auditing programme for the FVA. The annual report confirmed that the FVA has a robust auditing programme and systems in place, designed to support its quality objective. A copy of this annual report is found in attachment B of this report.

### **The Impact of COVID**

It appears that COVID19 restrictions have not had an impact on the number of registrations held with the Far North District Council, with a slight increase in numbers held over the past six months.

It is expected, however that the recent lock down may have an impact on the operations of some food businesses with a loss of income due to not being able to trade during Alert Level 4 and the ongoing cost to comply with the Food Act 2014 requirements (registration fee and verification fees).

One business has notified the FVA of the financial impact caused by COVID19 and the Environmental Health Services team have worked with the Debt Management team to implement a time payment plan for this operator. Any notification of hardship will be managed on a case-by-case basis.

The FVA has also been impacted by the recent lockdown with the MPI issuing a directive that "onsite verifications" are not permitted until the return to level one.

Instead of an "onsite verification" the FVA has been encouraged to perform remote checks for businesses who meet the criteria of a "remote check". The criteria for a remote check are that it is not the businesses initial verification and there are no previous non-compliance issues.

The FVA has carried out 7 “remote checks” since 17 August 2021, when level four was declared.

Many food businesses are unable to schedule a “remote check” due to inadequate technology to undergo a “remote check”, or language barriers.

MPI has advised that there is an extension to verifications due to the impact of Covid alert levels and have allowed the FVA six months to complete the overdue verifications. The FVA are currently looking at having a backlog of over 140 verifications to complete by 31 December 2021 at the time of writing this report.

Over alert levels, the FVA circulated important COVID19 information to all registered food businesses. These communications detailed the alert level restrictions and helped to educate the businesses of what was permitted trading.

### **Mobile Shops, Street Stalls and Alfresco Dining – Food Related**

The Environmental Health Services team recently took over the processing of applications for Mobile Shop, Street Stall and Alfresco Dining Approvals. This was an operational decision to align internal processes to the department that holds the knowledge around Food Act 2014 requirements.

#### **Mobile Shops**

Any person wishing to operate a mobile shop in the Far North District must apply for Council approval to do so.

A mobile shop approval allows an operator to trade for a short period of time in one location before moving on, e.g. an ice cream van.

If the person is proposing to sell food from a mobile shop, they must be registered under the Food Act 2014.

A breakdown of mobile shop approvals that have been issued between 1 April 2021 and 31 August 2021, is as follows:

Bay of Islands-Whangaroa Ward	2
Kaikohe-Hokianga Ward	0
Te Hiku Ward	4

#### **Street Stalls**

Any person wishing to operate a street stall in the Far North District must apply for Council approval to do so.

A street stall approval allows an operator to trade from a specific location and is set up for more than 30 minutes, e.g. a bake sale to fundraise for a charitable group like St John Ambulance.

Street stall applications are received from charitable groups and therefore they are not required to be registered under the Food Act 2014, providing they do not exceed 20 occasions each year.

There is no fee for a street stall approval application.

A breakdown of street stall approvals that have been issued between 1 April 2021 and 31 August 2021, is as follows:

Bay of Islands-Whangaroa Ward	4
Kaikohe-Hokianga Ward	7
Te Hiku Ward	3

#### **Alfresco Dining**

To use public space for outdoor dining, a person must obtain approval from Council.

Café and restaurant owners benefit from increased business opportunities and the wider community benefits by having a more vibrant commercial sector that is meeting the needs of a more discerning public.



Council has a “Alfresco Dining Policy (#3116) which enables the private use of public spaces for outdoor dining. A person wanting to occupy public space for the purpose of alfresco dining must meet the criteria outlined in the “Alfresco Dining Policy (#3116) before they are issued with approval to occupy a public space.

A breakdown of alfresco dining approvals that have been issued between 1 April 2021 and 31 August 2021, is as follows:

Bay of Islands-Whangaroa Ward	5
Kaikohe-Hokianga Ward	0
Te Hiku Ward	2

The team will be going across the district to identify any businesses who are occupying public space for the purpose of alfresco dining without the required approval and work with them to obtain the necessary approval to do so.

The Environmental Health Services team were scheduled to commence foot patrols across the district in August 2021, however due to the lockdown period this has been rescheduled to take place in September 2021 and October 2021.

### **Business Improvements within the Food Business Area**

#### Food Business Newsletters

The Environmental Health team is working with the Council’s Communications team to develop quarterly newsletters that will be circulated to registered food businesses as well as being available on the Council website. The intention is to circulate useful information that pertains to food business and help to educate our customers and public around food business requirements. The team expects to release its first edition of a “Spring/Summer Food Business Newsletter” in October 2021.

#### Website Updates

In July 2021, the team reviewed the content on the Council’s website pertaining to food business. Changes have been made to the website content to ensure customers can navigate the website content more easily and to ensure information is customer friendly.

### **PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial or resource implications associated with this report

### **ĀPITI HANGA / ATTACHMENTS**

1. **Attachment A MPI Recognised Agency Assessment Report - A3417816** [↓](#) 
2. **Attachment B Quality Managers Annual Report 2021 - A3417817** [↓](#) 

### **Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Low Significance – this matter does not meet the criteria/threshold for a matter of significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Food Act 2014 LTP Community Outcomes: Communities that are healthy, safe, connected and sustainable
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District Wide Relevance
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	No specific implications
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Information report only
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report





The NZ mark of competence  
Tohu Matatau Aotearoa

**MINISTRY FOR PRIMARY INDUSTRIES**  
**RECOGNISED AGENCY ASSESSMENT REPORT**

Far North District Council  
Remote Surveillance Assessment  
26 January 2021

IANZ, April 2020

IANZ, Private Bag 28908, Remuera Auckland 1541; Ph. (09) 525 6655, Fax (09) 525 2266



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## ASSESSMENT REPORT

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### Organisation Details

Organisation	Far North District Council
Address	Private Bag 752 Memorial Avenue Kaikohe
Agency Contact	Katie Waiti-Dennis

### Assessment Team

Lead Assessor	Jennifer Foley
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### Report Preparation

Prepared by	Jennifer Foley
Checked by	Julie Richards
Date finalised	12 February 2021



## Introduction

This report relates to the Recognised Agency Remote Surveillance Assessment of Far North District Council which took place on 26 January 2021. This assessment was undertaken on behalf of the Ministry for Primary Industries (MPI) in order to make a recommendation to MPI whether or not Far North District Council continues to meet the requirements for recognition as an agency to conduct registration, verification compliance and monitoring activities.

Recognition is a conclusion that the agency complies with the relevant sections of the Food Act 2014, regulations of the Food Regulations 2015 and other applicable MPI criteria. The assessment was a sampling exercise and therefore this report is based on the observations made during the assessment.

Compliance with all legal requirements relating to health and safety is the responsibility of the agency. Where some items relating to health and safety may have been identified, this does not represent an exhaustive report on the agency's compliance with such legal requirements. Auditing for compliance with legal requirements relating to health and safety is outside the scope of this assessment.

## Executive Summary

Far North District Council (FNDC) had the following functions under the Food Act 2014:

- Registration of food businesses;
- Verification of Template Food Control Plans (FCPs) within Territorial Authority exclusivity;
- Verification of Template FCPs outside Territorial Authority exclusivity;
- Verification of National Programmes;
- Applicable enforcement, compliance and monitoring activities

In order to conduct the verification of Template FCPs outside council exclusivity and the verification of National Programmes, Far North District Council was required to maintain its recognition by MPI according to the Food Act 2014. The purpose of this assessment was to conduct an organisational competence assessment of Far North District Council to determine whether it continued to meet the requirements for recognition as an agency conducting verification services.

This assessment consisted of:

- A desk-top review of FNDC's Quality Management System (QMS) against the Food Act 2014, the Food Regulations 2015 and MPI criteria;
- A remote assessment of the implementation of the submitted QMS. The assessment was undertaken remotely using Microsoft TEAMS. IANZ has been instructed to undertake QMS assessments remotely since the beginning of the COVID-19 pandemic as per the work authorisation between MPI and IANZ.

The documented QMS was very detailed and well thought out. The agency was well supported by a management team who were seen to be invested and committed to the successful operation of the agency. The agency had implemented a number of useful and proactive measures in the last year and this was seen to be a good example of an agency being committed to improving and growing its activities and people.

IANZ maintains records on the data collected, findings and completed checklists addressing specific requirements.



## Observations

### Conflicts of interest

A number of processes were in place to manage conflicts of interest. This included a register and associated policy. The agency was able to clearly demonstrate its process. A recorded conflict of interest was followed through to verify this. In the case reviewed, the agency had made appropriate file notes in the food business record which was located on the Pathways database. These notes were made to ensure that a verifier would not be assigned to a particular food business where there was a conflict of interest identified.

### Confidential information

There were no indications that the agency was not managing confidential information appropriately. The agency indicated to food businesses that it would be reporting verification outcomes to the regulator and that, other than required by law, information would remain confidential.

### Staffing

The agency had the following three recognised persons:

- Natalia Thompson
- Emmanuel Platero
- Patrick Barber

There were no other verifiers currently working for the agency. The council did not have any shared service arrangements with other councils nor did it use any contractors for verification work. Patrick Barber supported the team as Technical Leader. The following persons also held management responsibility for the agency:

- Katie Waiti-Dennis - Manager of Quality
- Rochelle Deane - Manager Environmental Services
- Christina Rosenthal - Team Leader
- Dr Dean Myburgh - General Manager

Most of these persons had been newly appointed since the last assessment. A verifier, Harish Kumar, had recently finished his employment with the agency. FNDC was able to demonstrate that it had followed its processes for notifying the regulator of this fact. The agency was in the process of recruiting an additional verifier. The QMS stated that the agency would recognise any approvals from MPI that a new prospective verifier held. There were also comments noted in competency reports that stated verifiers were deemed competent as they had a successful MPI Recognised Person witness assessment. While the agency may use MPI recognition as part of its competency assessment process, there is still a requirement for the agency to assess each verifier's competence. See **R5** related to this. Evidence of qualifications was provided for a selection of verifiers. This demonstrated that the agency was maintaining appropriate records.

Gavin Jacobson had been engaged as a contractor to undertake competency assessments of verifiers. A large body of work was involved here. A selection of verification reports was sent to the contractor for review. Subsequently, interviews were conducted. An assessment of verifier's knowledge on requirements was also included, such as knowledge of legislation. The agency is commended for proactively managing training and competency in this regard and is encouraged to continue its commitments to competency management.

There were sections in the QMS that related to Competencies and Training. The processes described in the QMS were very detailed but it was established during the assessment that the documented processes did not fully reflect what was happening in practice. See **R4**.

Examples of completed competency assessment forms were provided for review. These forms appeared to be designed for on-site peer reviews of verifiers (which is a required activity). However, completed forms were instead summaries of the work that the contractor had completed – this work was a review of reports and interviews with verifiers. While these are very useful and necessary activities, the competency assessment form used may not have been the correct form to use here. Alternatively, the detail recorded could have more clearly indicated that the forms were being used for another purpose. There is still a requirement for the agency to undertake on-site peer reviews of its verifiers. See **NC 2**.





The agency was using a competency matrix that had been supplied by MPI. While this was useful, the way it was being used did not fully support the agency in demonstrating and supporting how it made its decisions on sector specific competencies. See **NC 3**.

### **Resourcing**

The agency had a useful Resourcing Model document that was used to support resourcing. This document gave an analysis of workload and the number of verifiers the agency may need in order to meet its demands.

Details on the number of overdue verifications were also provided. The agency's management had made an active decision to not undertake verifications during the Christmas holiday period due to pressure that food businesses might be facing. Besides this, there were also other overdue verifications. The number of overdue verifications was not disturbingly high but would require active management. There were some cases where the agency could not demonstrate how it was handling specific overdue verifications. It was not clear how this process was being managed or how overdue verifications were being prioritised. See **NC 1**.

Similarly, data on registrations was reviewed during the assessment. The agency had an Expired Business Process that described how the agency would manage expired registrations. There were a few examples where it was clear that this process was either not being followed or where the process required review and update. See **NC 1**.

### **Reporting requirements**

A selection of verification reports was provided for review. Checklists were used by verifiers and these would form the basis of the report that was sent to the food business. The templates used by the agency appeared to include all the mandatory reporting requirements. Topics were listed in the verification reports. Essential and Top 5 Topics were highlighted on the reports. It was discussed that this did not really flag to the verifier that there are different Top 5 Topics depending on the type of food business being verified. See **R2**.

### **Records**

The agency had a largely electronic based record keeping system. Verifications were recorded using a checklist. This listed all the possible verification topics and the verifier would select if a topic was performing, conforming, non-conforming or non-complying. Notes were recorded by the verifier. The notes were appropriate but FNDC and its verifiers are encouraged to always keep detailed notes to support its decisions. It was noted that the competency assessments carried out by the contractor had looked at verification records in good detail and made appropriate comments and recommendations to FNDC and its verifiers. Completed verifications were accessible via the agency's Pathways database.

### **Non-compliance and corrective action**

The agency was actively reviewing reports on the verification data stored on the MPI reporting system Titiro. The Quality Manager was running a report on any verifications that had a non-compliance. The purpose of this was to identify cases where specific actions may be required. The agency is encouraged to continue this proactive approach to data review.

Verification reports were assessed and this demonstrated the process for managing non-compliance and corrective action. There was a section of the report template that indicated if a verification had identified areas of non-conformance or non-compliance. Verifiers would agree on appropriate corrective action with the food business at the time of the verification. This included agreeing on a date for completion. In some cases, the food business would send in evidence for review in order to close any non-conformance or non-compliance. Alternatively, the verifier may decide to undertake a follow up visit to confirm if corrective action had been completed. The reports contained a section for recording if corrective action had been completed or if a follow up verification had been carried out.



### Complaints and Disputes

A complaints and disputes register was provided for review. This gave a brief summary of complaints received and the outcome of any investigations. A complaint was further reviewed during this assessment - this related to a case where a verification had been booked for a food business when the food business had indicated it had already engaged a third party verifier. FNDC were able to demonstrate that they were following their procedure for investigating and responding to complaints. Records related to the complaints were readily available and saved in Objective. This included acknowledgement of complaint and file notes in Objective to prevent the issue reoccurring.

### Internal Management

An internal audit schedule was in place and records of completed audits were provided. Records included an internal audit plan and an internal audit report. The records were extremely detailed. An audit of Regulation 110(2)(m) was reviewed. Regulation 110(2)(m) states that agencies must have a process to review performance. An internal audit checklist was included in the audit report but this checklist was limited and it could have been argued that it may not be an appropriate audit checklist. It was discussed with the agency that it may be useful to add more detail into the checklist. This could be done by using the MPI [Assessing your QMS](#) document. The FNDC checklist included the regulatory requirement, but without more definition, there is potential that internal audits would not verify the QMS against the correct criteria.

