

Notice is hereby given that a Meeting of the Regulatory and Consents Committee will be held on:

**Date:** Thursday, 6 April 2017  
**Time:** 9am  
**Meeting Room:** Council Chambers  
**Venue:** 15 Forth Street, Invercargill

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## Regulatory and Consents Committee Agenda

### OPEN

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#### MEMBERSHIP

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

#### IN ATTENDANCE

Committee Advisor	Alyson Hamilton
Group Manager, Environmental Services	Bruce Halligan
Environmental Health Manager	Michael Sarfairi
Team Leader, Resource Management	Marcus Roy
Team Leader, Building Solutions	Michael Marron

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**Full agendas are available on Council's Website**  
**[www.southlanddc.govt.nz](http://www.southlanddc.govt.nz)**

## **REGULATORY AND CONSENTS COMMITTEE - TERMS OF REFERENCE**

### **SCOPE OF ACTIVITIES**

The Regulatory and Consents Committee is responsible for overseeing the statutory functions of the Council under the following legislation:

- Resource Management Act 1991
- Health Act 1956
- Food Act 2014
- Dog Control Act 1996
- Sale and Supply of Alcohol Act 2012
- Heritage New Zealand Act Pouhere Taonga Act 2014
- Building Act 2004
- Freedom Camping Act 2011
- Psychoactive Substances Act 2013
- Impounding Act 1955

But not limited to above

### **DELEGATIONS**

#### **Power to Act**

The Regulatory and Consents Committee is delegated the authority to undertake the following functions in accordance with the Council's approved delegations register:

- (a) Maintain an oversight of the delivery of regulatory services;
- (b) Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding matters it is legally unable to make decisions on as legislated by the Resource Management Act 1991);
- (c) Appoint panels for regulatory hearings;
- (d) Hear appeals on officer's decisions to decline permission for an activity that would breach the Southland District Council Control of Alcohol Bylaw 2015;
- (e) Approve Council's list of hearings commissioners (from whom a commissioner can be selected) at regular intervals and the Chief Executive Officer be authorised to appoint individual Commissioners for a particular hearing;
- (f) Make decisions on applications required under the Southland District Council's Development and Financial Contribution Policy for remissions, postponements, reconsiderations and objections;
- (g) Approve Commissioners and list members under the Sale and Supply of Alcohol Act 2012;
- (h) Exercise the Council's powers, duties and discretions under the Sale of Liquor Act 1989 and the Sale and Supply of Alcohol Act 2012;
- (i) Hear objections to officer decisions under the Dog Control Act 1996.

#### **Power to Recommend**

The Regulatory and Consents Committee is responsible for considering and making recommendations to Council regarding:

- (a) Regulatory policies and bylaws for consultation;
  - (b) Regulatory delegations;
  - (c) Regulatory fees and charges (in accordance with the Revenue and Financial Policy)
  - (d) Assisting with the review and monitoring of the District Plan.
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**1 Apologies**

At the close of the agenda no apologies had been received.

**2 Leave of absence**

At the close of the agenda no requests for leave of absence had been received.

**3 Conflict of Interest**

Committee Members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a member and any private or other external interest they might have.

**4 Public Forum**

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on [www.southlanddc.govt.nz](http://www.southlanddc.govt.nz) or phoning 0800 732 732.

**5 Extraordinary/Urgent Items**

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) the reason why the item was not on the Agenda, and
- (ii) the reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
  - (i) that item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

**6 Confirmation of Minutes**

6.1 Meeting minutes of Regulatory and Consents Committee, 23 February 2017

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# Regulatory and Consents Committee

## OPEN MINUTES

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Minutes of a meeting of Regulatory and Consents Committee held in the Council Chambers, 15 Forth Street, Invercargill on Thursday, 23 February 2017 at 9am.

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### PRESENT

<b>Chairperson</b>	Gavin Macpherson
<b>Councillors</b>	Brian Dillon
	Paul Duffy
	Darren Frazer
	Julie Keast
	Neil Paterson

### IN ATTENDANCE

Group Manager, Environmental Services (Bruce Halligan), Team Leader, Resource Management (Marcus Roy), Senior Resource Management Planner (Courtney Ellison), Team Leader, Building Solutions (Michael Marron), Environmental Health Manager (Michael Sarfaiti), Roving Museum Officer, (Johanna Massey), Communications Manager (Louise Pagan) and Committee Advisor (Alyson Hamilton).

**1 Apologies**

**Resolution**

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

**That the apology received from Mayor Tong be accepted.**

**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 was no public forum.

**5 Extraordinary/Urgent Items**

There were no Extraordinary/Urgent items.

**6 Confirmation of Minutes**

**There were no minutes for confirmation.**

**Reports**

**7.2 Dog Control Annual Report**

**Record No: R/16/11/18873**

Michael Sarfaiti (Environmental Health Manager) presented this report.

Mr Sarfaiti advised the purpose of the report is to cover the administration of the Southland District Council's Dog Control Policy and its associated practices.

Members noted Section 10A of the Dog Control Act 1996 provides that every territorial authority shall report on the administration of its Dog Control Policy and dog control practices, and submit it to the Secretary of Local Government, and give public notice of the report in a daily newspaper.

Mr Sarfaiti explained the Southland District Council covers a large geographical area, which includes both urban and rural dog owners. Mr Sarfaiti advised as at 30 June 2016 there were 1,331 registered dogs of which approximately 40% were pet dogs.

The meeting noted the animal control unit has a close working relationship with key stakeholders in the community such as the Society for the Protection of Animals (SPCA), Furever Homes, local veterinarians, Police and other local authorities. He also explained that a recent contractual arrangement had been reached with Invercargill City Council (ICC) to provide Animal Control coverage in the SDC area which will assist with responses and customer service.

