
Regulatory and Consents Committee

OPEN MINUTES

Minutes of a meeting of Regulatory and Consents Committee held in the Council Chambers, 15 Forth Street, Invercargill on Thursday, 6 April 2017 at 9am.

PRESENT

Chairperson	Gavin Macpherson
Mayor	Gary Tong
Councillors	Brian Dillon
	Paul Duffy
	Darren Frazer
	Julie Keast
	Neil Paterson

IN ATTENDANCE

Group Manager, Environmental Services (Bruce Halligan), Team Leader, Resource Management (Marcus Roy), Team Leader, Building Solutions (Michael Marron), Environmental Health Manager (Michael Sarfaiti), Team Leader, Community Engineers (Ray Hamilton), Communications Manager (Louise Pagan), Governance and Democracy Manager, (Clare Sullivan) and Committee Advisor (Alyson Hamilton).

1 Apologies

There were no apologies received.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

Mayor Tong declared an interest on item 7.4 relating to Freedom Camping.

Councillor Duffy wished it noted: that in relation to Item 7.4 (Freedom Camping) that his being a member of the ~~Curio Bay Governance Group~~ **South Catlins Charitable Trust** did not warrant his declaration of a conflict of interest.

4 Public Forum

There was no public forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Minutes

Resolution

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

That the minutes of Regulatory and Consents Committee meeting held on 23 February 2017 be confirmed as a true and correct record.

Reports

7.1 Methamphetamine Presentation

Record No: R/17/2/3514

Detective Constable Jeremy Dix (Invercargill CIB, Southern District Organised Crime Group) gave a presentation on methamphetamine with a focus on the local approved products policy, meth lab clean-ups, property implications and community liaison connections.

Detective Constable Dix summarised that methamphetamine is a highly addictive drug that destroys lives and its use comes with great personal cost and social cost. Detective Constable Dix added it is no longer a drug that is solely used by criminals and it is a problem that society faces and needs to be dealt with as such.

The Chair expressed appreciation to Detective Constable Jeremy Dix for his presentation to the Committee.

Bruce Halligan (Group Manager Environmental Services) and Michael Sarfaiti, (Environmental Health Manager) presented the supporting report.

Mr Sarfaiti advised the Local Approved Products Policy was adopted by the combined committee of the Gore District, Invercargill City and Southland District Councils on the 15 December 2014 and came into force 22 December 2014. Mr Sarfaiti added the policy is due to be renewed within five years.

The Committee noted the Policy restricts the location of retail outlets for psychoactive substances (eg herbal highs) to the Central Business Area of Invercargill within a specific boundary and that retail shops are to have their selling frontage facing the street.

Mr Sarfaiti advised such areas have high visibility and community presence. These, along with Police presence and CCTV (where available) are important characteristics of the environments within which the sale of psychoactive substances can be appropriate.

Mr Sarfaiti explained the Government has made provision for such premises within legislation intended to address holistically the problems arising from misuse of these substances, and that implies that provision must be made for these premises in Southland.

Mr Sarfaiti advised that Council has a role in ensuring that buildings that have been used as P Labs are suitable for habitation this includes information about P Labs being included in Land Information Memoranda under the Local Government Official Information and Meetings Act 1987.

Resolution

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

That the Regulatory and Consents Committee:

- a) **Receives the report titled “Methamphetamine Presentation” dated 29 March 2017 as information.**

7.2 Southland District Council 2017 IANZ Building Control Reaccreditation Audit

Record No: R/17/3/4184

Bruce Halligan (Group Manager Environmental Services) and Michael Marron (Team Leader, Building Solutions) presented the report.

Mr Halligan advised Council's Building Control section was subject to a recent reaccreditation audit by International Accreditation New Zealand (IANZ) from 27 February to 1 March 2017.

Mr Halligan explained IANZ undertakes an intensive audit process of all Building Control Authorities (BCAs) on a two yearly basis.

