

CP 25 Regulatory Compliance and Enforcement

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Summary

The Compliance Team forms part of the Development Department that is responsible for the control of land-use and development across the municipality through various Acts, Regulation, Planning Scheme, Local Laws, Policy and Procedures.

In some instances land owners or occupiers fail to get the appropriate approvals or fail to meet conditions of a permit and these matters are brought to the attention through inspections or complaints.

Benalla Rural City Council has the responsibility for the administration and enforcement of various Acts, Regulations, Planning Scheme and Local Laws which means it is not only responsible for processing of permits but ensuring conditions are complied with, potential breaches are investigated and non-compliance is prosecuted.

The Council routinely receives complaints regarding breaches of the planning scheme particularly where there is amenity impact on adjoining neighbours or a potential public safety issue is raised.

The system seeks to resolve conflict and the community has come to expect that Council will act to ensure their amenity is protected and that the rules will be applied equally. The aim of all enforcement is to maintain and enhance compliance. The major tools to ensure compliance are:

- Monitoring
- Auditing
- Investigation
- Negotiating
- Prosecution
- Maintain public confidence in the Department and the legislation it administers
- Ensure consistency of treatment to all of the community

Enforcement and compliance is resource intensive and time consuming requiring investigative, planning, negotiation and prosecution skills.

The Compliance section of the Development Department is responsible for all compliance and enforcement.

Work must be prioritised and this policy is a guideline as to how, and in what circumstances officers, will assign priorities and undertake enforcement.

The purpose of this policy is to promote compliance with various Acts, Regulations, Planning Scheme and local laws by:

- providing a framework that governs when Benalla Rural City Council will conduct enforcement
- Setting up systems and processes to act on complaints and proactively address risk
- Ensuring sufficient resources are available to improve compliance and meet objectives
- Providing a consistent approach across the municipality.

Scope

This policy applies to all staff of Benalla Rural City Council Development Department.

Definitions

Compliance rate means the state of conformity with the relevant Act in which the investigation is being conducted.

The Compliance team will secure the optimal compliance rate as set out in Councils Corporate Business Plan. This may be achieved through four types of activity:

- Education (includes communication of information in a variety of formats)
- Monitoring (includes auditing, assessing compliance risks, performing quality inspections, conducting overt and covert patrols)
- Gathering and evaluating intelligence and information
- Enforcement activities

Mens rea (menz ray-ah) - Latin for a guilty mind, or criminal intent in committing the act.

Compliance risk is determined by a methodology used to ensure a consistent and robust system for identifying, analysing, treating, monitoring and reviewing risks to ascertain the potential level of adverse impact that non-compliance with the relevant legislation may have on the department's ability to deliver the objects of the relevant legislation (and other priority areas identified from time to time).

Enforcement activities are designed to respond to non-compliance and may include:

- Formal inspections to verify compliance using overt and covert means
- Investigation of suspected breaches of the relevant Legislation
- Measures to compel compliance without resorting to formal court action; for example, warning letters, directions (e.g. direct works), notice to comply, Penalty notices or a combination of these
- Undertaking works and then seeking cost recovery where directed works have not been completed or undertaken subject to lawful direction
- The use of maximum sanctions as effective deterrents such as seizing animals or belongings and impounding such things, then imposing a release fee or Council sell, destroy of or give away any such impounded item
- Prosecute with a view to conviction in a court of competent jurisdiction where court imposed penalties may include fines, Court orders to do certain things, good behaviour bonds and community service.

Policy Principles

Purpose of this policy

The primary purpose of enforcement measures is to stop or prevent illegal activities, by making offenders accountable as a deterrent to those involved and to others, to bring to compliance.

Prompting voluntary compliance

Promotion of compliance through information and education is the most effective way to secure conformity with the law. Where appropriate, the Council will involve the community and provide opportunities for comment in developing new local laws or when amending current local laws. The emphasis in administration and enforcement will be on prevention of non-compliance.

Developing strategic alliances

A strategic partnership approach with industries and stakeholders, which encompasses openness and transparency, will be used to improve compliance. The assistance of the appropriate sections of the community will be sought in solving compliance issues and reporting suspected offences against the relevant legislation.

Enforcement action is fair, equitable and proportionate

Investigations will be undertaken impartially and enforcement actions will be applied in a manner proportionate with the severity of the breach or regulatory requirements.

