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# Ruapehu District Council Regulatory Strategy 2022

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## Regulatory Strategy

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## Regulatory Strategy

### **GUIDE TO THIS STRATEGY – WHY WE REGULATE**

Our focus is to drive and support the development of safe, prosperous rural communities that are able to thrive and capitalise on our agriculture, business and tourism sectors while sustaining our beautiful environment.

One of our key responsibilities in meeting this focus is to ensure compliance with a range of laws and regulations that are designed to achieve beneficial community and environmental outcomes.

We want to approach compliance strategically – targeting our resources and interventions to achieve the best possible outcomes for our rural communities. In other words, we want our regulatory compliance to be an asset for our communities which delivers on our focus.

This overarching strategy will inform our compliance-related policies, guidelines, procedures and decision making.

### **STRATEGY SUMMARY – WHAT WE WANT TO ACHIEVE AS A REGULATOR**

We aspire to have a regulatory compliance system which is:

- **Transparent:** we will provide clear information about the standards and requirements for compliance and clear information about what compliance decisions have been made and why.
- **Consistent:** compliance will be consistent and predictable. This means that similar incidents of non-compliance should lead to similar enforcement outcomes.
- **Fair, reasonable and proportional:** we will use the intervention, which is most appropriate for the situation, and is proportionate to the risk posed to people and the environment, and the seriousness of the non-compliance.
- **Evidence-based:** our decision making will be based on evidence.
- **Lawful, ethical and accountable:** we will conduct ourselves lawfully and impartially, in accordance with legislation and with relevant policies and principles. We will measure and report on our regulatory performance.
- **Targeted:** we will target our intervention on non-compliant activities that pose the greatest risk to the community and the environment.
- **Responsive and effective:** we will apply the right tool for the problem at the right time.
- **Future-orientated:** we will consider longer-term impacts and be resilient and flexible to withstand rapid and ongoing change.



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### **HOW WE DETERMINE OUR REGULATORY PRIORITIES**

The outcomes that we are working towards are set out in our Long Term Plan and include: having safe, healthy communities; a thriving natural environment; strong Leadership and advocacy; and a thriving economy. These long-term outcomes and strategic priorities are the context in which we undertake regulatory stewardship. The way we set and deliver regulation must support them. We also consider several other factors to determine our approach and help frame our priorities, including our statutory obligations and feedback from our stakeholders.

### **WHAT IS COMPLIANCE?**

When we talk about compliance, we are talking about three key aspects:

1. Monitoring compliance – developing monitoring programme to assess compliance and detect potential non-compliance.
2. Encouraging compliance – engaging, educating and enabling individuals and businesses to comply.
3. Dealing with non-compliance – utilising a range of enforcement tools to deal with non-compliance.

#### **Monitoring compliance**

We cannot be everywhere all the time. We will develop and allocate appropriate monitoring resources by considering the likelihood of a non-compliance occurring and the consequent magnitude of harm to the environment and/or community.

We will focus our monitoring on the biggest risks to the environment and/or the community and target areas where individuals and businesses are less likely to comply.

#### **Encouraging compliance**

We want people to comply, and we understand that most people also want to comply. We will encourage compliance using the following tools:

- Engage: we will consult with those that we regulate on matters that may affect them. This will facilitate a greater understanding of challenges and constraints, engender support and identify opportunities to work with others.
- Educate: we will provide guidance to those we regulate so that they understand what is required to be compliant. We will inform our communities about regulations that are in place around them.
- Enable: we will provide opportunities for regulated parties to be informed of regulatory requirements and best practice.
- Enforce: when breaches or non-compliance are identified, a range of enforcement tools are able to be utilised to initiate behaviour change.



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### **Dealing with non-compliance**

When breaches and non-compliant activities are identified, we will respond in a manner that is consistent with, and proportionate to, the overall circumstances of the non-compliances.

Our starting point is to recognise that most people and businesses are willing to voluntarily comply with their regulatory obligations. Enforcement responses will escalate depending on the seriousness of the conduct, extent of the harm, and public interest factors. Actions could include education, verbal and written warnings, abatements, infringements and prosecution.

### **REPORTING AND REVIEWING**

We will develop reporting functions to collect and analyse data across our regulatory compliance responsibilities in order to:

- Identify trends in non-compliance.
- Use and target resources effectively.
- Assess the performance of targeted compliance.
- Inform the ongoing development of policies and guidelines.

### **REVIEW OF THIS STRATEGY**

We will review this strategy every three years to ensure that it is achieving its purpose.