

Organisational Excellence Committee

28 April 2026

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Assurance, Finance & Risk

Title | Taitara: Regulatory Update

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to provide an overview of the regulatory teams and key regulatory functions. This is the first time that Regulatory has presented at the Organisational Excellence Committee.

Key regulatory functions that will be outlined are Environmental Health, Alcohol Licensing, Gambling, Dog Control, Parking Enforcement, Freedom Camping, Monitoring, Enforcement and Environmental (Resource Consent Monitoring), Waterways Regulatory Services, Request for Service and Prosecutions.

Recommendation | Kā Tūtohuka

That the Organisational Excellence Committee:

1. **Note** the contents of this report.

Prepared by:



Name: Anthony Hall

Title: Regulatory Manager

18 March 2026

Reviewed and Authorised by:



Name: Katherine Harbrow

Title: Assurance, Finance & Risk General
Manager

20 March 2026

Context | Horopaki

1. The Regulatory Team is part of the Assurance, Finance & Risk directorate. The Regulatory Manager leads four teams, which are:
 - Environmental Health
 - Alcohol Licensing & Gambling
 - Regulatory Support, Parking & Animal Control
 - Monitoring Enforcement & Environmental, including Waterways Regulatory Services (Harbourmaster).
2. The Regulatory Manager has 20 years' experience in local government, is qualified in Resource Management and Ecology, has delegations across many functions and holds the role of Secretary of the District Licensing Committee (DLC).
3. The Queenstown Lakes District Council (QLDC) Enforcement Strategy and Prosecution Policy is an overarching document that guides the Regulatory Team and the QLDC. The key focus of the Regulatory Team is to work with the community to encourage compliance through education and if necessary, apply proportionate enforcement in accordance with applicable legislation. Regulatory is a specialist and operational team, with a customer-focused approach and all teams manage and process requests from the community.
4. This report is for noting purposes, to initially provide an overview of the functions and activities of the Regulatory Team, then to provide ongoing updates to the Organisational Excellence Committee. Please refer to **Attachment A** for a more in-depth overview of the functions and activities of the Regulatory Team.

Analysis and Advice | Tatāritaka me kā Tohutohu

5. This report is for noting only, so no options are presented.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

6. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because it is a noting report providing an overview of the Regulatory Team and its functions.
7. The persons who are affected by or interested in this matter are Councillors, Council Officers, residents, ratepayers and visitors.

8. No consultation is required on this matter since this report is for noting only.

Māori Consultation | Iwi Rūnaka

9. No consultation with iwi is required on this matter since this report is for noting only.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

10. This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10015 Ineffective Governance within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

11. The noting of the information contained in this report will allow Council to implement additional controls for this risk. This will be achieved by ensuring that councillors are suitably informed about Council's regulatory functions and responsibilities, thereby facilitating effective oversight.

Financial Implications | Kā Riteka ā-Pūtea

12. There are no financial implications.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

13. The following Council policies, strategies and bylaws were considered:

Strategies and Policies:

- QLDC Enforcement Strategy & Prosecution Policy
- Media Protocol for Prosecutors, Crown Law Office
- Solicitor General's Prosecution Guidelines
- Sale and Supply of Alcohol 2012 - Alcohol Licensing Fee Reduction Policy
- Class 4 Gaming & Tab Venue Policy 2024
- QLDC Dog Control Policy 2020
- QLDC Guidelines for Environmental Management

Bylaws:

- Activities in Public Places Bylaw 2023

- Alcohol-Free Areas in Public Places Bylaw 2018
- Brothel Control Bylaw 2024
- Dog Control Bylaw 2020
- Freedom Camping Bylaw 2025
- Navigation Safety Bylaw 2025
- QLDC Traffic & Parking Bylaw 2018

14. The recommended option is consistent with the principles set out in the named policies above, since the report is for noting only.

15. This matter is not included in the Long Term Plan/Annual Plan since the report is for noting only.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

16. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Facilitating effective oversight by councillors of Council's regulatory activities is in the interests of the local community. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

17. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Overview of the Functions & Activities of the Regulatory Team
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Overview of the Functions and Activities of the Regulatory Team

Environmental Health

- Seven staff including Manager, Team Leader, Seniors and Officers.