Consistency and clarity

Enforcement will be undertaken in a consistent manner using lawful procedures, policies and clear and unambiguous standards. The Compliance department will clearly articulate what is expected of those who are required to observe the relevant legislation.

Enforcement principals will be applied consistently to individuals, companies (including directors, managers and contractors) and State Government Authorities. Any legal action considered appropriate will comply with Council policy and procedures.

Responding to complaints

The Compliance team will endeavour to investigate or respond to complaints relating to potential or suspected offences against the relevant legislation, wherever appropriate, and within the limit of the available resources.

Jurisdiction and responsibility

Responsibility of the Compliance section includes the administration and enforcement of the provisions contained in a number of Acts. An understanding exists between the Compliance section and other sections of the Development Department in order to effectively implement these working relationships and to enable a cooperative and timely approach to compliance and enforcement. Procedures identifying responsibilities of compliance services to the community can be found at Appendix 1.

Prosecution

Purpose

The purpose of this section of the policy is to:

- Provide consistency in exercising the discretion available in relation to initiating proceedings under the various Acts
- Provide a framework for considering options other than prosecution
- Provide a framework for considering other statutory sanctions such as restoration or stop work orders
- Provide a clarification for offences under the relevant Act to assist in the exercise of discretion for initiating summary offences
- Provide procedures for determining whether to proceed with a prosecution or to take other forms of punitive action.

Classification of offences

All offence provisions covered by this policy are defined as Summary Offences (matters) pursuant to Section 25 (1) of the Magistrates' Court Act 1989, also refer to Section 52 of the Interpretation Act 1984 for further clarification.

For the purposes of the prosecution provisions of this Policy and Prosecution Review Committee, offences contained in the various Acts, Regulations, Planning Scheme, Rule and Local Laws are classified as:

- Level 1 Offences – offences that attract a maximum penalty of less than 200 penalty units
- Level 2 Offences – offences that attract a maximum penalty of greater than 200 penalty units.

The decision to prosecute

The discretion to initiate proceedings is to be consistent and the following factors are to be considered in the decision to approve prosecution or other compliance actions:

- Seriousness or, conversely, the triviality of the alleged offence particularly in relation to the objects of the relevant legislation
- Environmental harm or impact of the conduct of the alleged offender, having regard to any relevant environmental impact assessment or statement
- Prevalence of the alleged offence and any need for deterrence, both personal and general
- Whether the alleged offence involves an individual or company
- The availability and efficacy of any alternatives to prosecution
- Likely outcome in the event of a finding of guilt, having regard to the sentencing options available to the court
- Whether or not the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive
- Whether there are any mitigating or aggravating circumstances
- The youth, age, maturity, intelligence, physical health, mental health or special disability or infirmity of the alleged offender, a witness or a victim
- Alleged offenders history in relation to prior offences and known background
- Expense and resources required to bring proceedings including length of time for an outcome in the relevant court
- The necessity to maintain the integrity of the department and community confidence in the Council as a whole
- In matters involving court election of an infringement notice, the incorrect completion of the infringement notice such as; the incorrect time and date of the alleged offence, incorrect infringement code, incorrect identity of the offender or insufficient evidence.

The applicability of and weight to be given to these and other factors will vary depending on the particular circumstances of each case. A prosecution should not proceed if there is no reasonable prospect of a finding of guilt being secured.

A decision whether or not to proceed must not be influenced by:

- Race, religion, sex, national origin, social affiliation or political associations, activities or beliefs of the alleged offender or any other person involved (unless they have special significance to the commission of the particular offence or should otherwise be taken into account objectively).
- Personal feelings of the prosecutor (Compliance Coordinator) concerning the offence, the alleged offender or a victim
- Possible political advantage or disadvantage to the Council or any political party, group or individual.
- The possible effect of the decision on the personal or professional circumstances of those responsible for the prosecution or otherwise involved in its conduct; or possible media or community reactions to the decision.

It is recognised that the resources available for prosecuting are finite and should not be expended pursuing inappropriate cases. Alternatives to prosecution should be considered.

Authority to prosecute

Approval must be sort by one or all of the following managers: General Manager Corporate, Manager Development and Compliance Coordinator if a prosecution should be commenced or permitted to proceed.

In most cases the relevant Act will prescribe who may or may not initiate proceedings and specify the person or class of persons to whom have the right expressly conferred by the relevant Act.

Normally summary offences (most or all offences dealt with by the Council) will be initiated by the Councils Prosecution Officer (Compliance Coordinator). In all cases the decision must be consistent with this policy.