The audit report was very high level. It was discussed during the assessment that FNDC should be using the internal audits to verify if systems and processes:

1. Meet requirements
2. Are being implemented.

Using the above example to illustrate this, the MPI [Assessing your QMS](#) document states that one of the ways the agency can comply with regulation 110(2)(m), is to have systems and processes in place that allow for active monitoring of consistency and reliability of verification outcomes including professional judgement. The internal audit should be looking for objective evidence that FNDC has systems and processes for monitoring the consistency and reliability of verification outcomes (point 1, above). The internal audit should then confirm that these processes are appropriate and implemented correctly (point 2, above). Internal auditors should seek evidence and keep records as part of this process.

A CI (Continuous Improvement) register was in place and this listed a number of improvements that had been made. It was noted that the findings from the last QMS assessment which was undertaken in 2019 had not been included in the register. Findings from the QMS assessment prior to the 2019 one had been included. See R3.

### Review of performance

As mentioned, the agency had recently engaged the services of a contractor to perform competency review services. This contractor undertook a review of a selection of reports from each verifier. Verifiers were then interviewed and discussed reasons for their decisions and judgements with the contractor. A detailed report was provided. This was a good way of reviewing consistency and professional judgement.

Spot audits on data in Titiro were being completed. It was discussed that MPI had been providing information to the agency on any errors in data that had been uploaded to Titiro. The Manager of Quality had been working on extracting reports which indicated if there were any errors in verification topics. In one case at least, an error with the reporting template was identified as the cause of some errors and this had been addressed by the agency. The agency is encouraged to continue this practice. Data like this can be used to identify any transcription or upload errors. Similarly, this data can be very useful in reviewing consistency between verifiers.

### Contractual arrangements

The agency used an Application for Registration of Food Business form. This was used by food businesses that were applying for registration. Food businesses could also request verification services using this form. The form was available from the FNDC website. Listed at the end of this form was the agency's terms and conditions. This included areas such as confidentiality, impartiality and fees. Prior to verifications,



confirmation letters were also sent to food businesses. This reiterated areas such as fees and times for verifications. Letters also described the scope of verifications. It was noted that there was no page control on the Application for Registration of Food Business form.





### Assessment Findings

The following non-conformities must be implemented in accordance with the plan agreed to by the agency and detailed below for each non-conformity. MPI will manage the non-conformities to resolution, and all corrective actions and related correspondence must be addressed to: [foodact.verification@mpi.govt.nz](mailto:foodact.verification@mpi.govt.nz)

Recommendations are intended to assist the agency in its efforts to maintain an effective quality management system and are not conditions of recognition. All corrective actions and recommendations will be followed up at the next assessment.

Non-conformity number	NC 1	Reference	The Food Act 2014 Schedule 4
<b>Details of non-conformity</b>			
<ol style="list-style-type: none"> <li>1. There were a number of businesses with expired registrations – a further review indicated that the agency had not followed its own process for managing these. The process requires the agency to send out repeated reminders to food businesses both before and after expiry. There are also requirements for FNDC to escalate expired registrations. In some cases, enforcement action may be required. The records, notes and memos stored in Pathways system were in some cases not fully complete (see Soda Creek, Rouge Vine Vineyard and Super Natural Foods). FNDC should review the extent of this issue and implement corrective action as appropriate.</li> <li>2. The Food Business Renewal Process Improvement procedure noted that businesses could renew their registrations. This may not be fully correct as businesses with expired registrations may need to apply for a new registration. Failure to do so could result in service of an infringement notice. FNDC should review this documented process. This may involve update of the procedure and subsequent re-training of personnel.</li> <li>3. FNDC should especially look to see if there are any food businesses operating without registration and in breach of the Food Act 2014.</li> <li>4. Similarly, there were a number of overdue verifications and the file notes or memos on Pathways did not demonstrate that these were being actively managed (See Tee Tree Cafe and Golf Range/King Wah Restaurant/Landing Thai Café*). In some cases, food businesses may be in breach of the Food Act 2014. FNDC should review the extent of this issue and implement corrective action as appropriate.</li> <li>5. In addressing this, it may be prudent to document a process for managing registration applications, renewal applications and scheduling. Allocation of work was described in the QMS, but as there were some overdue verifications that have not been assigned or carried out, then this process may need to be amended.</li> </ol> <p>*(This one appeared to be up to date but the report sent to IANZ indicated it was overdue.)</p>			
<b>Information provided by the agency to rectify non-conformance</b>			
Reference	Corrective Action	Owner	Due
2021NC01_01	<b>Expired Registrations:</b> Review the 'Expired Food Business' process. This includes reviewing the existing process, amending where required, identifying records required, updating the Quality Manual if applicable, and distributing to affected staff.	Katie Waiti-Dennis, Rochelle Dean, Christina Rosenthal & Louie Elliott	28 February 2021
2021NC01_02	<b>Expired Registrations:</b> Produce a report of the expired registrations and	Katie Waiti-Dennis & Christina Rosenthal	28 February 2021





	identify the action required for each business.		
2021NC01_03	<b>Expired Registrations:</b> Conduct a process audit of the 'expired business process' within 3 months of the new process being finalised.	Katie Waiti-Dennis	31 May 2021
2021NC01_04	<b>Overdue Verifications:</b> Review the 'overdue verifications' process. This includes reviewing the existing process, reviewing practice notes and guidance on suspension, amending the process where required, identifying records required, updating the Quality Manual if applicable, and distributing to affected staff.	Katie Waiti-Dennis, Rochelle Dean, Christina Rosenthal & Louie Elliott	28 February 2021
2021NC01_05	<b>Overdue Verifications:</b> Produce a report of the overdue verifications and identify the action required for each business.	Katie Waiti-Dennis & Christina Rosenthal	28 February 2021
2021NC01_06	<b>Overdue Verifications:</b> Conduct a process audit of the 'overdue verifications process' within 3 months of the new process being finalised.	Katie Waiti-Dennis	31 May 2021
<b>Comment / closure and date</b>			
FNDC has provided good detail on its plan to address this non-conformance. MPI may wish to see detail on the completed corrective action in order to close this. NC 1 remains open; resolution will be managed by MPI.			

<b>Non-conformity number</b>	NC 2	<b>Reference</b>	The Food Regulations 110 (2) (e) & 110 (2) (d)
<b>Details of non-conformity</b>			
There was some confusion over the use of the competence assessment form.			
The form as a template appears to be intended for use for on-site peer reviews of verifiers.			
However, a completed form for one verifier from the 24/12/2020 was a record of an assessment using a variety of techniques e.g. interview, report review, discussion. The report did not clearly indicate the type of assessment nor did it indicate that it was not an actual on-site peer review.			
Please review the use of these forms and ensure that the forms are being used as intended. If the forms are being used for other reasons, it should be clearly documented and described.			
<b>Information provided by the agency to rectify non-conformance</b>			
<b>Reference</b>	<b>Corrective Action</b>	<b>Owner</b>	<b>Due</b>
2021NC02_01	<b>Competency Assessment Template:</b> Review the competency assessment template. This includes reviewing the current template, liaise	Katie Waiti-Dennis	28 February 2021



2021NC02_02	with form users to identify areas of improvement, amending the template as required, providing guidance advice on how the form should be used, publishing and distributing the new template.		
	<b>Peer Review Template:</b> Review the peer review template. This includes reviewing the current template, liaise with form users to identify areas of improvement, amending the template as required, providing guidance advice on how the form should be used, publishing and distributing the new template.	Katie Waiti-Dennis	28 February 2021

**Comment / closure and date**

FNDC has provided good detail on its plan to address this non-conformance. MPI may wish to see detail on the completed corrective action in order to close this. NC 2 remains open; resolution will be managed by MPI. FNDC is reminded that on-site peer reviews should form part of its competency management systems. This includes periodic on-site peer-review of already recognised verifiers.

<b>Non-conformity number</b>	NC 3	<b>Reference</b>	The Food Regulations 110 (2) (e) & 110 (2) (d)
<b>Details of non-conformity</b>			
<p>There was ongoing work on developing the competency management system that the agency should be commended for. This includes a large volume of work undertaken by an external contractor on behalf of the agency.</p> <p>However, the recording of reasons for decisions on competency was not always completed.</p> <p>For example, there was a competency matrix in use that identified what competencies verifiers held. This matrix was important as it would inform the agency as to which verifiers can verify which sectors or Risk Based Measures (RBMs). This matrix used a tick box system to identify if a verifier had the required competency. However, this did not demonstrate the reason for that decision or what evidence that decision was based on.</p> <p>It was discussed that recently, a robust assessment of verifiers had been undertaken. The agency may be able to support some of its decisions using evidence from these assessments. Similarly, previous training, peer review reports, qualifications or interviews may also support decisions.</p> <p>Please review and describe how the agency will record reasons for decisions on competency.</p>			
<b>Information provided by the agency to rectify non-conformance</b>			
<b>Reference</b>	<b>Corrective Action</b>	<b>Owner</b>	<b>Due</b>
2021NC03_01	Review and revise the 'competency matrix' to include sector competencies and capture evidence considered when assigning competencies.	Katie Waiti-Dennis, Rochelle Deane & Christina Rosenthal	28 February 2021
2021NC03_02	Update the Quality Manual to include details about evidence requirements	Katie Waiti-Dennis	28 February 2021



2021NC03_03	to support the reasons for decisions on competencies.		
	Conduct a process audit of the 'competency assessment process' following recruitment to the current vacancy to ensure the new competency matrix is being used and is effective.	Katie Waiti-Dennis	28 May 2021
<b>Comment / closure and date</b>			
FNDC has provided good detail on its plan to address this non-conformance. MPI may wish to see detail on the completed corrective action in order to close this. NC 3 remains open; resolution will be managed by MPI.			



Recommendations to Far North District Council	
R1	It is recommended that FNDC review the food safety-related material on its website. There was a brochure on the food licensing section that still referred to the old Food Hygiene Regulations.
R2	There are Top 5 Food Safety Factors published by NZ Food Safety. These factors are different depending on the type of food business being verified. These should be addressed by the verifier as applicable. The report templates sighted generally had 10 topics highlighted as 'Top 5'. FNDC may wish to review this to ensure that verifiers (particularly new hires) are clear on the Top 5 Food Safety factors and how these differ for different sectors.
R3	The findings from the 2019 agency QMS assessment were not included in the CI register but the 2018 findings were. FNDC may wish to review this for consistency.
R4	<p>There was a process flow documented in the Training section of the QMS. Upon discussion, it was determined that this flow may not correctly describe the actual process. Similarly, there were also statements in the Competencies and Training sections of the QMS such as:</p> <ul style="list-style-type: none"> <li>• The matrix is updated with the assigned level</li> <li>• Measureable results are identified</li> <li>• A timetable is identified</li> <li>• Evidence is gathered</li> </ul> <p>These statements may not reflect the actual process or there may not be systems in place to achieve these. It is recommend that this section is reviewed.</p>
R5	The QMS states that any MPI recognition held by a verifier will be recognised by the agency. It is recommended that this is clarified. While MPI recognition can be used as <i>part</i> of your competency assessment, FNDC must still assess each person's competence.

#### Recommendation to MPI

IANZ recommends that Far North District Council continues to meet the requirements to be a Recognised Agency to conduct verification services under the Food Act 2014, on condition that the non-conformities detailed above are managed and closed-out by MPI according to the plan provided by and agreed with Far North District Council.





## QUALITY MANAGER'S ANNUAL REPORT

Food Verification Agency  
18 August 2021

HE ARA TĀMATA  
CREATING GREAT PLACES  
*Supporting our people*

## Executive Summary

### Purpose

The purpose of this report is to provide a snapshot view of the annual auditing programme for the Food Verification Agency (FVA).

Regulation 110(2)(l) of the [Food Regulations 2015](#) requires a FVA to have a quality assurance system which covers: **Internal Management** – providing for the regular review of the quality management system.

The [Quality Assurance Manual – Environmental Health Services](#) states “3.2 There will be an annual Quality Review Report compiled by the Manager – Quality which will review the effectiveness of the Quality System – what items audits have found, what changes may need to be made to ensure improvement suggestion for objectives etc. This will be presented to Environmental Health Services management for their consideration typically at a QMS Management Review meeting.”

### Significant events during the year

In January 2021, IANZ conducted a surveillance assessment of the FVA's compliance with the requirements of the [Food Regulations 2015](#). IANZ were impressed with the FVA's performance and summarised as much by stating that:

*The documented QMS was very detailed and well thought out. The agency was well supported by a management team who were seen to be invested and committed to the successful operation of the agency. The agency had implemented a number of useful and proactive measures in the last year and this was seen to be a good example of an agency being committed to improving and growing its activities and people.*

IANZ identified three non-conformities which the team has worked through and closed out. These will be revisited when IANZ conduct the next surveillance assessment in January 2022.

In January 2021, IANZ conducted a surveillance assessment of the FVA and identified three non-conformities. Corrective action plans were prepared and agreed on, to address these. All action are now complete.

- **NC 1:** This relates to overdue verifications and expired registrations. Actions are due by 31 May 2021. Actions completed in June 2021.
- **NC 2:** This relates to the peer review and competency assessment templates. Actions complete and acknowledged by MPI in March 2021.
- **NC 3:** This relates to the competency management system. Actions are due by 28 May 2021. Actions completed in June 2021.



NC 1



NC 2



NC 3

Next Assessment: January 2022

In February 2021, there were 8 food business records which were recorded as expired. This was identified by IANZ during their assessment as a non-conformity. The FVA developed a process to manage expired registrations, and these records have all progressed through this new process. The FVA has demonstrated the continued implementation of this new process by adopting it as normal business as usual.

In January 2021, there were 41 overdue food verifications. This was identified by IANZ during their assessment as a non-conformity. In March 2021, the FVA management panel adopted a new process to manage overdue verifications. This new process requires the FVA to send a series of correspondence (email or letters) to the operator to prompt a response. If no contact is made over the 3-month period that the FVA attempts to make contact, the process progresses through 'suspension' to 'cancellation'. In June 2021, there were 5 overdue food verifications, however these were all accounted for and the FVA had plans in place already to address them.

### Auditing Programme

The FVA's auditing programme consists of two types of auditing:

- **System audits** are performed against the requirements of a quality management system as outlined in the Regulations 110 of the [Food Regulations 2015](#). This covers: conflict of interest; confidentiality; staffing; resourcing; reporting; records; non-compliance and corrective actions; complaints or disputes; internal management; review of performance and contractual arrangements. These audits are scheduled over the year.
- **Process audits** are based on specific processes the FVA undertakes which follow the end-to-end process. This covers: registration; verifications; consumer information and reporting. These audits are scheduled bi-monthly.