Key Staff

- Manager Environmental Health, 16 yrs experience
- Team Leader - 20 Years experience
- All EHO staff are required to hold a recognised qualification as specified in the Environmental Health Officers Qualification Regulations 1993 and undertake Continual Professional Development.

Who is Involved

- Ministry of Health and Ministry for Primary Industries
- Taumata Arowai
- Other Councils and various teams within Council i.e., Planning, Building, Events, Property, Customer Services, EHOs, M&E, Comms, Policy, Legal, Support.

Key Legislation & Policies

- Food Act 2014 and Health Act 1956
- Water Services Act 2021
- Health (Registration of Premises) Regulations 1966
- Camping-Grounds Regulations 1985
- Health (Burial) Regulations 1946

Key Functions

- Registration, verification and enforcement of food operators.
- Assessment of the safety and suitability of private water supplies as part of resource consents.
- Campground, Offensive Trades and Funeral Directors and Mortuary registration and inspection.
- Enquiry and Request Response for RFS's.
- Promote, protect and improve community health

Stats

- 778 registered food businesses in the district at the end of February 2026, up from 614 in 2018.
- 107 audits overdue at the end of February 2026, this has reduced from a peak of 194 end of April 2025. There is a focus by the team on reducing the number of overdue audits, however, to mitigate risks associated with not auditing every food business within the specified period, the team undertake a risk-based approach. This approach means new operators and high-risk operators are prioritised. New operators do not have a history of compliance or details of how they manage food safety. The Act requires the team to complete these verifications within 6 weeks of registration. Which can be extended to 12 weeks under specific circumstances. High Risk Operators, operators that have previously had an unacceptable verification outcome are prioritised ahead of businesses that have a good history of compliance.
- Enforcement has also been prioritised and there are currently several significant prosecution cases being worked through. In 2025 there have been 88 enforcement actions and there are currently a number of prosecutions in progress, outlined further later in this report.

Alcohol Licensing & Gambling

- Six staff including Manager, Team Leader, Senior and inspectors

Key Staff

- Manager - 16 yrs experience, also holds the positions of: Chief Licensing Inspector, President of the New Zealand Institute of Liquor Licensing Inspectors.
- Team Leader Alcohol Licensing - 7 yrs experience.

Who is Involved

- Alcohol Inspectors (must maintain independence from all parties including Council)
- Queenstown Lakes District Licensing Committee (DLC) (independent, quasi-judicial, body regulated under the Act and the Inquiries Act 2013)
- Tri-agency partner Alcohol Harm Prevention Officer Police (Wanaka & Queenstown)
- Tri-agency partner Medical Officer of Health, Health New Zealand Te Whatu Ora
- Alcohol Regulatory and Licensing Authority (ARLA)
- Various teams within Council i.e., Planning, Building, Events, Property, Parks and Reserves, Venues, Customer Services, EHOs, M&E, Comms, Policy, Legal, Support, Corporate Support, Finance.

Key Legislation & Policies

- Sale and Supply of Alcohol Act 2012

- Sale and Supply of Alcohol (Regulations) 2013
- Sale and Supply of Alcohol (Fees Regulations) 2013
- Alcohol-Free Areas in Public Places Bylaw 2018
- Sale and Supply of Alcohol 2012 – Alcohol Licensing Fee Reduction Policy.

Key Functions

- Inquire into and report on all premises licence applications (on, off, club)
- Inquire into and report on managers' applications and renewal applications
- Inquire into and report on all special licence applications for events in the district
- Inquire into and report on temporary authority and temporary licence applications
- Undertaking Controlled Purchase Operations (CPO's) with partner agencies
- Monitoring and inspections of premises and events to ensure compliance.
- Enforcement activities of managers and licensees (with partner agencies)
- Training, education, provision of legislation updates to licensees and their management teams.
- Preparation and participation in DLC and ARLA hearings.
- Appeals of DLC decisions to ARLA if and when warranted.
- Applications to ARLA for suspension or cancellation of licences or managers certificates when warranted.
- Enquiries and request response.

Stats

- 549 current licences at the end of February 2026
- 2260 current managers at the end of February 2026
- 171 special licences issued 2024-25

Gambling Licensing

- Report to the Community and Services Committee or full council on new class 4 () venues who are seeking territorial authority approval to operate.
- There are five venues in our District which house a total of 56 EGMs, along with three of these venues having TAB facilities.