An exception to the above can arise if a person is apprehended by a Victoria Police officer for but not limited to the consumption and possession of Liquor and or serious dog attack (Refer to Memorandum of Understanding with Victoria Police).

The departmental person named as the informant in matters proceeding to prosecution is Compliance Coordinator, Development Department (other authorised officers may be the informant from time to time if deemed appropriate by the Manager Development).

Prosecution review processes

The Prosecution Review Committee (PRC) has been established to review and approve prosecutions and other compliance actions mainly associated with more serious offences.

The PRC will consist of General Manager Corporate, Manager Development, Planning Coordinator and Compliance Coordinator (Note: members of this Committee may be varied from time to time).

The PRC may make the following decisions:

- Approve the Reporting/Investigations Officer's recommendations
- Approve prosecution and relevant charges or other enforcement actions such as seeking works, restoration or other punitive action
- Decline to approve prosecution
- Recommend action other than prosecution
- Return the matter for completion of requisitions on the brief of evidence
- Approve to discontinue a matter, including the 'withdrawal' from proceedings
- Recommend if an alleged offender elects to have a matter heard in court of relevant jurisdiction be negotiated
- Approve charge negotiation (plea bargaining for an offence).

The PRC must act objectively and independent of the investigation in carrying out its functions, with its decisions being recorded.

Where a member has a bias in any matter that comes before the PRC, this must be disclosed at the earliest opportunity and the member should arrange for an alternative person to determine the matter.

Expedition

The Compliance and Enforcement Procedure establish that it is a fundamental obligation of a prosecutor to assist in the timely and efficient administration of criminal justice. Accordingly and particularly:

- Cases should be prepared for hearing as quickly as possible
- Particulars of the matter (case) should be communicated to the accused as soon as possible
- Any other matter relating to the prosecution process be administered and communicated to the accused as soon as possible.

Therefore the Council will normally make the decision to prosecute within 42 days (unless mitigating circumstances are experienced) of the investigation being finalised or except where exceptional circumstances prevail. This requires both the Reporting/Investigations Officer to refer the matter to the PRC to expeditiously and the PRC to consider the matter without delay.

Review of the evidence

The PRC must evaluate all available material in determining whether or not to proceed with prosecution. Analysis must be undertaken to ensure that admissible evidence supports each element of the offence.

Regard should be given to the following matters:

- Limitation periods of the relevant section of the Act that provides for the charge
- Existence of any defences
- Whether the accused has been correctly identified, in particular where companies identified as the accused
- Careful consideration is given to *mens rea offences* (refer to definitions in this document)
- Whether any of the evidence may be held inadmissible on the basis of basis that it was unlawfully, improperly or unfairly obtained.

The above considerations are not exhaustive and the issues for consideration will depend on the circumstances of each matter.

The choice of offence(s)

Only offences committed where clear evidence is available to substantiate a charge will be actioned by the Council.

In some circumstances, the alleged offence may trigger more than one offence provision, such as in the case of a serious dog attack (where the dog is unregistered). In these matters, duplicity of charges will be avoided and the appropriate charge set after giving consideration to the circumstances of the case.

Discontinuing proceedings

Where further information comes to attention which raises the question of whether the proceedings should be discontinued, the matter will be reviewed and a recommendation provided by a legal practitioner approved by General Manager Corporate.

The prosecutor must act expediently in these cases according to clear instructions from the PRC and the Manager Development.

Any decision to discontinue proceedings must be promptly communicated in writing to the accused and the decision recorded.

Charge (plea) bargaining or negotiation

In cases involving multiple offences, the accused may seek to negotiate a plea. It is critical that in all circumstances charges are not withdrawn that reflect the criminal conduct of the accused. Generally, the primary charge or charges will not be withdrawn.

The Compliance and Enforcement Procedure will include the following factors that must be considered in charge negotiation, namely:

- That the alternative charge adequately reflects the essential criminality of the conduct and the plea provides adequate scope for sentencing; and/ or
- That the evidence available to support the prosecution case is weak in any material respect; and/or

- That the saving of cost and time weighed against the likely outcome of the matter if it proceeded to a contested hearing is substantial.
- The Council also considers the following principles outlined in the Enforcement Procedure
- A charge bargaining proposal should not be initiated by the prosecutor
- The prosecutor must not consider the proposal unless the charges to be proceeded with reflect the whole conduct of the accused and
- The prosecutor should agree to the charge negotiation proposal initiated by the defence if the accused continues to assist his or her innocence with respect to charge(s) to which the accused has offered to plead guilty
- Any charge bargaining the prosecutor should consider seeking consent regarding restoration, works to be carried out, costs or any other appropriate orders
- Whether the accused has consented to carry out works, restoration or other similar statutory orders.