Mr Halligan added this audit process involves not only a thorough review of relevant documentation and processes, but also on-site inspections where IANZ assessors accompany staff to observe inspection processes.

Mr Halligan advised for Council to be able to continue to issue building consents and code compliance certificates under the Building Act 2004, it must be accredited by IANZ.

The Committee noted the IANZ lead assessor Carolyn Osborne has advised Council verbally at the conclusion of the audit that reaccreditation will be granted to the Southland District Council Building Control section for a further two years, however one Corrective Action Required (known as a CAR) is to be addressed to IANZ satisfaction prior to formal reaccreditation being received.

Mr Halligan advised Ms Osborne has also advised verbally that IANZ will also be making several strong recommendations for future improvement.

Mr Halligan explained strong recommendations need to be actioned or they are likely to turn to CARs at the next reassessment audit.

Mr Marron confirmed staff have already commenced work on the matters verbally highlighted by IANZ

The Committee was advised there had been some delay in the production of this written report by IANZ but that it should be forthcoming in the near future.

Mr Marron advised that once formal correspondence has been received from IANZ, it is intended that an action plan to address the matters raised in the IANZ audit will be presented for the Committee's information.

Resolution

Moved Mayor Tong, seconded Cr Dillon **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Southland District Council 2017 IANZ Building Control Reaccreditation Audit" dated 21 March 2017.**

7.3 Regulatory and Environmental Services Delivery Review Action Plan

Record No: R/17/3/4258

Bruce Halligan (Group Manager Environmental Services) presented the report.

Mr Halligan advised the purpose of the report is to provide a progress update and proposed Action Plan to the Committee on recommendations made in the Service Delivery Review report presented at the previous meeting of the Committee of 23 February 2017.

Mr Halligan referred to the Regulatory and Environmental Services Service Delivery Review presented at this meeting by Alicia McKay, external consultant, who provided external input to this process.

Mr Halligan informed the Committee that included in this Service Delivery Review were a number of recommendations made for current and future improvements.

Mr Halligan explained that whilst the undertaking of Service Delivery Reviews of this type is a statutory requirement under Section 17A of the Local Government Act 2002, it is also a very valuable continuous improvement opportunity for the Environmental Services Group.

The Committee was advised the Environmental Services Group Managers had met and considered the recommendations as presented by Alicia McKay.

Mr Halligan advised the Action Plan presented to the Committee outlines the various recommendations from the report and outlines the various actions proposed to be taken in relation to each of these. Mr Halligan added this Action Plan is provided for the Committee's information and any feedback is welcome.

Mr Halligan responded to a query regarding the enforcement and prosecution approach advising that whilst Council has previously approved a Prosecution and Enforcement Policy some years ago, this policy no longer represents best practice.

Mr Halligan added this policy will be reviewed in 2017 and a draft Policy presented for the Committee's consideration and feedback before this proceeds to Council.

The Committee noted that, as advised by Mr Halligan, if a new Prosecution and Enforcement Policy is adopted, this will need to be regular reviewed to ensure it continues to reflect legislative changes and case law.

Resolution

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

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Regulatory and Environmental Services Delivery Review Action Plan" dated 22 March 2017 and associated Action Plan.**
- b) **Approves the Action Plan as presented to the Committee.**

Mayor Tong declared an interest and took no part in voting or discussion on this item and proceeded to move away from the table.

7.4 Freedom Camping

Record No: R/17/3/4486

Bruce Halligan (Group Manager, Environmental Services), Michael Sarfaiti (Environmental Health Manager) and Ray Hamilton (Team Leader, Community Engineers) presented the report.

Mr Halligan advised at the previous meeting of the Committee a report regarding Freedom Camping and issues arising from this activity within the hotspots of Lumsden, Te Anau and Waikawa was presented for Members' information.

Members requested staff obtain further data on the number of freedom campers in the Southland District area to accurately monitor how the activity is growing and the location of further hotspots.