Key Legislation & Policies

- Gambling Act 2003

- Racing Industry Act 2020
- Class 4 Gaming and Tab Venue Policy 2024

Regulatory Support, Parking & Animal Control

- The Team - Manager, Regulatory Process improvement Specialist, Support Team Leader, Regulatory Support Senior, two Senior Animal Control Officers, one Animal Control Officer, one Parking Co-Ordinator and one Senior Parking Officer, plus Contactors for day- time parking and various after-hour services and towing of vehicles.

Key Staff

- Manager 13 years' experience Regulatory compliance level 4
- Regulatory Process Improvement Specialist 5 years' experience
- Support Team Leader 4 years' experience
- Parking Co- 1 .

Animal Control

- Queenstown: One Senior and One Officer
- Wanaka: One Senior
- Senior Staff are trained and qualified in Regulatory Compliance level 3.

Key Legislation & Policies

- Dog Control Act 1996
- Dog Control Bylaw 2020
- QLDC Dog Control Policy 2020
- Animal Welfare Act 1999
- Enforcement Strategy and Prosecution Policy

Key Functions

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- Proactive Patrol
- Proactive Community Education
- Attack investigation and enforcement

Stats

- 1 dogs on the 17 March 2026
- 1131 RFS attended 2024/25

Parking Enforcement & Freedom Camping

- Parking and Freedom Camping enforcement is delivered by QLDC through both internal staff and contracted Staff. Waivers are managed by internal Staff only.
- All staff, including contractors, are trained, audited and work in accordance with the QLDC Enforcement Strategy and Prosecution Policy with a customer-focused approach.

The Team

- Parking Co- 1
- Senior Parking Officer 20 years' experience

Who is Involved

- QLDC Roading and Infrastructure Team
- QLDC Responsible Camping Team
- NZTA, DOC and LINZ.

Key Legislation & Policies

- Land Transport Act 1998
- Local Government Act 2002
- QLDC Traffic and Parking Bylaw 2018
- Freedom camping Act 2011
- Freedom camping Bylaw 2025
- Enforcement Strategy and Prosecution Policy

Key Functions

- Monitoring and Enforcement of Rules across the district
- Enquiry and Request Response.

Stats

- 56,000 parking infringements issued 2024/25 – 40,397 at the end of February 2026

- 500 Freedom Camping infringements issued 2024/25 (no bylaw 2024/45) – 1590 at the End of February 2026.
- Peak of 3762 pre-covid in 2018/2019 with previous FC bylaw in place.

Delegations

- NZTA delegation to enforce LTA and QLDC traffic and Parking Bylaw of urban areas
- NZTA delegation to enforce one NZTA site for Freedom Camping

Monitoring Enforcement & Environmental (M&E)

- The Team - L Seniors and Officers

Key Staff

- Monitoring Enforcement and Environmental Manager – years exp in Local Government, Bachelor of Science majoring in Physical Geography and minoring
- Team Leader – 18 yrs exp in regulatory including police – Qualified in water treatment.

Who is Involved

- Otago Regional Council
- Various teams within Council i.e., Planning, Building, Events, Property, Reserves, Customer Services, EHOs, M&E, Comms, Policy, Legal, Support.

Key Legislation & Policies

- Resource Management Act 1991
- Building Act 2004
- Local Government Act 2002
- Reserves Act 1977
- QLDC Guidelines for Environmental Management
- QLDC Enforcement Strategy and Prosecution Policy
- Various Bylaws including Activities in Public Places Bylaw and Brothel Control Bylaw.

Key Functions

- Monitoring of resource consents
- Monitoring of Environmental Management of Subdivision and Land use consents (Sediment Control)

- Enforcement assistance with all Council Legislation
- Prosecution Recommendation and Management
- Noise Control (After Hours Contractors)
- Enquiry and Request Response.