Mr Sarfaiti advised the Animal Control Unit operates a seven day, 24 hour service and Council's contractor ADT Armourguard Security Limited undertake the night time work and cover the whole district other than Te Anau.

Cr Duffy queried whether the dog registration fees are covering costs. Mr Sarfaiti commented that he is unsure at this stage of the overall costs and the effect of the use of the Contractor, but that the Animal Control Business Unit is currently in a sound financial position.

Mr Halligan responded that whilst council fees are the lowest among the Councils, he added that Southland District Council does not provide some of the services and facilities offered by some other councils such as dog parks, so direct comparisons of fee levels are not always comparing "apples with apples".

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Dog Control Annual Report" dated 14 February 2017.**
- 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) **Adopts the Annual Report and authorises it to be forwarded to the Secretary of Local Government by the Manager of Environmental Health, and that the report be publicly notified as required by the Dog Control Act 1996.**

## **8.1 Proposed Southland District Plan - Further Amendments**

**Record No: R/17/1/1490**

Marcus Roy (Team Leader, Resource Management) and Courtney Ellison (Senior Resource Management Planner-Policy) presented this report.

Mrs Ellison advised the purpose of the report was to outline some potential changes to be made to the Proposed District Plan, that have been identified as the plan has been implemented.

Mrs Ellison explained the Proposed District Plan is a living document that should always be reviewed to ensure it is meeting the needs of its community. Since the decisions on the Proposed District Plan were released in October 2014, most of the plan has had legal effect and the rules have been applied to development activities.

Members noted that in response to the plan now being implemented, and other activities such as the new Signs and Objects on Roads and Footpaths Bylaw being developed, a number of potential changes to the Proposed District Plan have been identified.

Mrs Ellison advised approval is being sought from the Committee that a recommendation be made to Council to approve staff starting the preparation of a variation to address those matters raised in this report.

Members queried the issues that could be included in the proposed variation.

Mrs Ellison responded and explained the issues relate to;

- Sandwich Boards
- Duplication of functions between the Department of Conservation and Southland District Council
- Commercial activities and carparking requirements
- General Infrastructure Standards

The meeting noted a draft variation is being developed and will be reported back to this Committee for approval to undertake further consultation and engagement with stakeholders and relevant Community Boards or Community Development Area Subcommittees.

### Resolution

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Proposed Southland District Plan - Further Amendments” dated 14 February 2017.**
- 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) **Recommends to Council that staff progress the preparation of a variation to the Proposed District Plan 2012 to address the matters as outlined in this report.**

### 9.1 Building (Earthquake-prone Buildings) Amendment Act 2016 - Update for Committee

**Record No: R/17/1/132**

Mr Halligan (Group Manager, Environmental Services) and Mr Michael Marron (Team Leader, Building Solutions) spoke to this report.

Mr Halligan and Mr Marron presented a powerpoint presentation outlining the key elements of the Amendment Act 2016 noting a more significant role for councils.

Mr Halligan explained councils are required to actively identify potentially earthquake-prone buildings and report regularly to Ministry of Business, Innovation and Employment (MBIE) on progress on this, with the view that this information be included in a national register.



## Resolution

Moved Chairperson Macpherson, seconded Cr Frazer **and resolved:**

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Building (Earthquake-prone Buildings) Amendment Act 2016 - Update for Committee” dated 14 February 2017.**

## 9.2 Presentation from Roving Museum Officer Johanna Massey on Waikaia Museum Redevelopment

**Record No: R/17/1/205**

Johanna Massey (Roving Museum Officer) spoke to this report.

Ms Massey presented a power point presentation on the redevelopment of the Waikaia Museum noting that not only were the structure and the spaces within the previous museum unsuitable for housing and displaying collections but the environment for volunteers and visitors needed to be improved.

Ms Massey explained the redevelopment provided an opportunity for objects and stories of Switzers/Waikaia to be better told and displayed.

## Resolution

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Presentation from Roving Museum Officer Johanna Massey on Waikaia Museum Redevelopment” dated 14 February 2017.**

**The meeting adjourned at 10.15am for morning tea and reconvened at 10.38am**

## 7.1 Regulatory and Environmental Services Service Delivery Review

**Record No: R/17/1/406**

Mr Halligan (Group Manager, Environmental Services) introduced Ms Alicia McKay (External Local Government Consultant), who presented a powerpoint presentation on the Regulatory and Environmental Service Delivery review.

Ms McKay advised a service delivery review has been undertaken for the Southland District Council Regulatory and Environmental Services, in accordance with the requirements of Section 17A of the Local Government Act 2002.

Mr Halligan advised the meeting that Section 17A of the Local Government Act 2002 requires all councils to review the delivery of services by mid-2017.

Ms McKay advised that having regard to this, Southland District Council has undertaken a review of the delivery of its Regulatory and Environmental Services, this being the first formal structured review of these services since the creation of the Southland District Council in 1989 (although incremental changes and improvements to the service have been made during this time).

This service delivery review was presented to the Committee for its consideration. Committee members will note that this review contains a number of recommendations for future improvements.

Cr Duffy expressed appreciation to Ms McKay on her well prepared and well-presented report. Members concurred with Cr Duffy's comments.

Mr Halligan advised an action plan is to be prepared on the recommendations highlighted by Ms McKay and a report will be presented to the Committee in due course including this action plan.

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Regulatory and Environmental Services Service Delivery Review, dated 14 February 2017.**
- 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) **Considers the content of, and recommendations from, the review and provides any feedback which it may have to officers.**
- e) **Notes that officers will report back to the Committee in due course with the actions proposed to be taken in response to each of the recommendations made in the review.**

### **9.3 Freedom Camping**

**Record No: R/17/1/1570**

Michael Sarfaiti (Environmental Health Manager) and Stuart Fairbairn (Animal Control Officer) presented this report.