Members noted overnight freedom camping in the following areas;

- | | |
|---------------------|----|
| • Monkey Island | 30 |
| • Colac Bay | 4 |
| • Thornbury Reserve | 20 |
| • Mararoa Weir | 12 |
| • Clifden Bridge | 24 |
| • Monowai | 12 |
| • Blackmount | 6 |

Mr Sarfaiti updated the Committee on the Freedom Camping Act 2011 advising the Act permits freedom camping on Council controlled land except where a perceived problem exists. Mr Sarfaiti added Council has a network of Community Boards and CDAs, who can alert Council to perceived problems.

Mr Sarfaiti advised Council does not have a staff member who has overall responsibilities and direction of freedom camping in the district, rather a number of staff having an involvement, mainly the Community Engineers (infrastructure and community liaison), Community Partnership Leaders (community liaison and futures), Environmental Health (Regulatory) and Property Manager (Council property).

The Committee was advised there may be benefits in Council designating a staff member who is responsible for freedom camping. This would require resourcing, and associated budgetary and consultation processes would need to be followed.

Mr Sarfaiti advised litter clean-ups are currently funded from several sources - (Ward budgets, Roading budget, and Environmental Health budget).

Mr Sarfaiti explained patrols are currently being undertaken in the following areas;

- Te Anau shared service with Department of Conservation (DOC)
- A local warden in Lumsden
- Occasional patrols at Waikawa by one of Council's Dog Control Officers

Mr Sarfaiti suggested staff could organise patrols that would give Council a clearer picture of freedom camping in the District.

The Committee noted that this could be achieved for example by using an external contractor that would likely charge around \$300 for a 200 km patrol. Council could, for under \$5,000 commission a series of patrols over a number of nights at the height of the season that would give a series of snapshots of activity within the District.

Mr Sarfaiti advised that the Minister of Local Government approved a programme of work to address some freedom camping issues identified and to enable a more coordinated response to freedom camping management. Mr Sarfaiti added this programme of work includes establishing an online tool called the Freedom Camping Hub which enables the co-development of freedom camping guidance material for local government.

Mr Hamilton highlighted concerns about the resourcing needed to react to situations rather than trying to look at the issue more strategically.

Mr Hamilton advised that if Council wishes to continue to support freedom camping in the District he suggested that locations be identified that are fit for purpose and Council should decide on the level of service expected at these locations. Mr Hamilton added this will allow infrastructure providers to source funds and resources needed to meet these expectations, and thereby removing confusion over what needs to be done.

Mr Hamilton explained the Community Engineers team has spent some time seeking to ensure facilities at Clifden Bridge, Monkey Island, Colac Bay, Thornbury, Weirs Beach, Waikawa and Lumsden are meeting increased visitor/freedom camping numbers. The Committee was advised this involved managing toilet supplies, cleaning and maintenance as well as litter/rubbish/recycle materials.

At this point Mrs Taylor (Corporate Planner) advised of the Executive Leadership Team's intention to have discussions with councillors concerning the broader strategic approach to Tourism in the Southland District area which includes Freedom Camping.

The Committee acknowledged staff comments and noted that outcomes from these discussions will be communicated back to Council.

Further to this members discussed freedom camping issues at Weirs Beach, Waikawa and Fortrose areas.

It was agreed that Councillors Duffy and Keast would consult informally with their communities in regard to making changes to freedom camping rules at the designated sites in those areas.

Members discussed the bylaw amendment process noting that a bylaw amendment could take three or four months, and this did not leave much time until the next busy tourist season.

Mr Sarfaiti advised that a proposed amendment may first be considered by the Committee before being authorised by Council to proceed to notification.

Resolution

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

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Freedom Camping" dated 28 March 2017.**

The meeting concluded at 10.25am

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE
REGULATORY AND CONSENTS COMMITTEE
HELD ON THURSDAY 6 APRIL 2017.

DATE:.....

CHAIRPERSON:.....