This report details the audits conducted for the 2020-2021 period (1 January 2021 to 31 December 2021).

### Peer Reviews

Recently, the FVA has developed a peer review process where verifiers review the work of their colleagues. This process will help ensure the technical decisions made by verifiers are sound and reasonable. This will further support the auditing programme. The first set of reviews are scheduled for September 2021.

### Quality Updates

Beginning in February 2021, a quality update is produced each month which covers the FVA's performance from a quality perspective. This covers: status of external assessment; status of internal audits; updates on conflicts of interest and complaints and performance reporting.

### Summary

In summary, the FVA has a robust auditing programme and systems in place, designed to support its quality objectives.

Regards,



**Katie Waiti-Dennis CQIA**

Manager - Quality

District Services, Far North District Council | 24-hour Contact Centre 0800 920 029

DDI +6494015751 | M 0272007458 | [Katie.Waiti-Dennis@fndc.govt.nz](mailto:Katie.Waiti-Dennis@fndc.govt.nz)

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)



## System Audits

The following table details the status of system audits for the 2020-2021 period:

- **Complete** means an audit has been conducted and either identified no non-compliance or recommendations during the audit; or if there were non-compliance or recommendations identified that these have been addressed through a Corrective Action Plan. The actions associated with a Corrective Action Plan have been completed and verified.
- **Active** means an audit has been conducted and the corrective actions are still to be actioned; or the audit report is yet to be released.
- **Scheduled** means an audit has been scheduled in the next audit cycle (2021–2022 period).

Regulation	Most Recent Audit Findings				Next Audit	Status
	Audit Outcome	Audit Date	Non-Compliance	Recommendations		
Regulation 110(2)(a) & (b) - Conflict of interest and maintaining impartiality	The FVA has policies, procedures and a system available to adequately satisfy the requirements of this regulation, however these are not being implemented.	December 2020	3 minor	3	October 2021	Complete
Regulation 110(2)(c) - Confidential information	The FVA does have policies, procedures and a system available to adequately satisfy this requirement, and these have been consistently and effectively implemented. There is room for improvement in ensuring physical records held offsite (from home) are effectively managed.	March 2021	0	1	March 2022	Complete
Regulation 110(2)(d) - Staffing	This audit is scheduled for August 2021.	August 2021	-	-	August 2021	Scheduled
Regulation 110(2)(e) - Resourcing	The FVA has policies, procedures and a system available to adequately satisfy the requirements of this regulation, and these are consistently and effectively implemented.	July 2021	0	12	July 2021	Active
Regulation 110(2)(f) - Reporting requirements	The FVA has policies, procedures and a system available to adequately satisfy the requirements of this regulation, and these are consistently and effectively implemented.	December 2020	0	0	December 2021	Complete
Regulation 110(2)(g) & (h) - Records	The FVA does have policies, procedures and a system available to adequately satisfy this requirement, which have mostly been implemented.	April 2021	1 minor	0	April 2022	Complete
Regulation 110(2)(i) & (j) - Non-compliance and corrective actions	The FVA does have policies, procedures and a system available to adequately satisfy this requirement, which have been implemented.	May 2021	1 minor & 1 isolated	0	May 2022	Complete
Regulation 110(2)(k) - Complaints and disputes	This audit is scheduled for November 2021. Last audited in June 2020.	November 2021	-	-	November 2021	Scheduled
Regulation 110(2)(l) - Internal management	This audit is scheduled for September 2021. Last audited in October 2020.	September 2021	-	-	September 2021	Scheduled
Regulation 110(2)(m) - Review of performance	The FVA does not have policies, procedures and a system available to adequately satisfy this requirement, although it has implemented some procedures which do. There is room for improvement in recording procedures and ensuring performance is regularly monitored.	February 2021	2 minor	4	February 2022	Complete
Regulation 110(2)(n) - Contractual arrangements	This audit is scheduled for August 2021. Last audited in December 2020.	August 2021	-	-	August 2021	Scheduled



## Process Audits

The following table details the status of system audits for the 2020-2021 period:

- **Complete** means an audit has been conducted and either identified no non-compliance or recommendations during the audit; or if there were non-compliance or recommendations identified that these have been addressed through a Corrective Action Plan. The actions associated with a Corrective Action Plan have been completed and verified.
- **Active** means an audit has been conducted and the corrective actions are still to be actioned; or the audit report is yet to be released.
- **Scheduled** means an audit has been scheduled in the next audit cycle (2021–2022 period).
- **\*These** are audits conducted by special request and are not typically part of the audit cycle. Following the IANZ assessment, these areas were identified as a non-conformity and an audit was scheduled to provide evidence that the process was consistently and effectively implemented.

Process	Most Recent Audit Findings				Next Audit	Status
	Audit Outcome	Audit Date	Non-Compliance	Recommendations		
Document Control and Scope of Services	The FVA has policies, procedures and a system available to adequately satisfy this requirement, and these are consistently and effectively implemented. However, there is room for improvement in updating the Quality Assurance Manual.	January 2021	0	4	January 2022	Complete
Registration Process	The FVA has an established process for registering food businesses, however parts of this process have not been consistently or effectively implemented.	March 2021	2 minor	3	March 2022	Active
Verification Process	The FVA has an established process for verifying food businesses and this has been consistently and effectively implemented.	May 2021	0	8	May 2022	Complete
Expired Registrations*	The FVA has an established process for managing expired registrations and this has been consistently and effectively implemented.	June 2021	0	0	N/A*	Complete
Overdue Verifications*	The FVA has an established process for managing overdue verifications and this has been consistently and effectively implemented.	June 2021	0	0	N/A*	Complete
Consumer Information	This audit is scheduled for September 2021.	September 2021	-	-	September 2021	Scheduled
Reporting	This audit is scheduled for November 2021.	November 2021	-	-	November 2021	Scheduled

**5.3 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR AUGUST 2021****File Number:** A3428935**Author:** Maggie Thomas, Executive Assistant to General Manager**Authoriser:** Dean Myburgh, General Manager - District Services**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To present a summary of District Services activity and information items.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

This District Services Monthly Business Report provides a summary of progress and highlights for the month of August 2021.

**TŪTOHUNGA / RECOMMENDATION**

**That the Regulatory Compliance Committee receive the report District Services Monthly business Report for August 2021.**

**TĀHUHU KŌRERO / BACKGROUND**

The District Services Group provides many services for the benefit of our communities to make it a great place to work, live and visit. The group is made up of three departments:

**Community & Customer Services:**

This includes Customer Care – Service Centres and Contact Centre, Libraries and Museum, i-SITE Information Centres, Tenancy services for Housing for the Elderly and burial processing for Cemeteries.

**Building Services:**

This includes processing and inspecting Building Consents and Building Compliance related matters.

**Environmental Services:**

This includes Animal Management, Environmental Health (Food, Alcohol and Health licensing and monitoring), Compliance Monitoring (Legislation and Bylaw monitoring and enforcement) and Resource Consents processing

**MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS**

This is an information report only. At the time of finalising the Committee Agenda, the latest available Monthly Business Report was included. When it is available (usually mid-month) the next (September) Report will be circulated to Elected Members and posted to the Far North District Council website.

**PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial or budgetary implications associated with this report.

**ĀPITI HANGA / ATTACHMENTS**

1. District Services Monthly Business Report - August 2021 - A3394978 [!\[\]\(6e49e30ea1a0903af2fbe279eae61dca\_img.jpg\)](#) 



**DISTRICT SERVICES  
MONTHLY  
BUSINESS REPORT**

**August 2021**

**HE ARA TĀMATA  
CREATING GREAT PLACES**  
*Supporting our people*

## Performance in Brief

### Introduction

The District Services group provides many services for the benefit of our communities to make it a great place to work, live and visit. The group is made up of three departments:

- **Community & Customer Services:** This includes Customer Care – Service Centres and Contact Centre, Libraries and Museum, i-SITE Information Centres, Tenancy services for Housing for the Elderly and burial processing for Cemeteries.
- **Building Services:** This includes processing and inspecting Building Consents and Building Compliance related matters.
- **Environmental Services:** This includes Animal Management, Environmental Health (Food, Alcohol and Health licensing and monitoring), Compliance Monitoring (Legislation and Bylaw monitoring and enforcement) and Resource Consents processing.



### Our Customers

We have transitioned to a new measurement system for Customer Experience feedback. AskNicely is our new measurement tool, which is customer friendly, easy to use and simpler.

### Our Finances

The District Services group activities are funded from rates or user charges, or a mix of both. The key objective is to fund these services in an affordable, transparent and accountable way. This ensures that payment for Council services is sourced from those who use them.

Funding Breakdown for the District Services Group

<b>Rates 100%</b> <b>User Charges 0%</b> Customer Services	<b>Rates 90-99%</b> <b>User Charges 1-10%</b> Building Compliance Monitoring and Enforcement Libraries	<b>Rates 70-79%</b> <b>User Charges 21-30%</b> i-SITEs
<b>Rates 60-69%</b> <b>User Charges 31-40%</b> Cemeteries Animal Control	<b>Rates 50-59%</b> <b>User Charges 41-50%</b> Parking Enforcement	<b>Rates 40-49%</b> <b>User Charges 51-60%</b> Resource Consents Environmental Health Building Consents Housing for the Elderly

### Our Level of Service KPIs

The District Services group performance is measured using Key Performance Indicator (KPI) measures aligned with the Long Term Plan 2018 – 28 (LTP) and Annual Plan.

These measures demonstrate our commitment to our legislative obligations and contribution to community outcomes.

Contribution to community outcomes	
	Communities that are healthy, safe, connected and sustainable
	Connected and engaged communities prepared for the unexpected
	Pross, vibrant communities
	Prosperous communities supported by a sustainable economy
	A safely managed and measured environment that recognises the specific role of tangata whenua as kaitiaki



## Executive Summary

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This District Services Monthly Business Report provides a summary of progress and highlights for the month of August 2021. The District Services Group achieved several successes and made good progress in the following areas:

### Community and Customer Services

- **Libraries:** Due to the COVID-19 level 4 lockdown, all Libraries were closed from 18 – 31 August. There was a significant increase in ebook and audio downloads during this time – 59,288 up from 3,445 in July, an increase of 1620.9%.
- **i-SITES:** All i-Sites were closed from 18 – 31 August. The team worked from home supporting other areas of Council including contacting tenants from our Housing for Elderly units and Dog registration administration. Unfortunately, while Auckland remains in Alert Level 4 or 3, tourism in the region is somewhat limited. There was a resurgence of visitors to the region when Auckland came out of the last alert level 3 lockdown.
- **Customer Care:** The telephone system upgrade was completed on Monday 9 August 2021 and has been successful. With the Covid-19 lockdown from Wednesday 18 August, calls dropped significantly. With the exception of 4 Customer Care staff, all of the staff in this team worked from home with no issue. Along with their business as usual workloads, they supported other areas of council with their administration.
- **Housing for the Elderly:** When COVID-19 level 4 lockdown was announced in August, welfare calls to tenants commenced with support from Library and i-SITE staff. However, due to the lockdown, no tenancies began and the planned interviews for the two ended tenancies in Kaikohe and Kerikeri have had to be held over until September.

### Building Consents

Compliance with statutory timeframes for both building consents and code compliance certificates is at 100% for the month. On average, building consents are being issued within 11 days and code compliance certificates in 7 days. 35 BWOA audits were carried out during July as the team now focuses on delivering qualitative audits and establishing a work rhythm, supported by digital transformation and new dashboards to track performance.

### Environmental Services

- **Resource Consents:** Compliance with statutory timeframes for resource consents is at 100% for the month. Since achieving 100% compliance in June 2021, the team has achieved 100% compliance for three consecutive months, which has not been achieved in recent years.
- **Monitoring and Compliance:** August was a relatively quiet month for Monitoring reflecting the level 4 lockdown from Wednesday 18 August. The team achieved an RFS level of service response rate of 100%, with all 80 RFS received in August responded to within ten working days. There were 49 noise complaints received and responded to in August. Strategies for improvement in urban response times are being discussed with the Noise Contractor. 35 parking infringements were issued during the month outside of Covid alert levels 3 and 4.
- **Animal Management:** Animal Management were an essential service during level 4 and responded to urgent dog aggression RFS. 412 RFS were received for Animal Management during August and Animal Management Officers continued to respond to requests within level of service agreed times (95% for urgent response and 97% for non-urgent). A total of 30 dogs were impounded during August, with six dogs adopted via Council's Facebook page during the month and a further dog taken by a rescue group.
- **Environmental Health Services:** 20 businesses had food verification visits by Environmental Health Officers during August 2021. The Ministry for Primary Industries (MPI) issued a directive that verifiers were unable to do verifications during alert level 4. Also, businesses that were not essential were not permitted to be open for trading. Only 9 Good Host Visits (GHVs) of licensed premises were conducted due to alert level 4 restrictions.

## Community and Customer Services

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This section contains performance information for the Community and Customer Services department.

## Introduction

Community and Customer Services includes Customer Care – Service Centres and Contact Centre, Libraries and Museum, i-SITE Information Centres, Tenancy services for Housing for the Elderly and burial processing for Cemeteries.

Connecting with our communities and providing excellent customer service is important to Council. Our Customer Care team at service centres and the contact centre are the first point of contact for people in our district, providing vital services such as delivery of information, liaising with departments to progress requests from the community, helping people to solve Council-related issues, and receiving and processing payments. Customer services related to cemeteries and housing for elderly is also part of our remit.



Our libraries provide leisure and lifelong learning opportunities that strengthen our communities. They provide free and open access to knowledge and information services to all residents, and are a safe, neutral place where people can connect. We maintain and manage six public libraries located in Kaeo, Kaikohe, Kaitaia, Kawakawa, Kerikeri and Paihia and an outreach service.

Museum @Te Ahu's purpose is to illuminate the stories and histories of the Far North district of New Zealand. As the only museum in the area they have an important role in explaining the specialness of the Far North.

Visitors to our District often seek advice about their travel arrangements, and for this reason we provide i-SITES where helpful local experts provide a key component of an excellent visitor experience to our District. Located in key visitor areas, our i-SITES are vitally important to the economic prosperity of our communities. We have three i-SITES in Kaitaia, Opononi and Paihia. i-SITES are not just for our visitors, they also act as the local service centre where residents and ratepayers can register their dog, pay their rates, and make general enquiries about council services.



## Community and Customer Care Executive Summary - August 2021

### Libraries and Museum

- The Museum digitization project phase two began, with the first images of the collection being captured
- Libraries and the Museum both reverted to digital-first service during lockdown
- A review of Museum governance began in August, as part of the Museum Strategy implementation
- Three library projects received CEO signoff, including Procter Library Refresh, the RFID/Self Check Out project, and the Recollect local history database project

### i-SITE's

- The Jazz and Blues festival was well attended and brought a lot of people to the Bay of Islands. This year there were no international bands, but the New Zealand ones were well received
- The i-SITEs have been closed since 18 August. The team worked from home supporting other areas of Council including contacting tenants from our Housing for Elderly units and Dog registration administration
- Unfortunately, while Auckland remains in alert level 4 or 3, tourism in the region is somewhat limited. There was a resurgence of visitors to the region when Auckland came out of the last alert level 3 lockdown.