Mr Sarfaiti advised the purpose of the report is to present information to the Committee on freedom camping issues in the District.

Mr Sarfaiti advised Council adopted the new Freedom Camping Bylaw 2015 on 9 December 2015 which most submitters were supportive of in regards to the direction of the bylaw, including features such as resolving the problems at Waikawa, fire safety concerns and new general rules.

Mr Sarfaiti highlighted the freedom camping hotspots being Lumsden, Waikawa and the largest hotspot being the Te Anau Basin, where the Southland District Council and Department of Conservation (DOC) have a shared service for the purpose of regulating freedom camping in the Te Anau Basin during the tourist season.

Mr Sarfaiti added this service has been successful with patrols ensuring a high level of compliance. This shared service is funded by DOC, Te Anau Community Board and Southland District Council.

Further to this the meeting was advised that problems from freedom camping at the Waikawa Domain i.e. sanitary problems; costs to the ratepayer, eg rubbish collection; toilet maintenance; restricting access to other users and restricting parking access for Hall resulted in Council authorising a new freedom camping patrol service in Waikawa, with Council's Animal Control Officer, Mr Fairbairn, undertaking weekly patrols from December 2016.

Mr Fairbairn advised there was low activity at the site, possibly due to weather conditions, however he will complete more monitoring visits to determine the current need for policing.

Mr Sarfaiiti informed that should freedom camping become a problem there again, it may be necessary to hire a local person as a warden to keep costs down.

However, for the Committee's information Mr Halligan also highlighted that this is potentially a high risk health and safety work for a person working alone, so the Council would have to closely consider its options for the delivery of such a service if it proves necessary and that if such a service is provided suitable budget would need to be provided to ensure that health and safety matters were adequately provided for .

Members noted Councillors Duffy and Keast have agreed to the Ward funding such a service up to \$3,000 per year.

Cr Dillon commented that prior to making any decision on funding for this arrangement it may be timely to monitor the areas where freedom camping occurs to obtain a picture of where and how many campers are coming into the area. Cr Dillon added this could be a task undertaken by residents in the area.

Following discussion the Committee requested more data on the number of freedom campers in Southland is needed to accurately monitor how the activity is growing and where people are staying.

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Freedom Camping" dated 31 January 2017.**
- b) **Requests staff seek numerical information on Freedom Camping areas to monitor how the activity is growing and where people are staying, such information to be presented to the Committee at its next meeting.**

The meeting concluded at 1.45pm

CONFIRMED AS A TRUE AND CORRECT  
RECORD AT A MEETING OF THE  
REGULATORY AND CONSENTS COMMITTEE  
HELD ON THURSDAY 23 FEBRUARY 2017.

**DATE:**.....

**CHAIRPERSON:**.....



## Methamphetamine Presentation

**Record No:** R/17/2/3514  
**Author:** Michael Sarfaiti, Environmental Health Manager  
**Approved by:** Bruce Halligan, Group Manager Environmental Services

☐ Decision ☐ Recommendation ☒ Information

### Police Presentation

- 1 Detective Constable Jeremy Dix will be giving a presentation to the Committee on methamphetamine, with a focus on meth labs and the testing of houses.

### Related issues for Council

#### Local Approved Products Policy (LAPP)

- 2 The combined committee of the Gore District, Invercargill City and Southland District Councils adopted the LAPP on 15 December 2014 that came into force on 22 December 2014, and is to be renewed within five years - **Attachment A**.
- 3 It restricts the sale of psychoactive substances (eg herbal highs) in the region to the Invercargill CBD.

#### P Lab (meth lab) Cleanups

- 4 The Council has been notified of one P Lab, in Taramoa in 2011. This was a low level operation where some manufacture occurred in the shed. The owner of the property commissioned a report from Pattle Delamore Partners Ltd, that concluded "*The results do not exceed the threshold that would indicate a requirement for any clean-up/decontamination activities within the dwelling, garage or any external areas of the property.*"
- 5 Council has a role in ensuring that buildings that have been used as P labs are suitable for habitation.

#### Land information

- 6 Council is required to give information about P labs in land information memorandums, in some circumstances.

#### Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

- 7 Council is required to administer these Regulations, that affect activities that can be carried out on land that may be contaminated; for example the activities of change of use of land, or subdivision.

### Recommendation

**That the Regulatory and Consents Committee:**

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

### Attachments

- A Combined Local Approved Products Policy [↓](#)



# COMBINED LOCAL APPROVED PRODUCTS POLICY

- PSYCHOACTIVE SUBSTANCES -  
2014

**LOCAL APPROVED PRODUCTS POLICY  
(PSYCHOACTIVE SUBSTANCES)****FOR THE DISTRICTS OF GORE, INVERCARGILL AND SOUTHLAND****OVER-ARCHING ISSUES**

1. Significant social harm can result from the inappropriate location of retail outlets for legally approved psychoactive substances.
2. This harm may be minimised if the location of premises retailing psychoactive substances is regulated:
  - (a) By reference to broad areas in Southland where there is easy access to support services.
  - (b) By reference to proximity to other approved premises from which psychoactive substances may be sold.
  - (c) By reference to proximity to premises deemed to be "sensitive".

Pursuant to Section 67 of the Psychoactive Substances Act 2013 Gore District Council, Invercargill City Council and Southland District Council have resolved to adopt a single local approved products policy for their districts. The effect is that in respect of this Policy they are to be treated as if they are a single territorial authority with a single district.