Stats

- 1062 RFS Received last financial Year
- 616 RFS received at the end of February 2026

Waterways Regulatory Services (Harbourmaster Functions)

- Waterways Regulatory Services are provided to the community through QLDC overview and management. Contractors are utilised to provide on the ground staff that are trained, experienced and appropriately qualified. The level of on the ground staff is scaled upon seasonal demand.
- QLDC has one full-time dedicated internal Waterways Regulatory Services Manager who reports to the Monitoring Enforcement and Environmental Manager. The
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including an MNZ skipper certification. This position is also supported by the full Monitoring and Enforcement team.

Who is Involved

- ()
- Coastguard
- Police
- Otago Regional Council.

Key Legislation & Policies

- Maritime Transport Act 1994
- Shotover River Empowering Act
- Navigation Safety Bylaw 2025
- Shotover River Bylaw 2021

Key Functions

- Patrolling
- Enforcement and Regulatory Functions including Request For Service (RFS)

- Education and Communication
- Licensing of special events or other water activities (Reserved areas and Speed Uplifting).
- Internal collaboration (e.g. assisting Council's mooring project)

ORC Delegation

- In 1994, Otago Regional Council transferred to the QLDC all its functions, duties and powers under the Harbour Act 1950 in relation to navigable rivers and lakes within the district of QLDC.
- This unique arrangement grants QLDC the authority to administer and enforce navigation safety on its waterways, including the power to establish related bylaws such as the Navigation Safety Bylaw 2025.
- At any time, ORC or QLDC may provide notice in accordance with the terms and conditions of this agreement to transfer the delegation back to ORC.

Summer Plan Implementation This Year

25/26 Summer Program and Enforcement Queenstown

Expected level of resource deployment was Minimum 1 x Jet ski, Ground Patrols, Ramp based staff covering high usage areas.



Focused area at Kelvin Heights – Main Ski area - Marquee and signage, Enforcement Officer / Ambassador.

Jet Ski Focused Operating Area

- Jet Ski 1 - Focused on Frankton arm with ongoing visits to Queenstown Bay and Bobs Cove Areas
- Jet Ski 2 – When required to assist in coverage of areas
- Vessel 2 – Ahuriri 2 – Assisting in Patrolling of above areas out to Wilsons Bay – ongoing visits to Kingston and Glenorchy areas

Ground Based Patrol / Staff Operating Areas

- Ground Based patrolling of Kelvin Heights / Kelvin Grove area
- Ground based patrolling of Wilsons Bay area
- Ground based patrolling of Sunshine Bay area
- Ground Based Patrolling of Glenorchy Waterfront and surrounding rivers
- Ground Based Patrolling of Kingston - Ground based waterways officer with overview of whole bay

25/26 Summer Program and Enforcement Wanaka

Level of resources to be deployment, 2x Jet Skis with additional Jet Ski based upon demand, along with waterways vessel Minnow.

Additional assistance and information feed into on water-based team members from land-based patrol officers and ramp staff located around Lake Wanaka and Lake Hawea.

Focused areas are Glendu bay, Wanaka Waterfront (Roy`s Bay) , Clutha River – Marquee & signage setup at main ski lane areas, Enforcement Officers at these locations to monitor, patrol and educate, enforce when required.

Jet Ski Focused Operating Areas

- Jet ski 1 – Clutha River Operations
- Jet Ski 2 - Focused on Roy's Bay, Eely point, Waterfall Creek Ruby Island area
- Jet Ski 3 – Backup Jetski
- Vessel 1 – Minnow – Patrolling Roy`s Bay and Glendu Bay Regions

Ground Based Patrol / Staff Operating Areas

- Ground based Patrol in Main Wanaka Beach / Roy's Bay area via Enforcement Officer
- Ground based patrol in Clutha river mouth area and surrounding location – Enforcement Officer
- Ground Based education and reporting staff on each boat ramp – "Ramp Staff"



Request for Service Function (All Regulatory)

- 8016 RFS received by Regulatory across all functions in 2024/2025 – 6137 received at the end of February 2026 for the current financial year.

Prosecutions

As a prosecuting agency, Council must adhere to the Crown Law Prosecution Guidelines. These guidelines set general expectations to ensure that the process is independent, fair and upholds the framework of justice.

Prosecutors act independently. This means they make decisions free from political influence, or improper pressure from any other source, including media and public sentiment, and independently of the investigation process. This includes avoiding any actual, perceived or potential conflicts of interest when making prosecutorial decisions. Council has systems in place to protect the independence of prosecution decisions.