### Customer Care

- The telephone system upgrade was completed on Monday 9 August 2021 and has been successful
- With the Covid-19 lockdown from Wednesday 18 August, calls dropped significantly
- Aside from four, all Customer Care staff worked from home with no issue. Along with their business as usual, they supported other areas of council with their administration.

### Housing for the Elderly

- During August, two tenancies ended, one in Kaikohe and one in Kerikeri, both tenants have moved on to live with family or go into care. Both were characters in the respective villages and will be missed by staff and the other tenants
- No tenancies began in August and the planned interviews for the Kaikohe units has been pushed to September due to the COVID-19 level 4 lockdown
- No inspections took place in August due to the lockdown and the change over to the 4-monthly inspection schedule with the District Facilities Technical Officers
- A report on the future of the three units in Oxford Street, Kaitia, will be made to Council by IAM staff. The initial advice is that these are no longer fit for habitation. Tenants will be given the opportunity to change their tenancy agreements for units they have relocated to
- When level 4 lockdown was announced, welfare calls to tenants commenced with support from Library and i-SITE staff. Some amusing stories have emerged from these calls, with staff reporting back on the tenants' favourite walking routes, 5pm drink orders, what recipes to use on "Aunty Google" and "Uncle Youtube" to get the best lockdown cook on and much more.



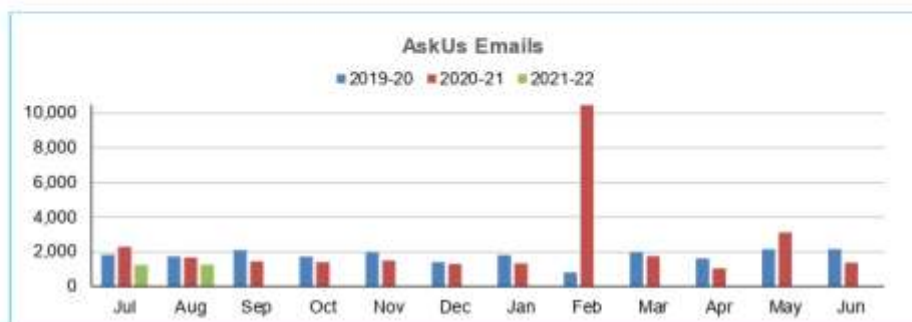
## Customer Care

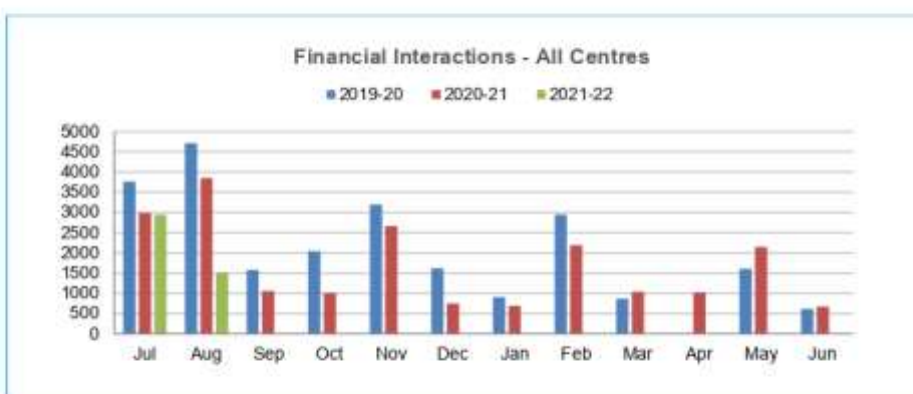
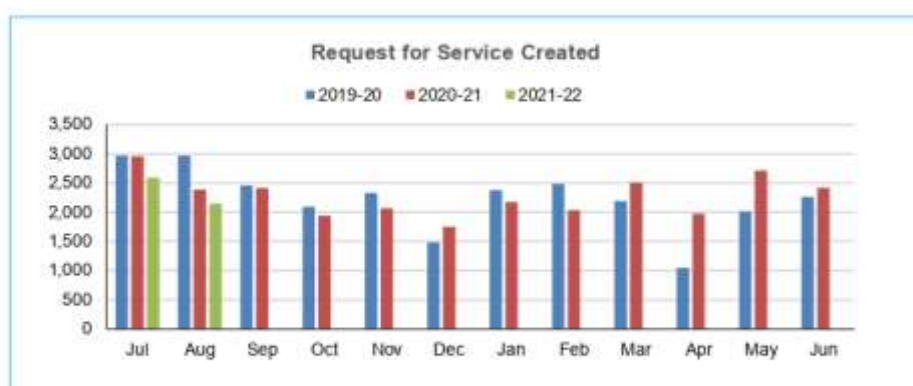
The Customer Care team is comprised of 2 teams, the Contact Centre- and Service Centre staff. As well as receiving calls from customers, the Contact Centre staff are also responsible for responding to emails from customers (AskUs Emails), managing online customer registrations and actioning change of address requests for customers. Both teams are also responsible for booking building inspections for the whole region.

Comparison of August 2021 with August 2020.

**Note: From 18 -31 August, all Service Centres were closed due to Covid-19 level 4.**

- 60.57% decrease in financial interactions at Service Centres (1,518 down from 3,850)
- 28.92% decrease in calls to the Contact Centre (5,532 down from 7,783)
- 24.67% decrease in AskUs emails received (1,264 down from 1,678)
- 3.30% decrease in building inspections booked (587 down from 607)
- 63.67% decrease in visits to Service Centres (2,402 down from 6,612)





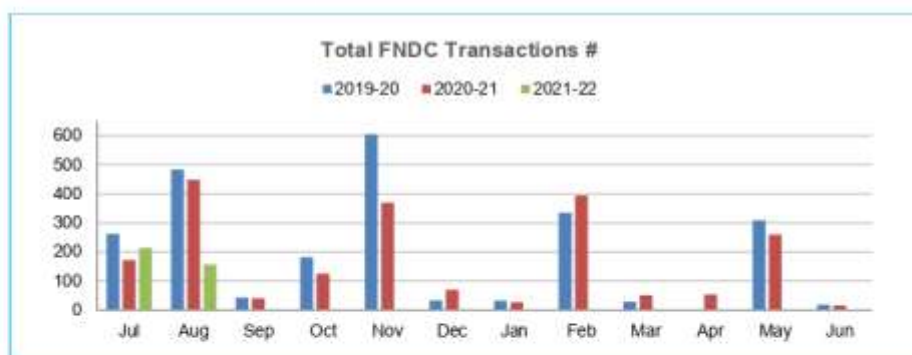
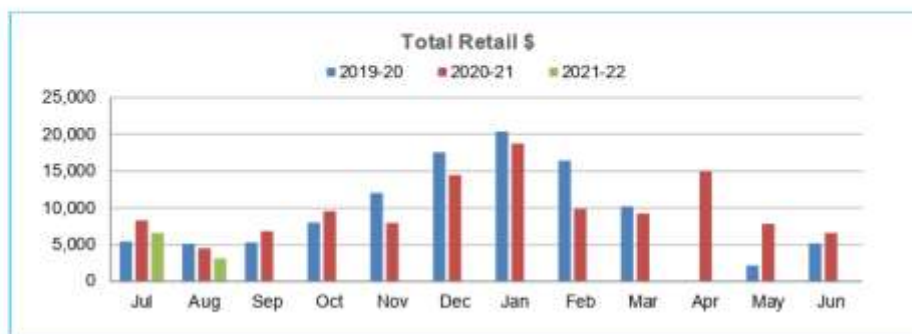
## i-SITES

Three i-SITES are located in Kaitia, Opononi and Paihia respectively. As well as servicing our visitors the i-SITES function as a local service centre where residents and ratepayers can register their dog, pay their rates, and make general enquiries about council services.

Comparison of August 2021 with August 2020.

**Note: From 18-31 August, all i-SITES were closed due to Covid-19 level 4.**

- 11% decrease in visitor numbers (6,717 down from 7,583)
- 30% decrease in retail revenue (\$3,130 down from \$4,517)
- 9% increase in transaction spend (\$4,664 up from \$4,246)
- 23% increase in transaction numbers (1,778 up from 1,439)



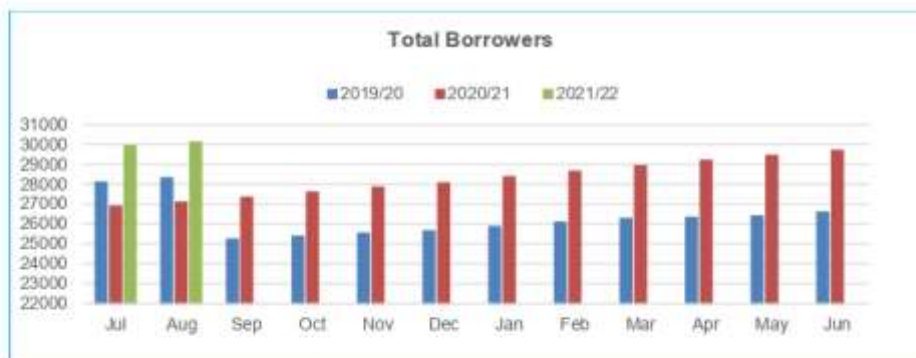
## Libraries

Six public libraries and an outreach service (mobile library) provide access to a large selection of reading material such as books for all ages, magazines, newspapers and DVD's. The libraries also provide access to online collections including eBooks, eMagazines, movies and newspapers, computers / internet access, wifi, free internet modems (Skinny Jump programme), printing, copying, scanning, meeting rooms, study spaces and Justice of the Peace (JP) services.

Comparison of August 2021 with August 2020.

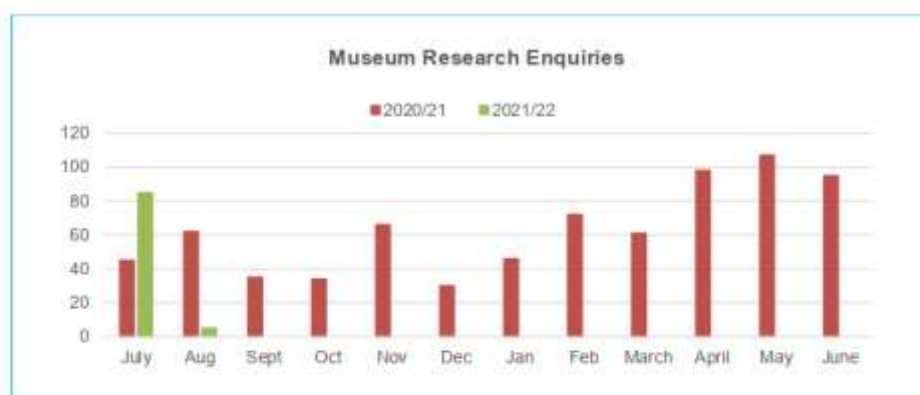
**Note: From 18 -31 August, all Libraries were closed due to Covid-19 level 4.**

- 1620.9% increase in ebook and audio downloads (59,288 up from 3,445)
- 49.1% decrease in library website sessions (31,493 down from 67,916)
- 27.4% increase in digital checkouts (103,279 up from 81,085)



## Museum

The Museum @ Te Ahu (formerly known as the Far North Regional Museum) was established in 1969 with the purpose of collecting and preserving treasures and taonga relating to the history of the Far North. It is located in the Te Ahu complex in Kaitiaki.



## Housing for the Elderly

Council offers Housing for the Elderly (HFE) units in 12 complexes (147 units) across the district to eligible tenants over the age of 60 and who are on a benefit. Vacancies are generally due to refurbishment and wait lists continue to be high due to the lack of housing in the district and an ageing population.





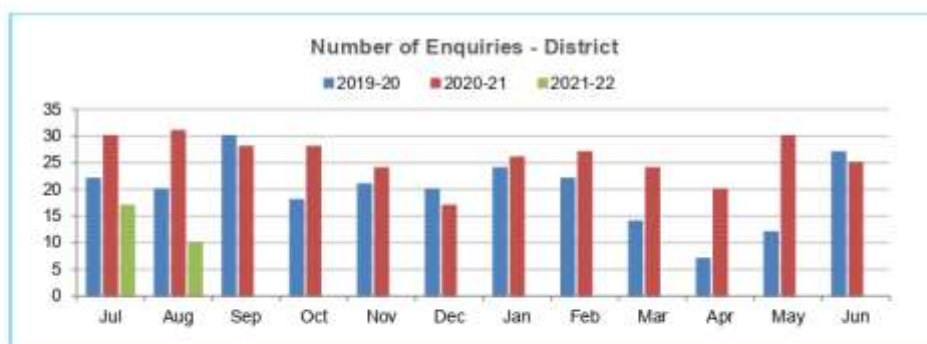
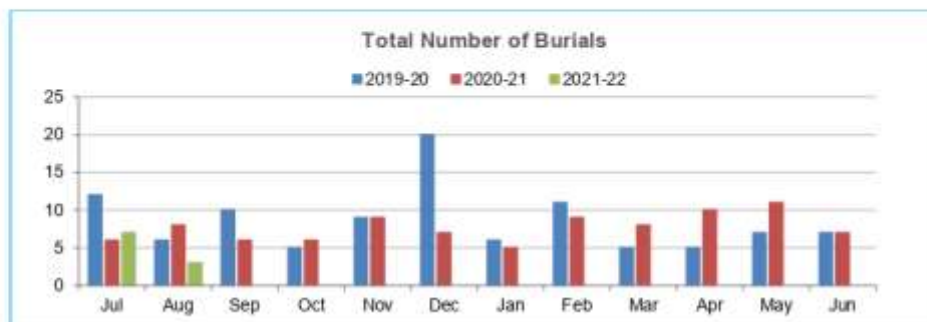


\*The Total Debt graph shows rent arrears.

Debt is being investigated and tenants contacted to rectify arrears. Many tenants will have payment plans put in place to clear the debt over a period of time.