**OBJECTIVES****OBJECTIVE 1: RECOGNITION OF HARM REDUCTION FROM MISUSE OF PSYCHOACTIVE SUBSTANCES AS A COMMUNITY PRIORITY****Reason**

The misuse of psychoactive substances has the potential to create significant social problems within Southland communities. Controlling the location of retail outlets will help avoid or mitigate these problems.

This policy seeks to:

- (a) To support the purpose and intent of the Psychoactive Substances Act 2013.
- (b) To minimise the potential for adverse effects from the sale of psychoactive substances.

**Item 7.1 Attachment A**

- (c) To minimise the potential for harm to communities or occupants of premises likely to be sensitive to issues arising from the sale of psychoactive substances.
- (d) To provide guidance to the Psychoactive Substances Regulatory Authority on the location of any premises licensed to sell psychoactive substances.



**POLICIES****POLICY 1: LOCATION BY BROAD AREAS**

To restrict the location of retail outlets for psychoactive substances to the CBD of Invercargill (Map 1) and to require retail shops to have their selling frontage facing the street. This area is inclusive of the western side of Dee Street (between Spey and Tay Streets), Tay Street (between Dee and Deveron Streets), Deveron (between Tay and Spey Streets) and Spey Street (between Deveron and Dee Streets).

Map 1

## Item 7.1 Attachment A

**Reason**

Government has seen fit to make 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.

It was concluded that these premises are best located in areas that are frequented by the public, and where they are one of several businesses in a commercial area offering a variety of services and products. 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.

#### **POLICY 2: LOCATION BY PROXIMITY TO OTHER APPROVED PREMISES**

**Within the broad areas identified in Policy 1, to restrict the location of approved retail outlets for psychoactive substances so that they are no closer than 100 metres from each other, measured from the property boundaries.**

##### **Reason**

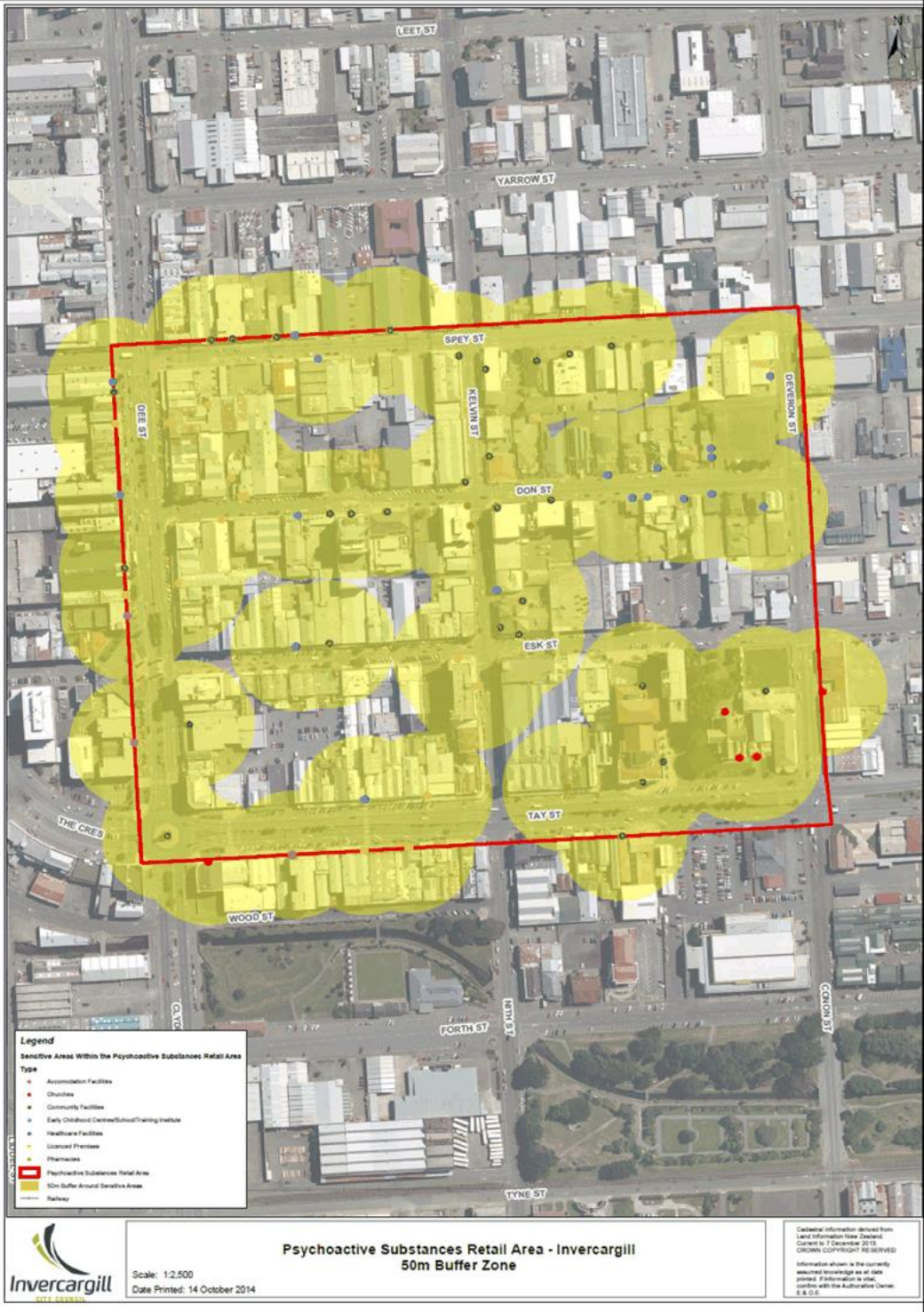
A separation distance of 100 metres will ensure that there is no “grouping” of these premises.