Where Victoria Police (consumption and possession of liquor matters) prosecutors conduct proceedings, clear written instructions must normally be provided regarding charge negotiation subject to time constraints.

Sentencing

The prosecutor has an active role in sentencing to inform the court of all relevant matters. Guided by a statement of facts, the prosecutor must ensure that the court understands the seriousness of the proceedings and any relevant policy issues.

The prosecutor advise the court on the range of penalties available including any associated orders being sought (such as works to be carried out, costs etc. and any other matter the prosecutor deems appropriate).

This policy adopts any rule of law that is applicable to the matter at hand and the prosecutor must adhere to the following.

A prosecutor must not seek to persuade the court to impose a vindictive sentence or a sentence of a particular magnitude, but:

- Must correct any error made by the opponent in address on sentence
- Must inform the court of any relevant authority or legislation bearing on the appropriate sentence
- Must assist the court to avoid appealable error on the issue of sentence
- May inform the court of an appropriate range of severity of penalty.

Disclosure

Prosecutors have an ongoing obligation to make full disclosure in a timely manner of all material that is relevant to an issue at hand.

Material that raises issues of public immunity, intelligence or the identity of an informer may require the information to be withheld. The prosecutor must obtain written instructions regarding the discloser or otherwise of such material.

Legal professional privilege will ordinarily be claimed against the production of any internal documents such as memoranda between lawyers and operational staff on the investigation or conduct of a matter.

Security of documents and exhibits

All due care must be taken to protect the security of sensitive documents and other material, including information regarding the informant. This includes limiting access to database material, locking material away, recording the movement of documents or other material and restricting access in accordance with the Council's record keeping policy and procedure.

The prosecutor must not discuss the matter with any person not involved in the proceedings or in circumstances where discussions can be overheard. The prosecutor must ensure that all returned exhibits are stored in accordance with policy.

Reasons for decisions

Reasons for decisions in the course of prosecutions may be given by the Council. However, reasons will not be given for matters that attract legal professional privilege or reasons for exercising a professional discretion to take proceedings.

The Council is subject but not limited to the following legislation:

- *Freedom of Information Act 1982*
- *Privacy and Data Protection Act 2014*

Unrepresented accused person(s)

Care must be taken when dealing with accused persons who are not represented. The accused must be properly informed of the procedures so he or she can make informed decisions. The Prosecutor, however, must not give legal advice. A record should be made of all discussions with an unrepresented accused person. The prosecutor must endeavour to inform the court of any matters that will assist the court in directing the accused.

Related legislation

- *Building Act 1993*
- *Criminal Procedure Act 2009*
- *Domestic Animals Act 1994*
- *Environment Protection Act 1970*
- *Food Act 1984*
- *Graffiti Prevention Act 2007*
- *Impounding of Livestock Act 1994*
- *Infringements Act 2006*
- *Interpretation of Legislation Act 1984*
- *Local Government Act 1989*
- *Magistrates' Court Act 1989*
- *Planning and Environment Act 1987*
- *Prevention of Cruelty to Animals Act 1986*
- *Public Health and Wellbeing Act 2008*
- *Road Management Act 2004*
- *Road Safety Act 1986*
- *Summary Offences Act 1966*
- *Benalla Planning Scheme*
- *Council Community Local Law*
- *Road Safety Road Rules 2009*
- *Policy Document Applicable to the Local Law*
- All Regulations pertaining to the Acts identified in this document

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Appendix 1 - 11 Guiding Elements

The 11 elements describe the Council's approach to the way we will deliver our compliance services to the community.