## Cemeteries

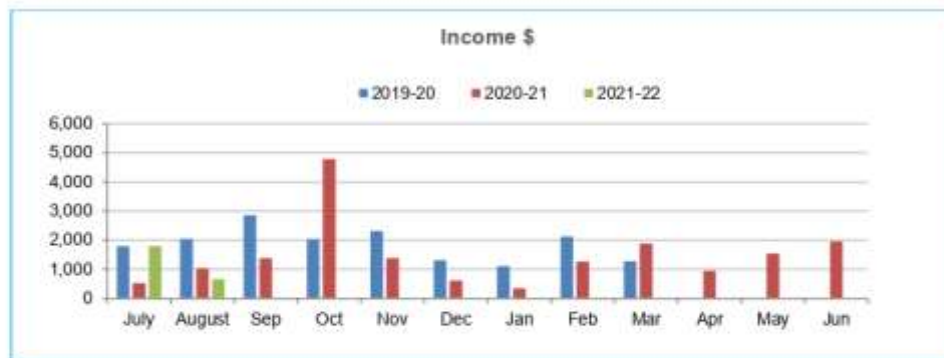
There is a range of services and facilities for burials and memorials in the district. Council manages and maintains 11 of the 26 cemeteries. Genealogy (whakapapa) can be searched using an online cemetery database to find records by family name.



## Memorial Hall

The Memorial Hall is located in Kaikohe and is the only Council-owned hall run by Council. It is regularly used for youth martial arts, fundraising and other private events.





## Events

On 6 July 2021 booking events with FNDC became available online. Permits are issued to applicants for the use of Council's open spaces for many kinds of activities such as weddings and other family events, sporting events, circuses, fairs, and large community events. Customers can now apply through the FNDC website and the system will step them through what is required.

Four online event applications and two hard copy application were received in August.



Date of Event	Place of Event	Event Type
Friday 10 or Monday 13 September 2021	Bledisloe Domain	Cross Country
Sunday 3 October 2021	Foreshore Road Reserve, Ahipara	Remembrance Day
12-13 November 2021	Kerikeri Domain	Kerikeri Half Marathon
Saturday 13 November 2021	Russell Village Green and Long Beach Reserve	Russell racing event
Thursday 17 March 2022	Russell Village Green	Cycle challenge
Friday 18-19 March 2022	Kerikeri Domain	Cycle challenge
22-23 April 2022	Paihia i-SITE Reserve and footpaths and walking tracks to Russell	Run series



## Building Services

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This section contains performance information for the Building Services department.

## Introduction

The Building Services Department consists of two teams, the building consent authority (BCA) and the territorial authority (TA). A territorial authority must perform the functions of a BCA for its own city or district. In addition to these responsibilities, a territorial authority performs the following functions, including any functions that are incidental and related to, or consequential upon these.

### The BCA perform the following functions:

- issue building consents
- inspect building work for which it has granted a building consent
- issue notices to fix
- issue code compliance certificates
- issue compliance schedules



### A territorial authority issue:

- project information memoranda
- certificates of acceptance
- certificates for public use
- compliance schedules (and amends compliance schedules)



### A territorial authority also:

- follows up and resolves notices to fix
- enforces the provisions relating to annual building warrants of fitness
- performs functions relating to dangerous or insanitary buildings
- determines whether building work is exempt under Schedule 1 from requiring a building consent



### Power to inspect and enter land

- Sections 222 to 228 provide details of the powers of entry to undertake an inspection

### Building Services Executive Summary – August 2021

The BCA has received 140 consents for the month of August which is on par with previous years. Compliance remains at 100% with the BCA issuing consents, on average, in 11 days with 146 issued in August. Code compliance certificates are also tracking at 100% compliance, with code compliance certificates (CCCs) issued, on average, in 7 days. 114 code compliance certificates were issued in August.

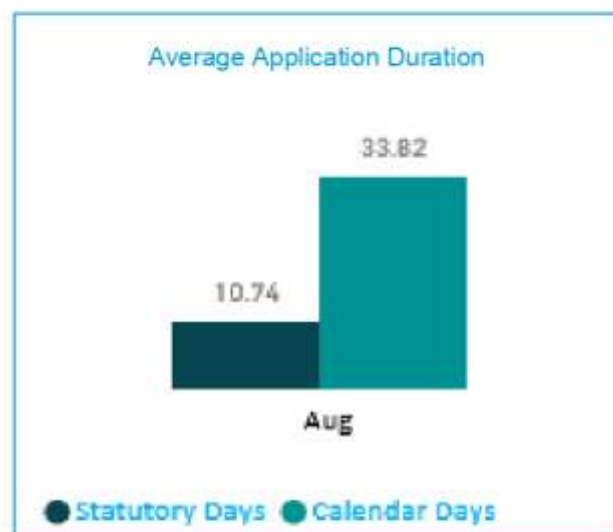
The BCA has made its application for a special assessment by IANZ, this audit will be a remote audit and the BCA is currently waiting for the list of documents IANZ requires to complete the audit. The audit will be completed at the end of October.

### Levels of Service

Building consent processing has achieved 100% compliance for the month of August. A total of 146 consents were granted in August.



Both the average statutory and calendar days to issue a consent decreased in August. Consent numbers remain steady and all processing resources are working to capacity to achieve this decrease.

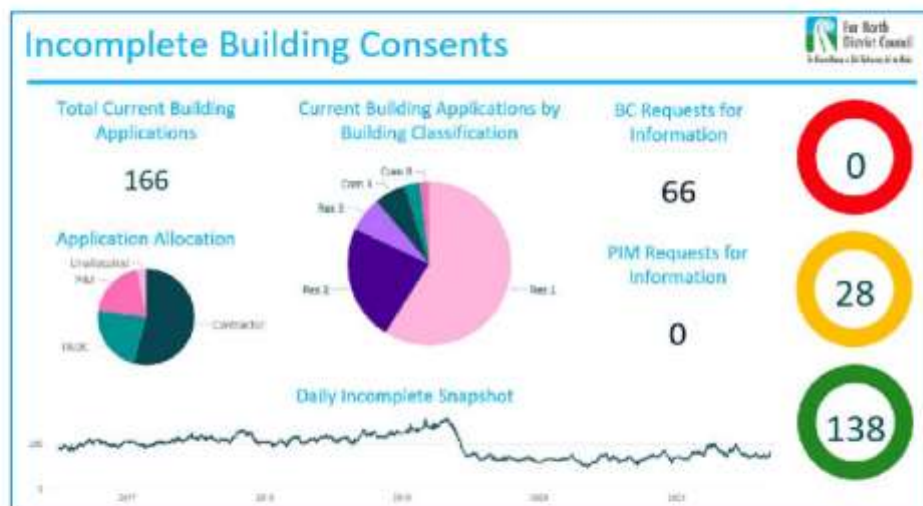


The BCA has achieved a 100% compliance rate for the month of August for issuing code compliance certificates. A total of 114 certificates have been issued.



### Building Consent Authority

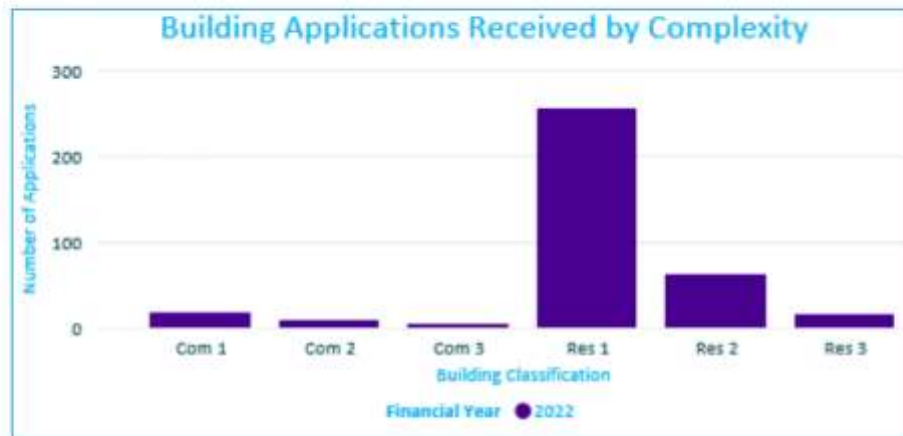
The dashboard below shows the consents currently being processed by the BCA. There are 95 Residential 1 (Res1), 37 Residential 2 (Res2), 11 Residential 3 (Res3), 10 Commercial 1 (Com 1), 5 Commercial 2 (Com 2) and 3 Commercial 3 (Com 3) applications. Use of contractors (building consultants) has increased marginally to 54%. It is important to note that the abovementioned consent numbers include consents that are currently on hold awaiting information.



The number of consent applications received decreased from 177 in July to 141 in August. This is the same number of applications as August last year and 5 applications lower than the 4-year average. This indicates a slight slowing in the unprecedented high number of consents that the BCA has been experiencing but may be as a result of the Covid-19 lockdown during August.



The dashboard below shows the building consent applications received by category. Res 1 applications continue to dominate the current workload of the BCA with a total of 255 Res 1 applications received for the 2021/22 financial year. The commercial sector remains steady with a total of 33 commercial applications received for the current financial year.



### Building Compliance

The Building Compliance Team (part of the Territorial Authority) are regulators operating under the Building Act 2004 which sets out the rules for the construction, alteration, demolition, and maintenance of new and existing buildings in New Zealand.

Its purpose is to ensure people can use buildings safely and without endangering the health or the property of others. The team manages the spheres of Building Compliance, Building Warrant of Fitness, swimming pools, Certificates of Acceptance and Exemptions.

Building compliance issues are not always Council's responsibility. Other agencies such as the NZ Police or other government agencies may be responsible or certain matters may be civil matters to be decided either legally or through mediation.

Council ensures compliance by inspecting or monitoring sites to ensure they comply with legislation. Depending on the level of non-compliance, there is a range of enforcement options the Council can take, from education to formal enforcement such as notices and prosecution.

Formal enforcement is not taken lightly. It is based on thorough investigation and considers the impact as well as any steps that may have been taken to address the non-compliance.

### Requests for Service (RFS)

Requests for service range from general requests about legislation and owner obligations, through to requests to investigate suspected breaches of the Building Act 2004.

August was slow month for incoming RFS, affected by the lockdown that occurred from mid-August. With the onset of spring, it is expected that the number of complaints will reduce, with stormwater-related complaints accounting for a large portion of RFS during the winter months. The Building Compliance team continues to deal with a range of Building Act 2004 non-compliances.





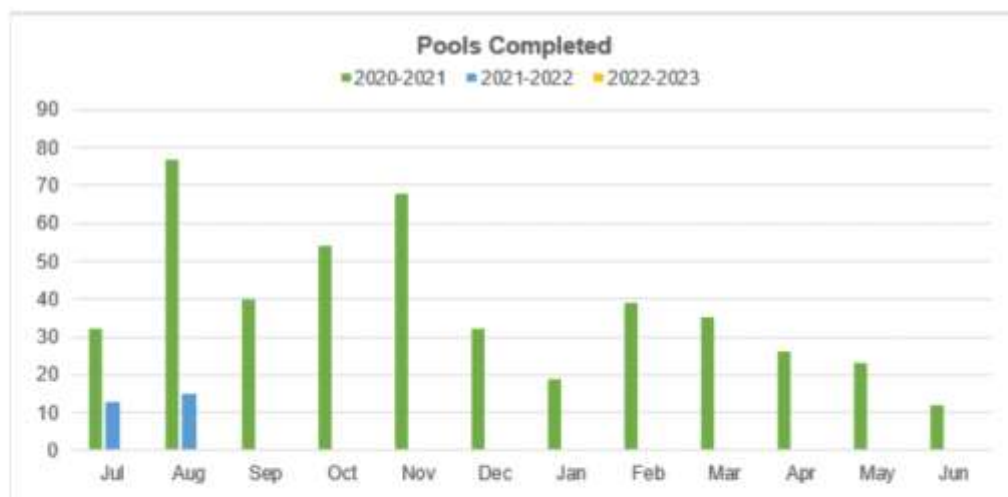
### Swimming Pools

From 1 January 2017, the provisions of the Fencing of Swimming Pools Act 1987 were incorporated into and form part of the Building Act 2004. The Act applies to all residential pools and small heated pools with a depth of 400mm or more.

Pools that are filled (or partly filled) with water must have a physical barrier that restricts access to the pool by unsupervised children under the age of 6 years of age. Residential pools, including indoor swimming pools are subject to an inspection every 3 years.

A total of 15 swimming pool inspections were carried out during the month of August, with the completion of inspections on track and as per the allotted inspections for the year.

The swimming pool fail rate was 26% for this period. Council is working hard to provide these homeowners with the knowledge and information to help them achieve compliance and reduce the risk of drowning in the district.



### Building Warrant of Fitness (BWOF)

A building warrant of fitness (BWOF) is an annual certificate that confirms that specified systems in a building have been inspected and maintained and that requirements of the compliance schedule have been met.

Building owners are required to engage an independent qualified person (IQP) to inspect and certify the specified systems, display a copy of the BWOF certificate within the public area of the building and to provide the Council with a copy of the BWOF and IQP certificates of compliance.

The Council undertake BWOF audits of commercial buildings following a risk-based approach. Audits are carried out on a 1, 3, or 5-year cycle, but can also include any requests for service where there are concerns about a building owner's on-going compliance with the regulations.

31 BWOF audits were carried out during August as the team now focuses on delivering qualitative audits and establishing a work rhythm, supported by digital transformation and new dashboards to track performance.



### Notices to Fix

A Notice to Fix (NTF) is a statutory notice requiring a person to remedy a breach of the Building Act 2004 or regulations under that Act. A NTF can be issued for all breaches of the Act, not just for building work.

21 Statutory Notices were served during the month of August for breaches of the Building Act 2004.



### Certificates of Acceptance

A certificate of acceptance (COA) provides building code certification on work that can be inspected. It excludes work that cannot be inspected, so is not as comprehensive as a Code of Compliance Certificate (CCC). A certificate of acceptance applies where:

- work that requires a building consent was completed without one
- urgent work is carried out under section 42 of the Building Act
- another building consent authority or building certifier refuses to or cannot issue a CCC

Council received 7 COA applications during the month of August. The number of COA applications remain consistent month to month.



## Infringements

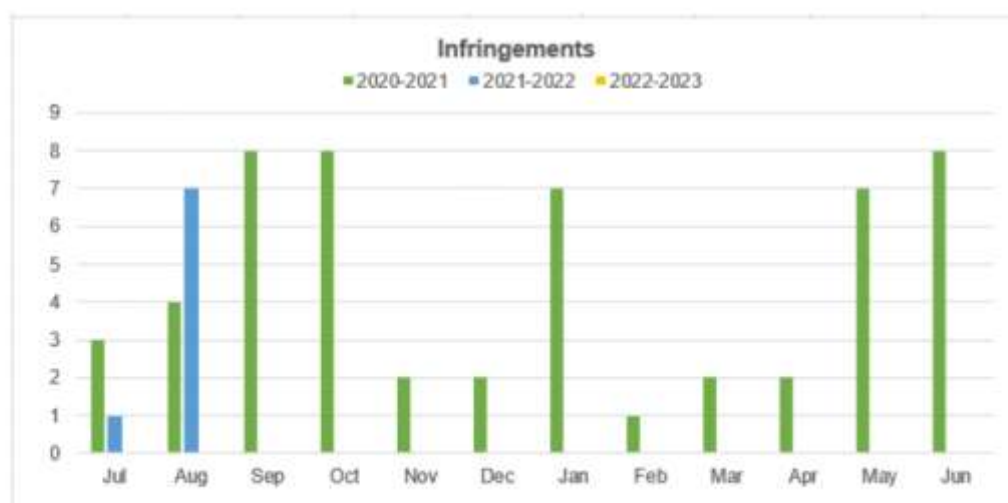
Under Section 372 of the Building Act, an infringement notice may be served on a person if an enforcement officer observes the person committing an infringement offence or has reasonable cause to believe an infringement offence is being or has been committed by that person.