#### **POLICY 3: LOCATION BY PROXIMITY TO SENSITIVE PREMISES**

**Within the broad areas identified in Policy 1, to restrict the location of approved retail outlets for psychoactive substances so that they are no closer than 50 metres, measured boundary to boundary, to:**

- Churches
- Healthcare facilities
- Licensed premises
- Early childhood centres / schools / training institutes
- Community facilities
- Tattoo/piercing facilities
- Pharmacies
- Accommodation

Item 7.1 Attachment A





**Reason**

The separation distance of 50 metres means that approved premises would not be directly next door to or across the road from sensitive premises, and so are less directly visible from them.

Note: New approved retail outlets for psychoactive substances should not locate beside existing sensitive land uses as listed in Policy 3. This Policy is not intended to prevent new sensitive premises establishing next to existing approved retail outlets.

**POLICY 4: PROMOTION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

To promote, within the broad areas identified in Policy 1, the incorporation of the following CPTED principles in the design and layout of approved retail outlets and their surroundings:

- Awareness of the environment
- Visibility by others
- Finding help

**Reason**

CPTED principles can do much to ensure that approved premises present acceptably to the public and discourage undesirable behaviour.

- “Awareness of the environment” refers to the layout of a place being legible and understandable, including the ability to see and to understand the significance of what is around and what is ahead.
- “Visibility by others” refers to a person not being isolated when using a building or space because the design facilitates them being seen by others.
- “Finding help” refers to the provision of clearly marked avenues to assistance such as emergency exits, alarms and phones.



## Southland District Council 2017 IANZ Building Control Reaccreditation Audit

Record No: R/17/3/4184  
Author: Bruce Halligan, Group Manager Environmental Services  
Approved by: Steve Ruru, Chief Executive

☐ Decision ☐ Recommendation ☒ Information

- 1 The 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.
- 2 For the Committee's information, IANZ undertakes an intensive audit process of all Building Control Authorities (BCAs) on a two yearly basis. 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.
- 3 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.
- 4 The IANZ lead assessor Carolyn Osborne has advised us verbally at the conclusion of the audit that reaccreditation will be granted to the SDC Building Control section for a further two years, when one Corrective Action Required (known as a CAR) has been addressed to IANZ satisfaction.
- 5 Ms Osborne has also advised verbally that IANZ will also be making seven strong recommendations for future improvement. Strong recommendations need to be actioned or they are likely to turn to CARs at the next reassessment audit.
- 6 Council staff have been awaiting formal written confirmation of this from IANZ, so that a formal response to IANZ can be formalised. Staff have already commenced work on the matters verbally highlighted.
- 7 Ms Osborne advised staff on Thursday, 16 March 2017 that there had been some delay in the production of this written report but that it should be forthcoming in the near future.
- 8 At the next meeting of the Regulatory and Consents Committee, 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.

### Recommendation

**That the Regulatory and Consents Committee:**

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

### Attachments

There are no attachments for this report.





## Regulatory and Environmental Services Delivery Review Action Plan

**Record No:** R/17/3/4258  
**Author:** Bruce Halligan, Group Manager Environmental Services  
**Approved by:** Steve Ruru, Chief Executive

☐ Decision ☐ Recommendation ☒ Information

### Purpose

- 1 To provide a progress update and proposed Action Plan to the Committee on recommendations made in the Service Delivery Review report presented at the Committee meeting on 23 February 2017.

### Executive Summary

- 2 Committee members will recall the Regulatory and Environmental Services Service Delivery Review presented by Alicia McKay, external consultant who provided inputs to this process, at the 23 February meeting.
- 3 Included in this Service Delivery Review were a number of recommendations made for current and future improvements.
- 4 While 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.
- 5 Environmental Services Group Managers have met and considered these recommendations.
- 6 Hence, the attached Action Plan outlines the various recommendations from the report, and outlines the various actions proposed to be taken in relation to each of these.
- 7 This Action Plan is provided for the Committee's information, and any feedback is welcome.

### Recommendation

**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, subject to any feedback that it may have, the attached Action Plan.**

### Attachments

- A Regulatory and Environmental Services S17A LGA Service Delivery Review - Action Plan March 2017 [↓](#)

## Regulatory and Environmental Services S17A LGA Service Delivery Review March 2017 General Group-Wide Recommendations - Action Plan

General Recommendations from Service Delivery Review	Action to be taken
<p>1. <i>Meaningful performance management</i></p> <p>a) Focus on outcomes While regulatory activities have a statutory mandate, they play a significant role in keeping the community safe and healthy. Focusing performance measurement more on impacts than processes, as per Productivity Commission recommendations, would help SDC to better understand how effectively regulatory services achieve desired outcomes.</p>	<p>Currently Council's performance management systems are heavily time and quantity focused, and this is probably true of the whole local government sector.</p> <p>During the upcoming Long Term Plan process, Key Performance Indicators will be revisited, and it will be endeavoured to incorporate more qualitative measures to provide a more complete picture of overall performance.</p> <p>Environmental Services Group managers are also keen to strengthen working relationships with communities, via Community Partnerships Leaders, so that regulatory advice on matters such as accessibility requirements can be provided early in community projects, thereby mitigating the potential for issues arising further down the track.</p> <p>Target date for implementation - 1 July 2018.</p>
<p>b) Customer satisfaction Reliable customer satisfaction data is a vital tool to inform Council decision-making and best target resources to align with community priorities. Current methods for measuring customer satisfaction are unable to provide regular, consistent, representative data. Enhancing these tools might include developing new methods of engagement, increasing the frequency of the triennial customer satisfaction survey, implementing pop-up surveys at the conclusion of service or adding qualitative probing questions.</p>	<p>It is agreed that Council's current customer satisfaction surveying arrangements are not providing sufficiently specific and regular enough information to enable timely and relevant modifications to address areas of customer concern.</p> <p>New methods of customer satisfaction measurement are being looked at organisation-wide at present. Ideally these would occur electronically at the conclusion of a process (as many organisations are now doing), not manually months later as is sometimes occurring. Environmental Services staff will be liaising with Customer Support staff on this to ensure cross-organisation consistency of approach.</p> <p>Target Date - December 2017</p>