- 1. Getting the Facts**
- 2. Working Together**
- 3. Being Visible**
- 4. Explain and inform**
- 5. Being Consistent**
- 6. Assessing Risk**
- 7. Understanding Each Other**
- 8. Decision Making**
- 9. Follow Up**
- 10. Document Everything**
- 11. Closure**

1 Getting the Facts

What We Will Do:

- a) Define and acknowledge the complaint:
 - Capture written complaint on the Council's record management system
 - Decide which department(s) is/are responsible?
 - Keep complainant informed (phone/letter)
 - Consider communication barriers, e.g. Language, Disabilities.
- b) Identify and declare conflicts of interest.
- c) Establish what legislation/controls may apply.
- d) Undertake a preliminary review:
 - Ownership/Title searches
 - Previous history, e.g. Permits or other complaints
 - Complaint's history (get the full story)
 - Consider other authorities that might be relevant and communicate this to the parties
 - Is other specific advice required (technical evidence)
 - Be aware of any sensitive information e.g. VicRoads' extracts, approved building plans.
- e) Complete a risk assessment (OH&S safety awareness).
- f) Determine most appropriate method of communication for the matter.
- g) Check the site physically.
- h) Consider whether there is a capacity to achieve compliance.
- i) Document findings on the Council's record management system to maintain shared knowledge across the organisation.

2 Working Together

What We Will Do:

- a) Approach every situation with a positive attitude.
- b) Nominate a single point of contact for matters involving more than one compliance service.
- c) Confirm the point of contact and any preliminary information with all stakeholders.
- d) Coordinate through a single point of contact.
- e) Work together to minimise confusion to the parties.
- f) Undertake joint site inspections to minimise inconvenience to the public and to have the right staff at the right time together.
- g) Look for practical solutions.

3 Being Visible

What We Will Do:

- a) Be pro-active and let the community know.
- b) Contact the owner by phone/or in person first (if possible), before official letters and notices are sent.
- c) Visibly identify fleet vehicles with the "Benalla Rural City Council" logo.
- d) Where necessary investigations can require surveillance when visibility will not be appropriate.
- e) Always wear officer identification
- f) Always carry officer identification/authorities.
- g) Leave contact details.
- h) Monitor problem sites on an ongoing basis.
- i) Schedule times for meetings or site visits that are convenient for all parties.

4 Explain and Inform

What We Will Do:

- a) Use media positively and regularly to inform the community of their obligations and special programs.
- b) Invite the customer to have a support person present at any site visit. This may include an independent expert:
 - Explain what is happening and what to expect on the visit.
- c) When visiting the property, officers will:
 - Introduce themselves and the reason for the visit
 - Have the facts at hand.
 - Use clear, plain language.
 - Ask for an explanation.
 - Listen, provide advice and options for compliance.
 - Seek commitment to a timeframe.
 - Outline the process going forward and potential consequences.
 - Be realistic and upfront.
- d) Leave the property as you found it - "Please shut the gate".
- e) Provide clear fact sheets/web and information sources to help people comply.
- f) Use community forums as a means of talking about compliance with the community.

5 Being Consistent

What We Will Do:

- a) Base decisions on a consistent standard.
- b) Never assume or presume.
- c) Understand and repeat good customer experiences.
- d) Learn from our mistakes and improve our processes.

6 Assessing Risk

What We Will Do:

- a) Use a common risk management model to identify the level of the action in response to the compliance issue.
- b) Understand the impacts of the risks and who these may apply to.
- c) Respond to the issues of highest risk first.
- d) Assess costs versus outcome.
- e) Consider the ***consequence/likelihood***.

| Likelihood | | Very Likely | Likely | Unlikely | Highly Unlikely |
|--------------|---------------------|-------------|--------|----------|-----------------|
| Consequences | Fatality | High | High | High | Medium |
| | Major Injuries | High | High | Medium | Medium |
| | Minor Injuries | High | Medium | Medium | Low |
| | Negligible Injuries | Medium | Medium | Low | Low |

Definitions:

Risk Management: “the culture, processes and structures that are directed towards realising potential opportunities whilst managing adverse effects”

Risk: “the chance of something happening that will have an impact upon objectives.” A risk is often specified in terms of an event or circumstance and the consequences that flow from it. A risk is measured in terms of a combination of the consequences of an event and their likelihood. Risk may have a positive or a negative impact.

Consequence: “the outcome or impact of an event.” There can be more than one consequence from one event. Consequences can range from positive to negative, and can be expressed qualitatively or quantitatively. Consequences are considered in relation to the achievement of objectives.

Likelihood: “used as a general description of probability or frequency”. It can be expressed qualitatively or quantitatively.