These systems include independent investigation of offences, in-house and external legal review of prosecution file, and CE sign off before charges are filed. This ensures independence and review of strategy in accordance with Council's Enforcement Strategy and Prosecution Policy (**ESPP**) at every stage.

Prosecutors should not discuss cases with the media or the public before they are presented in court. This is to maintain the integrity of the legal process and ensure that the prosecution is presented without bias.

On that basis, this report can provide councillors with an overview of prosecutions where sentencing has taken place, and basic information (names of defendants and the charges relating to the prosecution) where matters are before the court awaiting trial/sentencing, but it will not provide information on those matters currently being investigated.

An overview of some recent Prosecutions and current cases that are before the courts is set out below:

Enforcement Cases

QLDC v Skyline Enterprises Limited (SEL), Naylor Love Central Otago Limited (NLCO), Wilson Contractors (2003) Limited (WCL) collectively “the Defendants”.

Outcome:

- Prosecution under the Resource Management Act 1991 (RMA)
- The Defendants were all sentenced in the Christchurch District Court on 12 December 2025 before His Honour, Judge Hassan.
- The Defendants were convicted and sentenced as follows:
 - NLOL fined **\$154,000**
 - SEL fined **\$120,000**
 - WCL fined **\$61,600**
- In addition, the defendants were ordered to pay:
 - Remediation costs of **\$200,700** to QLDC
 - **\$147,000** for the repair of Reavers Lane
 - **\$12,000** in emotional harm reparation to a victim of the offending.
- The defendants pleaded guilty to discharging sediment and construction spoil from construction work being undertaken at the upper terminal of Skyline’s gondola on Bob’s Peak. The offence took place during a period of heavy rainfall in September 2023.
- Each defendant faced a single charge under s15(1)(b) of the RMA for *discharging a contaminant onto land in circumstances where the contaminant may enter water.*

- The defendants admitted that conditions of the relevant resource consents permitting the construction work were not complied with. The defendants all entered early guilty pleas which reflected their acceptance of fault in the events that occurred.

QLDC v Fendall

Outcome:

- Mr Fendall was convicted and fined under the Local Government Act 1974 (**LGA 74**) after he illegally erected a building on a public road reserve without Council's approval.
- The charges were for encroaching on a road by erecting a building on the road reserve adjacent to a property at Fernhill.
- Mr Fendall acted without the Council's consent, and the encroachment was not authorised by or under any Act.
- The offending continued for 875 days (about 2 and a half years).
- The Court found Mr Fendall guilty, convicted and fined him **\$22,655** and order him to pay **\$20,000** towards Council's legal costs.
- Mr Fendall has appealed the sentence 4-months out of time to the High Court. The matter has been set down for a hearing on the 3rd August 2026.

Animal Control Cases

QLDC vs BRAUEUR

Outcome:

- Dog vs person causing injury to arm requiring hospitalisation.-
- QLDC laid charges under s57 of the Dog Control Act (**DCA**)
- Offender convicted on the 4 March 2024 and sentenced to \$500 fine
- Courts ordered the destruction of the dog

QLDC vs WILKINSON

Outcome:

- Dog vs two young people causing first aid treatment
- QLDC laid charges under section 57 of the DCA

- Offender convicted on the 20th May 2024 and sentenced to \$500 fine
- No destruction ordered by the courts due to exceptional circumstances

QLDC vs GRAEME

Outcome:

- Dog vs dog
- QLDC laid charges under section 57 of the DCA
- Offender convicted on 4th November 2024 and sentenced to \$700 fine
- Dog was voluntarily euthanised by the owner of the dog

Case before the Court

QLDC vs CHONG

- Dog Vs Person causing serious injury
- QLDC laid charges under s58 of the DCA
- Offender has pleaded guilty
- Sentencing has been set down for 15 June 2026.

Environmental Health Cases Before the Court

QLDC v Leanne Dawn Harling

- Breach of the Food Act 2014 (**Food Act**). The matter has been set down for a hearing on 14 July 2026.

QLDC v Krishna Shetty and QLDC v Spice King Limited

- Breach of the Food Act – Sentence Indication 23 March 2026 after which the matter will be set down for either hearing date or sentencing.