<p>2. <i>Collaboration/shared services</i></p> <p>Working together with other councils to deliver services can be cost-effective and deliver improved value for money. SDC should continue to promote shared services, with the following provisos:</p> <ul style="list-style-type: none"> <li>• Each initiative should be assessed on a case by case basis, on its own merits.</li> <li>• The LGNZ 'filters' framework and guidance should be applied to ensure the activity is a strong candidate for shared services.</li> <li>• SDC should be clear on the desired outcomes and objectives for a shared services arrangement.</li> <li>• Careful and considered change management should be used, including a communications strategy for staff, customers and other stakeholders.</li> <li>• Achievable targets should be set for potential benefits, and a framework established to monitor their realisation.</li> <li>• Staging or phased integration should be considered when possible, rather than transformative change.</li> </ul> <p>A business case should be developed for each potential initiative to objectively assess the costs and benefits of sharing services.</p>	<p>As is consistent with the Shared Services Forum and the Southland Regional Development Strategy, all Managers within the Environmental Services Group will continue to look for collaborative and shared services opportunities on an ongoing basis.</p> <p>A recent example is the 2017 contractual arrangement with ICC's Animal Control team to provide coverage within the Southland District.</p> <p>It is agreed that a 'business case' and appropriate change management process should be used for each initiative. The size of this process should reflect the size and significance of the shared service initiative.</p> <p><i>Target Date- ongoing.</i></p>
<p>3. <i>Quality assurance</i></p> <p>Quality assurance processes are in place for some activities, however there are some gaps in alcohol licensing and food safety monitoring. The ESG would benefit from a consistent and codified process for peer review and quality assurance, to deliver a better quality and more consistent experience to SDC customers and enable continuous improvement.</p>	<p>Agreed. While quality management processes are in place across the functions in the Environmental Services Group in various forms (eg Building Control Quality and Process Manual, Resource Management draft consent review framework) these are not centrally documented in a consistent way.</p> <p>Promapp will be the key system used in this process and it is a key strategic initiative for the Group to Promapp all key processes and associated quality management measures.</p> <p>Target date for completion of process and quality mapping - 1 December 2018 (although all such processes will be subject to regular ongoing review/change)</p>

<p><b>4. <i>Enforcement and prosecution approach</i></b>          Having a framework to guide enforcement and prosecution decisions can improve Council's reputation for transparent and consistent enforcement, foster a cohesive organisational culture, improve compliance outcomes and deliver cost-efficiencies.</p>	<p>While Council has previously approved a Prosecution and Enforcement Policy some years ago, this no longer represents best practice. This will be reviewed in 2017 and a new draft Policy presented for the Committee's consideration and feedback before this proceeds to full Council.</p> <p>If a new Prosecution and Enforcement Policy is adopted, this will need to be regularly reviewed to ensure it continues to reflect legislative changes and case law.</p> <p>Target Date - September 2017.</p>
<p><b>5. <i>Online lodgement and electronic processing</i></b>          SDC challenges, including geographic spread, are further complicated by recent changes to the New Zealand Post service, significantly increasing the time it takes to complete manual application and consent processes. Online services and electronic processing abilities provide an opportunity to better reach the community and deliver services with greater convenience and automation, improving the customer experience and driving internal efficiencies. Increasing customer expectations about online capabilities now extend to councils. Many councils across New Zealand have implemented online and electronic application and processing functionality.</p>	<p>Recommendation is agreed with by staff and there is growing demand for this capability. Workstreams are currently underway with IT and Communications staff to progress this, with on-line LIMs being an initial focus.</p> <p>It is likely that in the interests of making progress in a timely manner, these on-line processes will be rolled out progressively once they are tested and proven robust, rather than a "big bang" approach. Realistically this could be a two/three year process to move all key processes to on-line lodgement and processing.</p> <p>Target Date- all key processes on-line by 1 July 2019.</p>
<p><b>6. <i>Funding mix and policy</i></b>          Funding for environmental health services is mostly by fees and charges, with only a 10% rates component in alcohol licensing. This does not reflect common practice or align with Council's Revenue and Financing policy. A general rates component for environmental health services would reflect best-practice thinking about the wider community benefit of providing these services. The Revenue and Financing Policy should reflect actual practice. The overall ESG is funded 43.5% by rates, which is high compared to peer councils. The future of this funding mix should be reviewed in the next LTP cycle.</p>	<p>Recommendation is agreed with by staff and a report will be presented during Long Term Plan processes to seek a 10% rates component and seek to create the appropriate alignment with the Revenue and Financing Policy.</p> <p>Target Date - 1 July 2018.</p>

<p>7. <i>Competitive procurement</i></p> <p>While there is limited outsourcing in this activity group, regular contractors (such as after-hours noise and animal control service providers) are not subject to competitive procurement processes. To ensure maximum value for money is being achieved and to align with SDC's Procurement Policy, contract arrangements should be regularly reviewed, with a competitive tender process undertaken.</p>	<p>The Environmental Services Group does not do a large amount of procurement relative to the Services and Assets Group for instance, with key procurement items generally being vehicles and use of a small number of external consultant advisers.</p> <p>Council is currently looking at its overall organisation-wide vehicle procurement to ensure it is as competitive as possible while also retaining key safety parameters.</p> <p>Managers in the Environmental Services Group will ensure that when existing contractual arrangements with existing consultant advisers expire, then a competitive process will be undertaken for awarding of new contracts.</p> <p>Target Date- immediate and ongoing.</p>
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## Regulatory and Environmental Services S17A LGA Service Delivery Review March 2017