(AS/NZS ISO 31000: 2009, Risk Management)

7 Understanding Each Other

What We Will Do:

- a) Communicate through one point of contact to all departments that are involved.
- b) To help understand each other we will:
 - use plain English
 - actively listen
 - seek to understand
 - use various forms of communication, e.g. phone, email, letters, etc.
 - provide timely communication throughout the process to all parties.
- c) Escalate awareness of the issue as required (Manager Development, General Manager, CEO)

8 Decision Making

What We Will Do:

- a) Work within the parameters of the regulations, legislation and codes, etc.
- b) Keep an “open mind” and seek practical outcomes when assessing the matter.
- c) Seek and suggest proactive responses and outcomes when making decisions.
- d) Ensure appropriate delegation is applied (internal and external).
- e) Escalate matters based on clear guidelines.
- f) Clearly communicate and confirm a shared understanding.
- g) Set and outline achievable timeframes as agreed.
- h) Monitor the situation, review if any change has occurred and escalate as required.
- i) Take appropriate action based on level of severity based on our Compliance Response Matrix.

Achieving Compliance

Sometimes a person may not be aware or realise that they need approval before undertaking an activity. To be fair, our approach to compliance considers this possibility. Not knowing is not a reason for continuing not to comply and once someone is aware the non-compliance should cease. Everybody has the responsibility to comply with the law and in the end be accountable for their actions.

The level of awareness or prior knowledge of the compliance requirements, for Building, Environmental Health, Local Laws and Planning can take different forms and are listed.

Awareness

Advice received from direct phone calls and conversations with Council staff who are available to respond to enquiries’ and answer questions. More specific awareness occurs where the following exist.

- **Building:** building permits and the conditions placed on Certificates, Final Inspections or Occupancy Permits.
- **Environmental Health:** premises registration renewals, registration of proposed new premises, premises routine and mandatory inspection reports, septic tank permit approvals.
- **Local Laws:** parking restrictions signs, Local Law permits and conditions, driver’s licence, registering of animals (dogs and cats) as this is well known and publicised.
- **Planning:** planning permit conditions, receiving advice from other professionals within the development industry.

Warnings

In most cases the community member/s are expected to have some level of knowledge, or have been made aware of the non-compliance matter. Warnings may be given prior to the Council resorting to issuing a fine or proceeding to prosecution, particularly if there was low or no awareness of the need to comply with the Council requirements. Warnings can be made in different ways depending on the nature of the breach. Warnings will always be in writing.

Types of warnings are:

- **Building:** building notices or orders
- **Environmental Health:** order to comply, closure notice, official warning, issuing of improvement and/or prohibition notice.
- **Local Laws:** warning letter or a notice to comply.
- **Planning:** official planning warning.

Fines or Prosecution Action

Issuing fines or taking a matter through to a prosecution in the Magistrates Court or the Victorian Civil and Administrative Tribunal (VCAT) are unfortunately necessary in some cases. Sometimes the legalisation compels the Council to take this action due to the severity of the risk to public safety.

The following are examples of fines:

- **Building:** Building Infringement Notice (BIN)
- **Environmental Health:** Penalty Infringement Notice (PIN)
- **Local Laws:** Penalty Infringement Notice (PIN)
- **Planning:** Planning Infringement Notice (PIN)

Each of these notices contain a monetary fine and this is set by the legislation not by the Council. All notices and fines are able to be appealed.

Achieving compliance by seeking an order through the Magistrates Court or through VCAT can be necessary. Where possible this will be through the option of consent between the parties.

9 Follow Up

What We Will Do:

- a) Follow up with all key stakeholders to ensure all compliance activities have been met in accordance with the agreed time frame.
- b) Monitor and review the site to ensure compliant behaviour continues.
- c) Implement processes to support officers with follow up activity, ie. Reminder system.
- d) Consider whether there are any obstacles to maintaining compliance.
- e) Consider unforeseen consequences.
- f) Use media to inform the community of outcomes as required.
- g) Capture key learning as part of the continuous improvement approach under *Element 5 - Being Consistent*.
- h) Confirm any ongoing obligations and follow up with a visit after six months.

10 Document Everything

What We Will Do:

All departments to document everything, record in file and on Council's record management system.

Provide the right information at the right time.

Record events in an unbiased way.

Recognise the level of confidentiality as required.

Standardise documentation across compliance.

Apply the requirements of the Information Privacy Act 2000.

Share and integrated and whole picture of events for all departments.

11 Closure

What We Will Do:

- a) Ensure the responsible officer completes all compliance matters.
- b) Inform all relevant parties of the outcome.
- c) Place final documentation on the Council's record management system.
- d) Thank stakeholders for their cooperation.