The Building Infringement Regulations contain a clear and unambiguous list of infringement offences. These infringement offences are based on specific existing building offences. The fees are prescribed by regulations, following consultation with territorial and regional authorities, and building sector representatives, with the following principles in mind:

- Higher fees would reflect direct risks to health and safety
- There should be consistency between offences that are similar in nature

Fees range from \$250 (for procedural offences) to \$2,000 (for more serious breaches), with the level of fee reflecting a smaller percentage of the maximum fine already specified in the Building Act.

7 infringements were issued during the month of August. Most infringements were for non-compliance with a NTF.



## Environmental Services

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This section contains performance information for the Environmental Services department.

## Introduction

Environmental Services cover the regulatory and licensing activities and responsibilities for council. The department is directed by primary legislation and FNDC policies and bylaws.

This team is made up of Resource Consent Management, Monitoring and Compliance, Animal Management and Environmental Health (Food and Liquor) and associated Administration support.

Activities and services undertaken include:

- the processing and monitoring of resource consent applications and related consents
- promotion of responsible ownership of dogs, including the care and control around people, protected wildlife, other animals, property, and natural habitats
- responsibilities for the sale, supply, and consumption of alcohol, to minimise alcohol-related harm in our District
- providing verification services for food control plans ensuring that food prepared and sold is safe.
- Investigation, monitoring and enforcement of bylaws, District Plan breaches and parking.



The team provides advice and guidance while delivering compliance, monitoring and enforcement across the region. By applying a risk-based approach this enables monitoring efforts to be focussed on the biggest risks to the community and target areas where businesses and people are less likely to comply.

Council has responsibilities under legislation to safeguard public health, safety, and welfare. Regulatory activities and responsibilities, such as the issue of consents, the enforcement of bylaws, and the provision of liquor licenses are undertaken for the benefit of our communities and to ensure that everyone can live in and enjoy our district.



## Environmental Services Executive Summary – August 2021

### Resource Consents

The Resource Consent team has had 100% compliance with statutory timeframes for the third month in a row. This is a fantastic effort considering the high number of applications that continue to be received.

125 applications were received in August 2021. This consists of 74 applications under the Resource Management Act 1991 (RMA), reported as part of statutory timeframes and the remaining 49 were applications under the RMA, Local Government Act (LGA), the Liquor Licence Act (LLA), not reported as part of statutory timeframes to the Ministry for the Environment.

The RC Team issued 114 decisions under the RMA and LGA in August. Of the 114 decisions, 60 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE).

The Resource Consent team now have Business Intelligence for reporting, which has enabled more accurate updates to previous graphs. Due to this, there will be some variations from previous monthly graphs and reports.

### Monitoring and Compliance

August was a relatively quiet month for Monitoring reflecting the level 4 lockdown the country went into on Wednesday 18 August.

The team achieved an RFS level of service response rate of 100%, with all 80 RFS received in August responded to within ten working days.

There were 49 noise complaints received and responded to in August. A decrease in response times from 79% to 74.5% was seen for urban areas and 100% was met in rural areas against a KPI target of 95%. Noise complaints were not responded to in alert level 4, which explains the low number of RFS received. Strategies for improvement continue to be discussed with the Noise Contractor to increase the figure for urban areas.

35 parking infringements were issued during the month. The Parking Warden did not operate in alert level 4 and 3.

### Environmental Health

20 businesses had food verification visits by Environmental Health Officers during August 2021. MPI issued a directive that verifiers were unable to do verifications during alert level 4. Also, businesses that were not essential were not permitted to be open for trading.

Only 9 Good Host Visits (GHVs) of licensed premises were conducted due to alert level 4 restrictions.

### Animal Management

412 RFS were received for Animal Management in August 2021; 77 urgent and 335 non-urgent. Of the non-urgent RFS, 129 were for registration queries. Re-registration runs from 1 July to 1 September.

Animal Management were an essential service during level 4 and responded to urgent dog aggression RFSs.

Animal Management Officers continued to respond to requests within level of service agreed times (95% for urgent response and 97% for non-urgent) in August.

A total of 30 dogs were impounded during August, with six dogs adopted via Council's Facebook page during the month and a further dog taken by a rescue group.

## Resource Consents

### Introduction

#### What we do and why

A critical function of Council is enabling the sustainable use, development and protection of the natural and physical resources in our district. This is underpinned by the obligations imposed by the Resource Management Act 1991.

Activities and services undertaken include the processing of resource consent applications and related consents, such as earthworks permits.

### Levels of Service

The level of service for resource consents was amended as part of the 2018 – 2028 LTP process to better express council's commitment to the community. The previous satisfaction measures have been replaced with two new ones to assess the response to compliance incidents and processing of applications. These are more appropriate indicators of performance.

### Resource Consents Summary

Due to having Business Intelligence released for the Resource Consents (RC) Team, the previous graphs have been updated. This does mean there will be some variations from previous monthly graphs and reports.

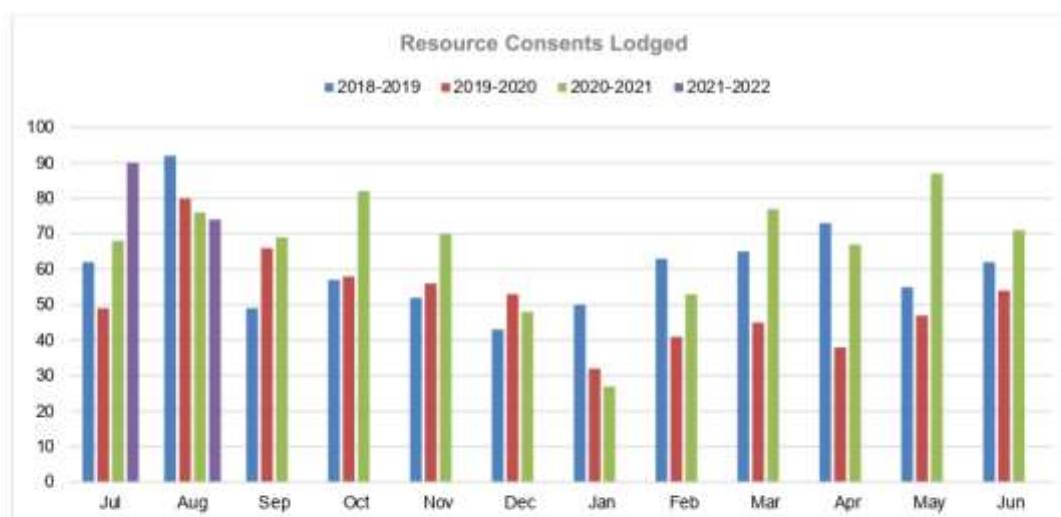
125 applications were received in August. In total, 74 of those were applications under the Resource Management Act 1991 (RMA) that form part of reporting on statutory timeframes to the Ministry for the Environment. The remaining 49 were applications under the RMA, Local Government Act (LGA), the Liquor Licence Act (LLA) that do not form part of statutory timeframes reporting.

The RC Team issued 114 various decisions under the RMA and LGA in August 2021. Of the 114 applications, 60 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE). As previously stated, no consents were outside statutory timeframes for August. Therefore, the RC team has achieved 100% performance against statutory timeframes for three consecutive months.

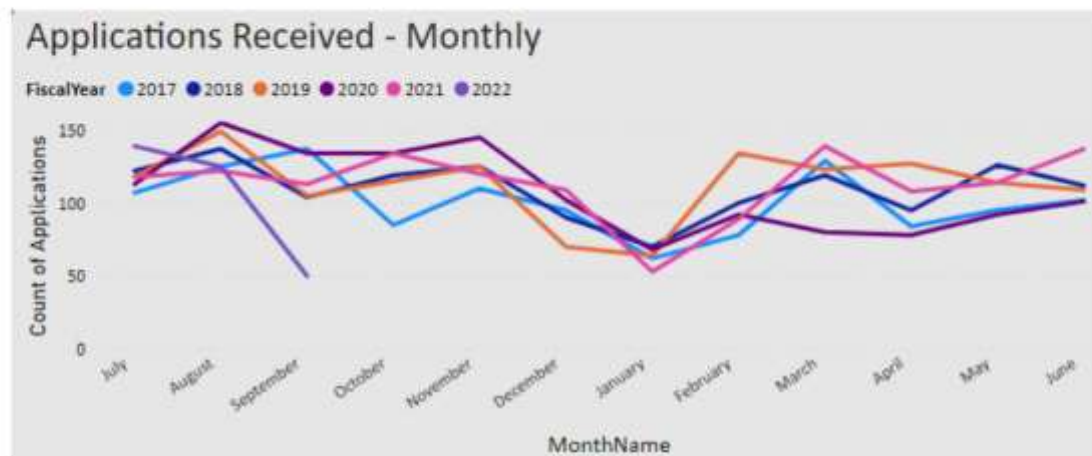
### Applications lodged

The graph below shows the RMA\* applications received by month over the last 3 years. The planning support team lodged 74 RMA applications in August 2021 compared to 76 in the previous financial year and 80 in the 2019/2020 financial year. This represents a similar number of RMA applications received in August for the last three financial years.

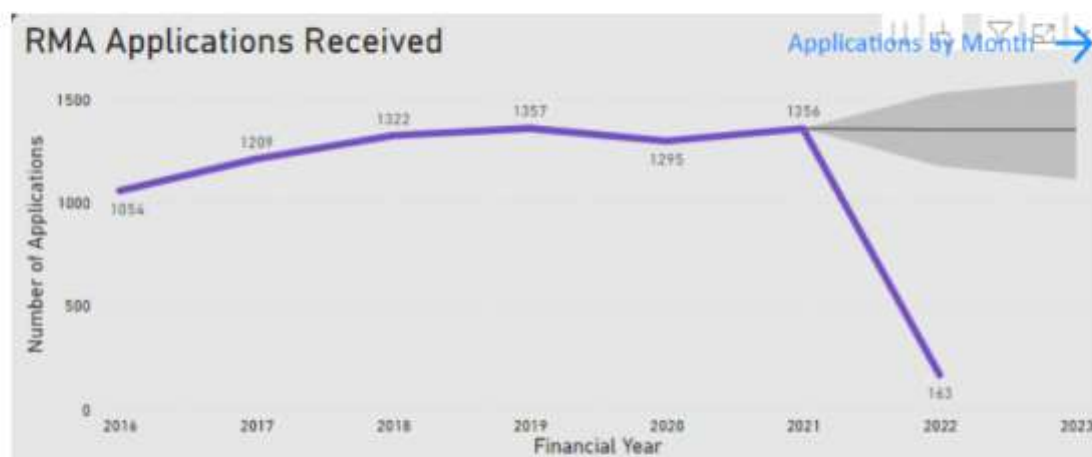
\*Refers to applications lodged that require statutory timeframes reporting.



The graph below is one of the new graphs from the recently released Business Intelligence reporting capability. This graph shows the total number of applications received each month since 2017. The number of 125 applications received consists of all the applications handled by the Resource Consents Team in August 2021.



The following graph shows the total number of applications received by year since 2016. This number includes applications received under the Resource Management Act and the Local Government Act (LGA). This shows the volume of applications received showing an upwards trend since 2016 with a slight decrease in 2020 due to the pandemic and nationwide lockdown. The 2022 figure below shows the number of applications received during July and August in the current Financial Year.

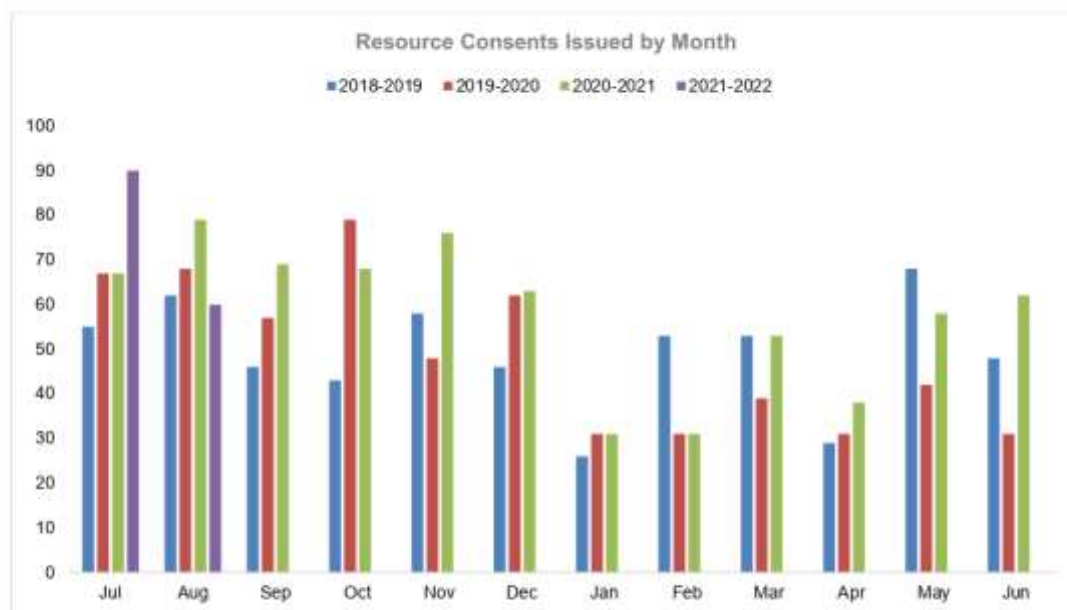


### Decisions issued

The RC Team issued 114 various decisions under the RMA and LGA in August 2021. Of the 114 applications, 60 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE). As stated above in the summary, no consents were outside statutory timeframes for August. The decisions issued during June and July were also 100% within statutory timeframes.



The graph below shows 60 Resource Consent decisions issued in August 2021. The number of issued consents is down by 19 on decisions issued in August 2020.



The Resource Consents Performance graph below shows compliance from September 2020 through to August 2021 (July 2021 is at the start of the graph). Of the 114 decisions issued in August 2021, 60 of those decisions were decisions reported to the Ministry for the Environment (MFE) and all were within statutory timeframes. This confirms three consecutive months being at 100% of decisions being within timeframes.