### Activity Specific Recommendations - Action Plan

Activity-Specific Recommendations from Service Delivery Review	Action to be taken
<p><i>Building Control</i></p> <p>Retain in-house, with a strong focus on increased regional collaboration.</p> <ul style="list-style-type: none"> <li>• <i>Legislative review</i> - Legislative changes should be strategically assessed, with opportunities to share workstreams with other councils considered.</li> <li>• <i>Performance management</i> - Implementing a regular, relevant customer service performance metric will provide a reliable evidence base for future service decisions. This might include surveying customers at the conclusion of service provision.</li> <li>• <i>Booking system</i> - Centralised scheduling will potentially deliver productivity benefits or efficiency benefits, better positioning this team to respond to changes in requirements and legislation as they present.</li> <li>• <i>Remote worker integration</i> - Regular team meetings and 'clinics' with remote BCOs will enhance team morale and encourage a more consistent SDC approach to tricky issues that require individual judgement calls.</li> </ul>	<p>Shared service/collaboration and performance management recommendations will be actioned as per the general comment in Section 1 above.</p> <p>Centralised booking system in the process of being implemented, should be in place by 1 July 2017. As part of this, may be some changes to inspection booking times to maximise efficiency.</p> <p>Target Date - 1 July 2017.</p> <p>Remote worker integration recommendation already being implemented. Gore based inspector now working one day per week in Invercargill office.</p> <p>Actioned.</p> <p>Monthly team meetings incorporating a calibration session to ensure all Building Control Officers operating consistently on key issues. Any necessary amendments made to Quality and Process Manual as above.</p> <p>Actioned and ongoing.</p>
<p><i>Resource Management</i></p> <p>Retain in-house.</p> <p><i>Electronic processing/online lodgement</i> - Online lodgement and electronic processing capabilities may deliver improved convenience customers, automate the application to improve accuracies, mitigate postal delay and deliver internal efficiencies.</p>	<p>Agreed that on-line lodgement and processing is required and growing customer demand for this.</p> <p>This will be actioned as per the general comment in Section 1 above.</p> <p>Target Date- all key processes on-line by 1 July 2019.</p>
<p><i>Environmental Health</i></p>	<p>Procurement recommendation will be actioned as per the general comment on procurement above.</p>

Activity-Specific Recommendations from Service Delivery Review	Action to be taken
<p>Retain in-house, complemented by third-party providers for after-hours service.</p> <ul style="list-style-type: none"> <li>• <i>Procurement review</i> - This department should review how outsourced services are procured to ensure ongoing value for money. A competitive tender process would test the market for improved price or quality of service, and may reveal unknown contenders.</li> <li>• <i>Quality assurance</i> - Implement quality assurance procedures for alcohol licensing and health inspections, which should include peer review. This provides an avenue for continuous improvement and ensures ongoing performance in these activities.</li> <li>• <i>Performance management</i> - Implementing a customer service performance metric, particularly for those that are not currently measured, will provide a reliable evidence base for future service decisions.</li> <li>• <i>Improve Alcohol Licensing processing times</i> - Consider making additional resources available to improve the proportion of licences processed within target timeframes. Electronic lodgement and processing functionality may assist with efficiency in this area.</li> </ul>	<p>The team has begun the process in obtaining approval from the MPI to verify national programme food premises. This involves having an accredited quality system. Once this is in place and staff have had experience operating under a quality system, it could then be expanded at the next accreditation to incorporate other environmental health functions.</p> <p>IANZ accreditation for Food Act processes being sought.</p> <p>Target Date - December 2017.</p> <p>Two of the Licensing Inspectors have made a commitment to clearing the backlog of premises renewal applications.</p> <p>Target Date - all premises on backlog visited - July 2017.</p>





## Freedom Camping

Record No: R/17/3/4486  
Author: Michael Sarfaiti, Environmental Health Manager  
Approved by: Bruce Halligan, Group Manager Environmental Services

☐ Decision ☐ Recommendation ☒ Information

### Introduction

- 1 On 23 February 2017 I presented an information report on freedom camping to the Committee.
- 2 It discussed what was happening in the hot spots of Lumsden, Te Anau and Waikawa.
- 3 Essentially the problems were being controlled well in Te Anau and Waikawa. Lumsden will likely be requesting an amendment to the bylaw, to amend the freedom camping designated area. Any such proposed amendment will need to go through a formal public process and all parties will have an opportunity to express their views.
- 4 The Committee discussed current collection of information, and staff agreed to present a further report on this issue.

### Problem focus

- 5 Note the wording in the Freedom Camping Act 2011:

#### 10 Where freedom camping permitted

Freedom camping is permitted in any local authority area unless it is restricted or prohibited in an area— ...

#### 11 Freedom camping bylaws

- (2) A local authority may make a bylaw under subsection (1) only if it is satisfied that—
  - (a) the bylaw is necessary for 1 or more of the following purposes:
    - (i) to protect the area;
    - (ii) to protect the health and safety of people who may visit the area;
    - (iii) to protect access to the area; and
  - (b) the bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to that area; and

#### 12 Bylaws must not absolutely prohibit freedom camping

- 6 The Act permits freedom camping on Council controlled land except where a perceived problem exists. Council has a network of Community Boards and CDAs, who can alert Council to perceived problems.
- 7 The accommodation sector occasionally raises concerns with staff about freedom camping, and isolated complaints are also received.
- 8 I have consulted with the Community Engineers, and while there are concerns about the infrastructure required for freedom campers (detailed below), some of the Engineers advise that freedom camping is not a problem in their areas.

