
Activities Performance Audit Committee

OPEN MINUTES

Minutes of a meeting of Activities Performance Audit Committee held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 6 April 2016 at 1.00pm.

PRESENT

Chairperson	Lyall Bailey
Mayor	Gary Tong
Councillors	Brian Dillon
	Rodney Dobson
	Paul Duffy
	Bruce Ford
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson

IN ATTENDANCE

Chief Executive, Steve Ruru, Group Manager Environmental Services, Bruce Halligan, Group Manager Community and Futures, Rex Capil, Group Manager, Services & Assets, Ian Marshall, Chief Financial Officer, Anne Robson, Communications Manager, Louise Pagan, People and Capability Manager, Janet Ellis, Team Leader Governance, Chris Dolan, Committee Advisor, Alyson Hamilton, Press, Briar Babbington.

1 Apologies

Apologies for non-attendance were lodged from Crs Douglas and Baird.

Moved Cr Dillon, seconded Cr Macpherson and **resolved:**

That apologies received from Cr Douglas and Cr Baird be sustained.

2 Leave of absence

There were no requests for leave of absence received.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There were no members of the public seeking speaking rights in the Public Forum section of the meeting.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Minutes

Resolution

Moved Cr Dobson, seconded Cr Keast **and resolved:**

That the minutes of Activities Performance Audit Committee, held on 9 March 2016 be confirmed as a true and correct record subject to the resolution of Item 7.7 be amended to read; Moved Mayor Tong.

Reports

7.1 Financial Report for the period ended 31 January 2016

Record No: R/16/3/4254

Report by Susan McNamara, Management Accountant, regarding the financial report for the period ended 31 January 2016, was tabled.

Ms McNamara, Management Accountant, was in attendance for this item.

It was pointed out to the Committee 58% of the financial year is complete and that no significant issues have been identified that raise any concerns for Council.

Ms McNamara then spoke on matters relating to the income, operating expenditure, capital expenditure, forestry revenue, roading and transport, chief executive's account and the balance sheet.

Ms McNamara commented that Services and Assets income is under budget by \$1.03million due to a number of items of which the largest being forestry revenue which is currently \$853,000 under budget due to the timing of harvesting activities which have commenced in February.

In regards to the forestry revenue Cr Bailey queried the methodology of payment.

Ms McNamara confirmed harvesting costs are to be shown in further detail in future reports.

Resolution

Moved Cr Kremer, seconded Cr Keast **and resolved:**

That the Activities Performance Audit Committee:

- a) **Receives the report titled “Financial Report for the period ended 31 January 2016” dated 23 March 2016.**

7.2 Follow-up on Outstanding Pre-2004 Building Consents Project

Record No: R/16/3/3919

Report by Kevin O'Connor, Manager-Building Control, regarding the follow-up on outstanding pre-2004 Building Consent Projects, was tabled.

Bruce Halligan, Group Manager, Environment and Community spoke to this item.

Mr Halligan reported the purpose of this report is to inform the Committee of progress made in the six year project to reduce outstanding pre-2004 building consents.

Mr Halligan advised this issue was previously discussed at the October 2015 Committee meeting with the project scheduled to start in early 2016.

Mr Halligan explained this report outlines the Code Compliance Certificate (CCC) status of building consents which have been issued by the Southland District Council under the Building Act 1991.

The Committee noted that Building Control administration began sending out letters to pre-2004 building consent owners on 22 February 2016.

Mr Halligan advised that with being only three weeks into the project it is difficult to determine the effectiveness at this early stage. Of the 30 letters having gone out so far response numbers have been muted with only four applications for CCC received and two requests for extension to complete necessary remedial work.

Members were informed the remaining 24 will be given “refused CCC status” if no feedback is received from the owners in a further week.

Cr Duffy queried whether it was correct that if a property did not hold a CCC for completed building work and there was an insurance claim that the insurance companies can withhold payment.

Mr Halligan responded this can be an issue particular with fireplace installation.

Cr Keast queried whether included in the letters Council are sending to property owners is a note regarding possible insurance issues.

Mr Halligan responded the letters did not specifically mention this point.

Mayor Tong commented of good work from building control staff stating that Council is not obliged to follow-up on outstanding consents.