### Types of Applications Received

The two tables on the next page separate out the RMA applications from the rest of the applications received. The second table includes applications from developers to gain a record of title for their subdivision proposals. This shows a decrease in the number of land use and subdivision applications received in August. This lower volume of applications received could be related to the recent time spent under level 4 lockdowns due to the Delta strain of Covid19 being detected in the community.

Type of Resource Consent	Number Received							
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Land use consent	8	16	29	14	32	41	28	34
Subdivision	8	6	19	9	15	18	26	18
Variation	2	5	8	5	6	12	10	3
Permitted Boundary Activity	1	1	7	4	7	3	9	7
Extension of Time	0	1	1	0	1	0	2	0
Certificate of Compliance	0	0	1	0	0	2	0	0
RMA Discharge	0	0	0	0	1	1	0	1
RMA NES CS	0	0	0	0	0	0	0	1
Combined land use and subdivision	2	4	5	3	6	6	8	6
Outline Plan	0	0	0	0	0	0	2	2
Outline waiver	0	0	3	1		3	2	2
<b>Total RMA</b>	<b>21</b>	<b>33</b>	<b>73</b>	<b>37</b>	<b>67</b>	<b>90</b>	<b>90</b>	<b>74</b>

#### Certificate Applications Received

The table below details the number of certificate and other applications received for August 2021. This table shows that 49 various certificates and Local Government Act (LGA) applications were worked on and issued in August. The Resource Consents Team made less use of Planning Consultants in August compared to previous months.

Type of Certificate & LGA & other work	Number Received							
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
RMA OTH	0	0	0		1	0	2	0
RMA OBJ	0	0	0	0	0	2	1	2
CER221	0	0	0	0	0	1	0	2
CER223	16	20	22	18	19	14	20	13
CER224	4	10	4	14	24	9	14	10
CER348	0	0	0	0	0	2	0	2
CERBND	0	0	6	1	0	0	0	0
CEROTH	0	0	4	1	0	0	0	0
LGA348	0	2	2	2	2	4	2	3
LGAEWK	0	8	15	16	6	14	11	16
LIQCOC	0	1	0	1	2	7	2	3
<b>Total</b>	<b>20</b>	<b>41</b>	<b>53</b>	<b>52</b>	<b>53</b>	<b>51</b>	<b>49</b>	<b>49</b>

## Trends, News and Success Stories

The graph below shows the average number of days it takes the planners and engineers to process an application. The trend is consistently moving down from an average number of 33 working days in the 2018-2019 financial year to 22 working days in the 2020-2021 financial year. The average number of calendar days has dropped from the highest number in the 2019/2020 financial year of 102 days to 60 calendar days in the 2020/2021 financial year. The team is currently tracking at 12.51 average working days and 24 average calendar days in the 2021/2022 financial year.



In total the resource consents team, along with the planning support team, worked on 74 new RMA applications, 49 various LGA applications, certificates, licences and permits and issued 114 various decisions. In addition, the Resource Consents Team attended eight concept development meetings (CDM's) and pre-lodgement application meetings in August 2021. The Resource Consent Engineers also worked on 5 Engineering Plan approvals to assist a more streamlined process for building consents being issued and applications for Certificate under s224 of the RMA.

### Hearings

One fee objection was held in August with the Commissioner upholding the decision of Council.

### Customer and Relationships

The Resource Consents Team had 66 surveys sent out in August 2021 with 28 responses received, giving the team a response rate of 38%. There were 16 satisfied customers, and 5 customers were dissatisfied. We continue to receive comments that are attributed to building or planning support.

The Resource Consents team, being part of the regulatory arm of the council, often receives a negative comment due to the perceived high cost of obtaining a resource consent and or frustration with the District Plan rules and legislation.

## Monitoring

### Introduction

Council is responsible for safeguarding public safety, minimising environmental risk, and protecting social and cultural interests as directed by primary legislation and our policies and bylaws. The monitoring and enforcement team are responsible for the administration and enforcement of these obligations.



The Monitoring Team is responsible for:

<ul style="list-style-type: none"> <li>District Plan breaches</li> <li>RMA breaches</li> <li>Bylaw breaches</li> <li>LGA breaches</li> </ul>	<ul style="list-style-type: none"> <li>Removal of abandoned vehicles</li> <li>Parking enforcement</li> <li>Resource consent monitoring</li> </ul>	<ul style="list-style-type: none"> <li>Bylaw permits</li> <li>Litter infringements</li> <li>Noise complaints</li> </ul>
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### Staffing

Recruitment is complete for a fixed term monitoring officer and there are currently no vacancies in the team.

### Levels of Service

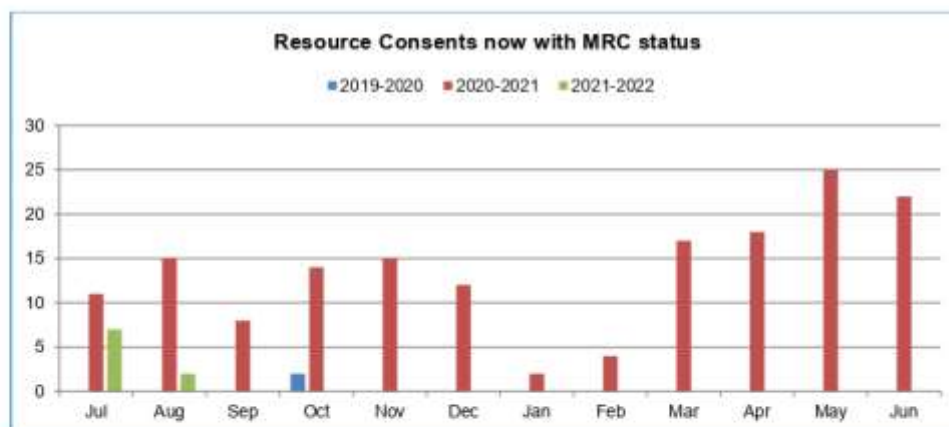
8.3 To ensure compliance with the Resource Management Act with regard to noise pollution.

Performance measure	Latest results: 2016/17	2018/19	2019/20	2020/21	2021-28
8.3.1 Respond to noise complaints within the following timeframes: In urban areas: 1 hour, and In rural areas: 2 hours	New	≥85% within set timeframe	≥90% within set timeframe	≥95% within set timeframe	≥95% within set timeframe

### Resource Consent Monitoring

If a resource consent (RC) is issued with conditions, it becomes the responsibility of the Resource Consent Monitors (RCMs) to ensure those conditions are met in a timely manner. The RCMs are notified of decisions by the planners. This is an automated process within Pathways where an email is sent to ten RCM inbox once the status of a consent is changed to 'Decision Issued' and there are conditions to monitor.

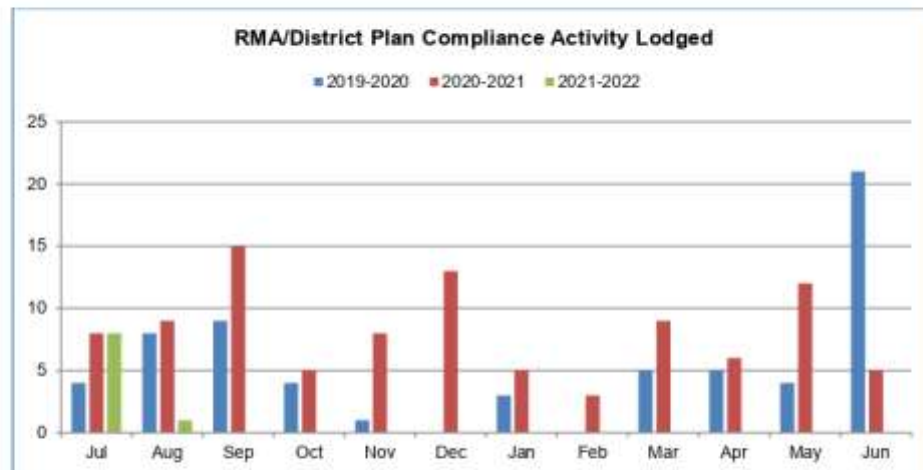
The graph below shows how many issued consents have had their status changed to MRC (Monitored Resource Consent), reflecting the fact they have been passed over for monitoring.



## Compliance

Although the Monitoring team's policy is to promote voluntary compliance with the District Plan there comes a point in an investigation where it becomes necessary to escalate the enforcement process.

The graph below shows the compliance activity over the last three financial years.



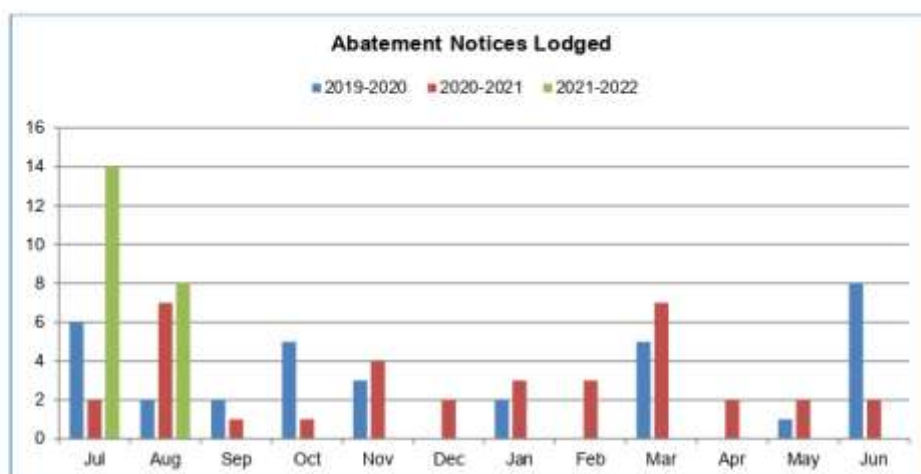
The Monitoring team is also responsible for investigating incidences reported to them of non-compliance with the Far North District Council's Bylaws. The following graph shows one incident for August 2021. Bylaw Compliance activity has reduced since several Bylaws lapsed and are not able to be enforced.



## Abatement Notices

The RMA allows a warranted monitoring officer to issue an abatement notice to direct an offender to do something or cease something that is causing a breach of the RMA. Usually this means ceasing a breach of a rule in the District Plan. Abatement notices can also be issued for failing to comply with a condition in a resource consent or consent notice.

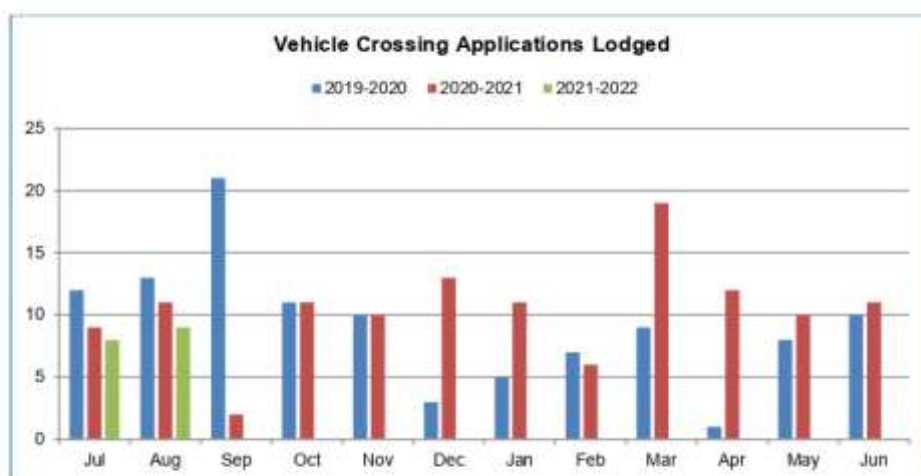
Abatement notices are issued with a specific date by which the offender must comply. If an offender has not complied with an abatement notice and is not showing a willingness to cooperate with council an environmental infringement notice (EIN) of \$750 can be issued or prosecution commenced.



### Bylaw Compliance Activity

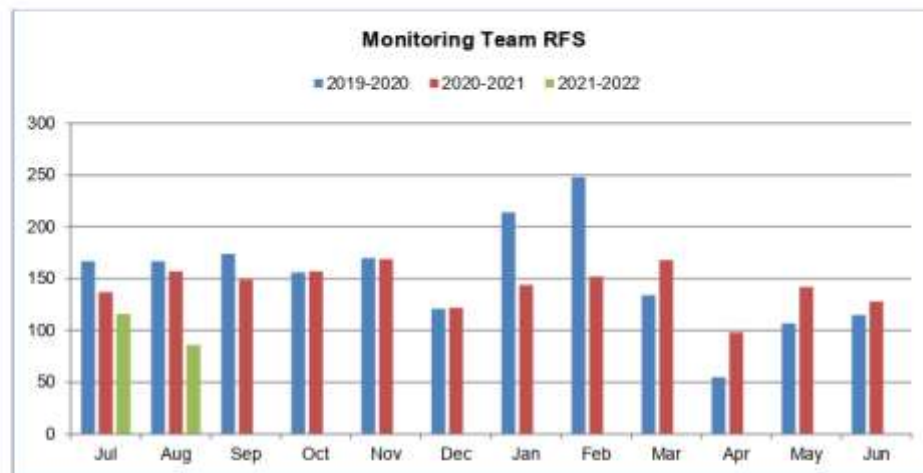
#### Vehicle Crossing Applications

The Monitoring team has contracted out the management of vehicle crossing applications to Haigh Workman. The following graph shows 9 applications received in August 2021 compared to 11 in August 2020.



### Monitoring Team RFS

The monitoring officers respond to requests for service relating to alleged breaches of Bylaws, RMA, Reserves Act, and other Acts for which they are warranted officers. 86 RFS were investigated in August 2021.