- 9 There do not appear to be any “perceived problems” of significance in the District that warrant changes to the current Freedom Camping Bylaw.

**Benefits of high numbers**

- 10 Higher numbers at designated sites may be regarded as a good thing. For example at the Clifden Bridge site two businesses have set up there to take advantage of the significant new customer base. Over time, other businesses may also start up at or near other popular freedom camping sites.

**Resourcing**

- 11 Council does not have a staff member who has overall responsibility and direction of freedom camping in the District. Rather a number of staff have 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).
- 12 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.
- 13 Through Council’s Annual Plan and Long Term Plan processes, there is a need to ensure that sufficient resourcing is available to manage the identified sites appropriately and fund an appropriate level of enforcement.
- 14 Litter clean-ups are funded from several sources - (Ward budgets, Roading budget, and Environmental Health budget).

**1 Patrols**

- 15 Currently there are patrols as follows:
- The 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.
- 16 Staff could organise patrols that would give Council a clearer picture of freedom camping in the District. 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.
- 17 Also, a network of local community members may be able to be created to record local numbers, in all designated freedom camping areas. However this would take time and has not been organised at the time of writing.

**2 Some new potential hotspots**

- 18 A concern has been raised by a fishing guide about camping at Whare Creek. The site is Crown land and Council cannot control camping on this land. Not far from there, the area around the Mararoa Bridge, on Weir Road, has also raised concerns – this is Meridian Energy land.

- 19 The Tuatapere Community Board will shortly be discussing freedom camping; as a result of a concern raised by a local camping ground operator about campers on the Main Street. Tuatapere currently does not permit any freedom camping, and so this is a management issue.

- 20 Locals have raised concerns with the Haldane designated site, such as access problems.

**Communication between landowners**

- 21 There are a number of landowners that have freedom campers on their land, for example NZTA, DOC, LINZ and some corporate and private owners. Currently there is no group for stakeholders to discuss freedom camping locally.
- 22 A discussion group may have benefits, and perhaps even result in greater collaboration, that could also include other neighbouring territorial authorities, or new shared services.

**Government work programme**

- 23 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.
- 24 This programme of work includes establishing an online tool called the Freedom Camping Hub (the Hub), which enables the co-development of freedom camping guidance material for local government.
- 25 The programme of work also includes a pilot, with Queenstown Lakes and Thames Coromandel District Councils, to test transferring and aggregating geospatial data that shows where all freedom camping rules apply. This work is a collaboration with Land Information New Zealand, DOC and the Local Government Geospatial Alliance. It will inform a national freedom camping geospatial dataset which aims to provide a national view of local freedom camping rules. Visitors will be able to easily access reliable information about what the rules are and where they apply.
- 26 The Department of Internal Affairs intends to have these resources fully developed before the Lions Tour in June 2017, which will enable visitors to better plan their trips and provide better information to councils to manage large volumes of freedom campers.

**3 Feedback from Ray Hamilton - Team Leader, Community Engineers**

- 27 Mr Hamilton has concerns about the resourcing needed to react to situations rather than try and forecast/predict consequences to changes Council implements. It is a lot easier to manage impact of change when you are in control of the situation.
- 28 Mr Hamilton has commented that if Council wishes to continue to support freedom camping in the District, then locations should be identified that are fit for purpose and Council should decide on the level of service expected at these locations. 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, rather than “miss the boat”.
- 29 The Community Engineers team has spent some time ensuring facilities at Clifden Bridge, Monkey Island, Colac Bay, Thornbury, Weirs Beach, Waikawa, and Lumsden are meeting increased visitor/freedom camping numbers. Generally this involves managing toilet supplies, cleaning and maintenance (wear and tear, water supplies) as well as

litter/rubbish/recycle materials. Early on, a lot of time was spent “sorting out” full septic tanks, lack of toilet paper etc, all relatively minor work but still time consuming.

- 30 To ensure visitors enjoy their visit/stay at Lumsden the team is putting together an estimate to improve facilities there; more toilets, wash basins, potable water etc. The area should be clearly delineated by sealing the car park area and marking out overnight areas; and to introduce a numbers “cap”.
- 31 The team will also complete a similar exercise for the Te-Anau to Invercargill tourist route that will review facilities/capacity at Mararoa Weir, Blackmount School, Clifden Bridge, Monkey Island, Colac Bay and Thornbury Bridge.
- 32 For guidance, the team provides the following overnight numbers as estimates:
- |                     |    |
|---------------------|----|
| • Monkey Island     | 30 |
| • Colac Bay         | 4  |
| • Thornbury Reserve | 20 |
| • Mararoa Weir      | 12 |
| • Clifden Bridge    | 24 |
| • Monowai           | 12 |
| • Blackmount        | 6  |
- 33 Hence some matters which staff would appreciate Committee feedback on are as follows:
1. **Does the Committee believe that there is a perceived problem in the District that warrants further regulation?**
  2. **Does the Committee believe that the current approach of responding to infrastructure pressures at sites should continue, as the pressures arise? (As opposed to closing sites, or adding restrictions to popular sites).**
  3. **Is there Committee support in principle for funding of some patrols to obtain snapshots of freedom camping in the District?**
  4. **Is there Committee support in principle for setting up a network of local community members to be created to record local numbers, in problem areas?**
  5. **Is there Committee support in principle to set up stakeholder local discussion forum of key landowners, e.g. NZTA, LINZ, DOC, neighbouring Councils, and Meridian Energy? If so, should there be Councillor representation on the group?**

## Recommendation

That the Regulatory and Consents Committee:

- a) **Receives the report titled “Freedom Camping” dated 28 March 2017.**
- b) **Provide feedback to staff on Items 1-5 above and any other feedback it wishes to provide on freedom camping.**

## Attachments

There are no attachments for this report.