Resolution

Moved Cr Macpherson, seconded Cr Paterson **and resolved:**

That the Activities Performance Audit Committee:

- a) **Receives the report titled “Follow-up on Outstanding Pre-2004 Building Consents Project” dated 6 April 2016.**

7.3 Health and Safety

Record No: R/16/3/4282

Report by Janet Ellis, People and Capability Manager, providing an update on health and safety activity within the Southland District Council, was tabled.

Mrs Ellis was in attendance for this item.

Mrs Ellis advised the new Health and Safety legislation, the Health and Safety Act Work Act 2015 has been passed and comes into effect on 4 April 2016.

Cr Paterson reported of his and Mrs Ellis attendance at the Health and Safety Roadshow in February 2016 run by the Society of Local Government Managers (SOLGM).

Cr Paterson explained the Roadshow outlined the key changes to the Act, Governance responsibilities and different strategies that Council can undertake to ensure “workers are free from harm”.

Mrs Ellis informed under due diligence requirements in the new Act, Councillors are required to keep up to date with health and safety matters, ensure the person running the business has appropriate resources and processes to manage risks to health and safety, understand the nature of the business, audit its hazards and risks, ensure there are appropriate reporting and investigation processes in place, monitor and verify that appropriate actions are being taken.

Mrs Ellis advised training on health and safety responsibilities for elected members will be included in the 2016 Council Induction Programme.

Cr Harpur sought clarification on the comment relating to councillors required to “audit its hazards and risks”.

Mrs Ellis responded that as a requirement under the act Councillors are to be aware of safety matters within the District and to query the matter if an issue is noted.

In regards to this statement Cr Kremer sought clarification on what is the Councillors role if an issue is identified.

Mr Marshall responded that if a Health and Safety issue is noted by Councillors onsite it would be prudent to discuss this with the onsite supervisor and ensure the matter is recorded with council.

Mrs Ellis confirmed drug/alcohol testing is undertaken by Contractors.

Resolution

Moved Cr Dobson, seconded Cr Kremer **and resolved:**

That the Activities Performance Audit Committee:

- a) **Receives the report titled “Health and Safety” dated 30 March 2016.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Notes that provision will be included in the 2016 Council Induction Programme for health and safety training for elected members.**
- e) **Endorses the Health and Safety Improvement Plan for 2016.**
- f) **Notes the findings of the Health and Safety audit completed on the Riverton Stormwater works being undertaken by Te Anau Earthworks.**

7.4 Bylaw Review Process

Record No: R/16/3/4348

Report by Tamara Dytor, Policy Analyst, outlining the proposed approach for the review of bylaws in 2016, was tabled.

Tamara Dytor was in attendance for this item.

Ms Dytor reported in 2016, officers are proposing to review the Cemetery Bylaw 2006, the Keeping of Animals, Poultry and Bees Bylaw 2010 and the Control of Advertising Signs Bylaw 2008.

Ms Dytor advised this report details the timeline outlining key milestones in the process of the review and details the approach to public engagement.

Ms Dytor explained the drivers for each of these reviews are as follows;

- The Cemetery Bylaw 2006 requires review in 2016 to remain current.
- A review of the Keeping of Animals, Poultry and Bees Bylaw 2010 is recommended to address local issues. This bylaw was reviewed in 2010 however, since this time additional issues have arisen. The keeping of animals in urban areas has become an area of contention in the Nightcaps and Riversdale communities.

- A review of the Control of Advertising Signs Bylaw 2008 is recommended to align with the District Plan, to provide clarity for the public and to address issues across the District which relate to signage. The proposed bylaw review would address the placement of signs in the road reserve, for example sandwich boards on footpaths. Changes to the bylaw are intended to increase the ease of doing business with Council and provide clarity and consistency.

Following discussion the Committee commented on the issues that have arisen in regard to the Nightcaps and Riversdale communities stating the review process is timely.

Resolution

Moved Cr Macpherson, seconded Cr Duffy **and resolved:**

That the Activities Performance Audit Committee:

- a) Receives the report titled “Bylaw Review Process” dated 23 March 2016.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) Agrees to review the Cemetery Bylaw 2006, Keeping of Animals, Poultry and Bees Bylaw 2010 and the Control of Advertising Signs Bylaw 2008.**
- e) Endorses the approach to bylaw review and consultation outlined in this report.**

The meeting concluded at 1.55pm

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE ACTIVITIES
PERFORMANCE AUDIT COMMITTEE HELD
ON 6 APRIL 2016.

DATE:.....

CHAIRPERSON:.....