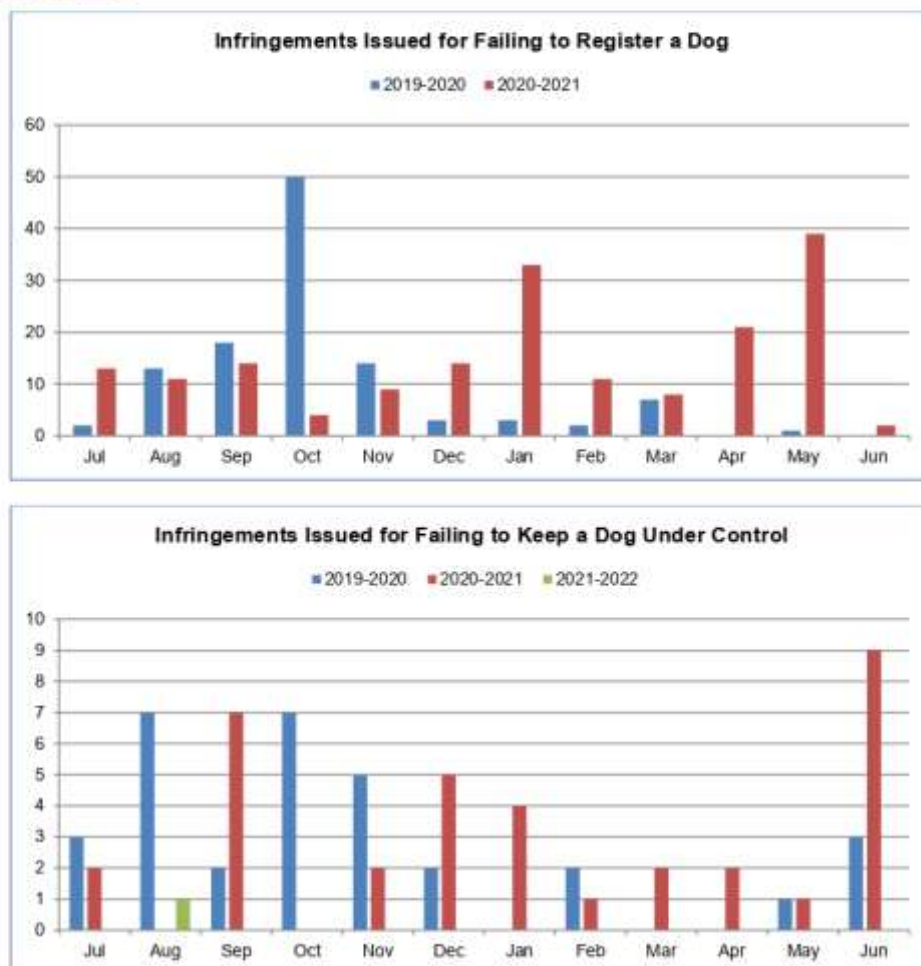


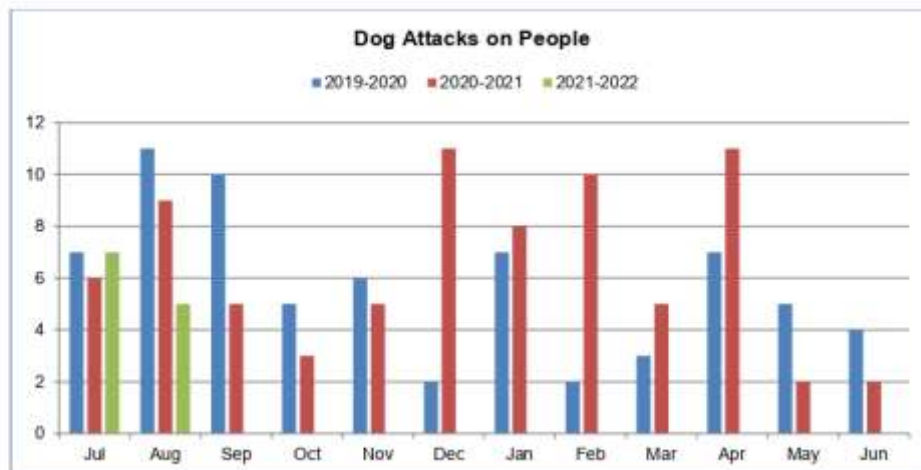
## Animal Management

### Introduction

Animals, in particular livestock and dogs, play a significant role in the far north lifestyle. Council understands the economic and social benefits of animals, but Council has a duty to contribute to the safety of our communities and the welfare of those animals. The goal of the animal management team is to reduce the risk of potential negative impacts by encouraging responsible dog ownership and working with farmers to minimise wandering stock.

### Levels of Service





### RFS Responses

The month of August saw a total of 412 RFSs for Animal Management of which 129 were for registration queries. Re-registration period runs from 1 July to 1 September. 53 RFSs were received for aggression incidents.

### Registration Follow Ups

During the month of August, no infringement notices were issued for failing to register a dog, however there were 14 Notices to Register (NTRs) issued.

In terms of process, an NTR is issued to a dog owner as a prompt to get their dog registered. Officers may give the dog owner a period of time to meet this requirement, however if the dog remains unregistered an infringement notice of \$300 is issued. If registration is paid within a specified timeframe, the infringement will be waived. Unfortunately, continued non-compliance does result in the infringement being sent to the Courts and potential seizure of the dog.

### Impounded Dogs

30 dogs were impounded in August resulting in 12 being claimed by their owners, one dog taken by Rescue Groups and six being adopted out to new homes. There were also 12 dogs euthanised in August due to not being claimed by an owner and not meeting criteria to be rehomed.

### Dog Adoptions

Six dogs were successfully adopted to new homes and these were placed out as follows:

- 2 within the Far North District
- 2 to Whakatane
- 1 to Wellington
- 1 to Auckland



## Environmental Health Services

### Introduction

The safety and well-being of our communities, visitors and our environment is one of the primary functions and responsibilities of Council. We are accountable to our communities and have several obligations under primary legislation. The Environmental Health Services team are responsible for the administration and enforcement of these obligations.

The Environmental Health Services (EHS) team is responsible for:

- Food business registrations and health licensing
- Providing food verification services
- Inspections of licensed premises
- Investigating health nuisances
- Carrying out host responsibility inspections of licensed premises and
- Processing alcohol applications

### Levels of Service

Level of service 8.2.1. Food Control Plan and National Programme audits completed as scheduled.

The level of service for environmental health was amended to better express Council's commitment to the community. The target for food control plan audits was adjusted across the 10 years of the LTP to transition from relatively poor results to the desired level by 2021.

Target: ≥95% This Month: 56.8% Last Month: 100% Last Year: 92%

During August 2021, 52 verifications were scheduled. Of these scheduled verifications 20 were completed as scheduled.

The 32 cancelled verifications were a result of Covid-19 lock down. MPI issued a directive that verifiers were unable to do verifications during Alert Level 4 (lock down), also businesses that were not deemed an essential service were not permitted to be open for trading.

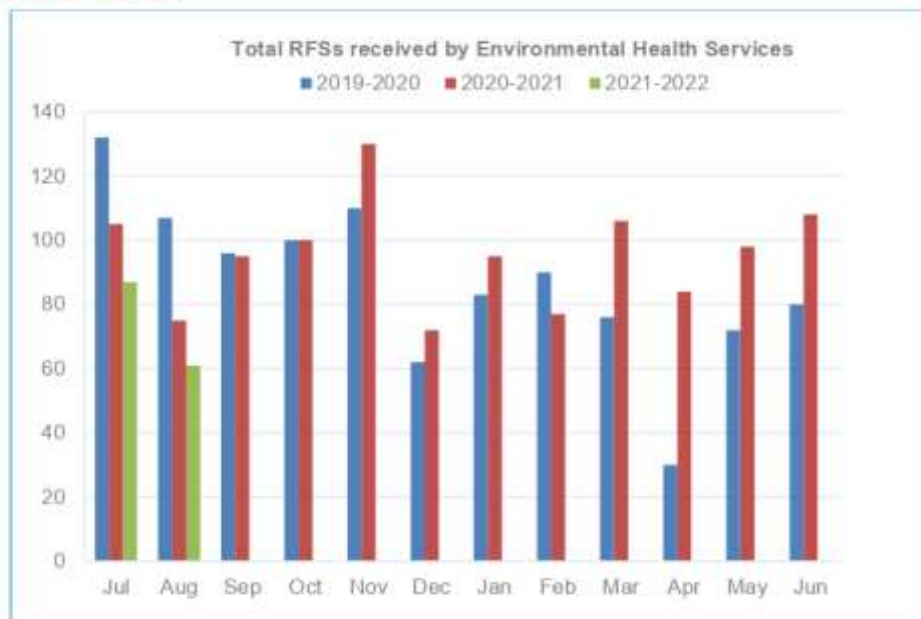
Level of service 8.4.1. All licensed premises are visited for Host Responsibility inspections at least once every four years.

Target: ≥25% This Month: 16.7% Last Month: 12.9% Last Year: 100%

At present there are 258 licensed premises in the Far North district. 25 of these premises hold more than one alcohol licence and therefore will be visited on one occasion rather than separate visits, which will mean that the EHS team will complete 233 visits during 2021-2022.

During August 2021, 9 visits (16.7% of all premises) were completed by the EHS team. For the remainder of this reporting year there is a total of 194 visits to complete.

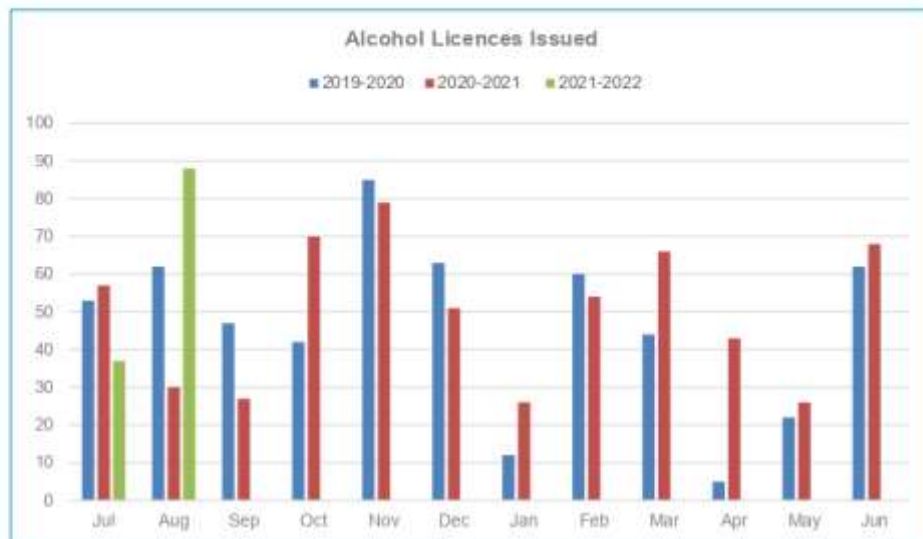
## Requests for Service



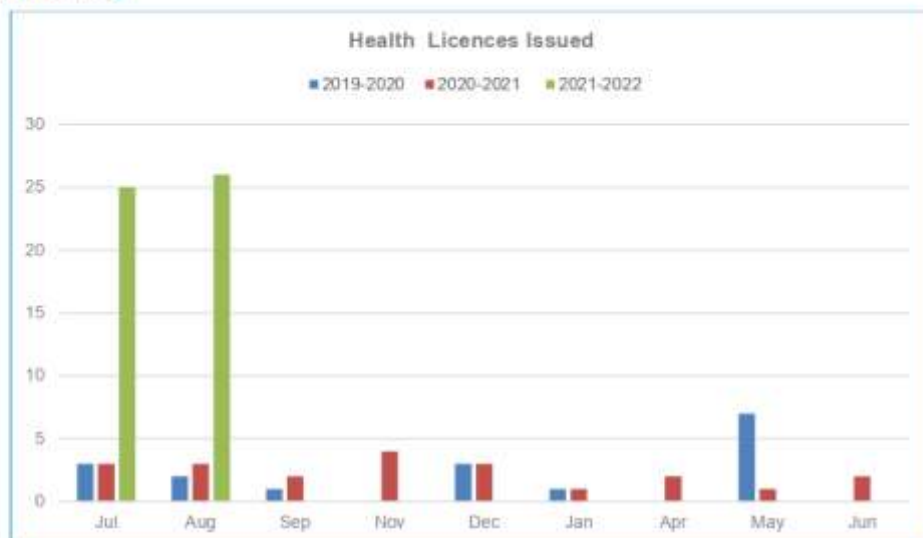
## Food Registrations Issued



### Alcohol licences Issued



### Health licensing



Health licenses are renewed on 1 July each year which explains the increase in the number of health licenses issued in August.

**5.4 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE OCTOBER 2021****File Number: A3410304****Author: Marlema Baker, Meetings Administrator****Authoriser: Aisha Huriwai, Team Leader Democracy Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To provide the Regulatory Compliance Committee with an overview of outstanding decisions from 1 January 2020.

**WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY**

- Council staff have reintroduced action sheets as a mechanism to communicate progress against decisions/resolutions and confirm when decisions have been implemented.
- The focus of this paper is on Regulatory Compliance Committee decisions.
- Action sheets are also in place for Council and Community Boards.

**TŪTOHUNGA / RECOMMENDATION**

**That the Regulatory Compliance Committee receive the report Action Sheet Update October 2021.**

**1) TĀHUHU KŌRERO / BACKGROUND**

The Democracy Services Team have been working on a solution to ensure that elected members can receive regular updates on progress against decisions made at meetings, in alignment with a Chief Executive Officer key performance indicator.

Action sheets have been designed as a way to close the loop and communicate with elected members on the decisions made by way of resolution at formal meetings.

Action sheets are not intended to be public information but will provide updates to elected members, who, when appropriate can report back to their communities and constituents.

**2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

The outstanding tasks are multi-facet projects that take longer to fully complete.

The Democracy Services staff are working with staff to ensure that the project completion times are updated so that action sheets provided to members differentiate between work outstanding and work in progress.

**Take Tūtohunga / Reason for the recommendation**

To provide the Regulatory Compliance Committee with an overview of outstanding committee decisions from 1 January 2020.

**3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial implications or need for budgetary provision in receiving this report.

**ĀPITIHINGA / ATTACHMENTS**

1. 2021-10-19 REGC Action Sheet October 2021 - A3410327 [↓](#) 

OUTSTANDING ACTIONS REPORT				
Division: Committee: Officer:		Regulatory Compliance Committee		Printed: Thursday, 23 September 2021 1:36:55 PM Date From: 1/01/2020 Date To: 23/09/2021
Meeting	Date	Title	Resolution	Notes
Regulatory Compliance Committee 23/03/2021	23/03/2021	Update on Resource Management Act Legislation	RESOLUTION 2021/9 Moved: Bay of Islands-Whangaroa Community Board Chairperson Belinda Ward Seconded: Cr Rachel Smith That the Regulatory Compliance Committee receive the report Update on Resource Management Act Legislation. CARRIED	
Regulatory Compliance Committee 4/05/2021	4/05/2021	Parking Enforcement Services	COMMITTEE RESOLUTION 2021/12 Moved: Cr Rachel Smith Seconded: Cr Dave Collard That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 23 March 2021 are a true and correct record. CARRIED  COMMITTEE RESOLUTION 2021/13 Moved: Cr Rachel Smith Seconded: Bay of Islands-Whangaroa Community Board Belinda Ward That Far North District Council: a) makes application for the delegation to enforce stationary parking offences on State Highway from Waka Kotahi (the New Zealand Transport Agency); and the Regulatory Compliance Committee recommends to Council: b) that it commences a trial period of enforcing stationary vehicle Warrants of Fitness and Registration offences across the district. CARRIED	

**6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

**7 TE KAPINGA HUI / MEETING CLOSE**