



WESTLAND
DISTRICT COUNCIL

A G E N D A

Council

Council Chambers

**Thursday 25 August 2011
commencing at 9.00 am**

NOTICE IS HEREBY GIVEN THAT AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 25 AUGUST 2011 COMMENCING AT 9.00 AM

Robin Reeves

Chief Executive Officer

17 August 2011

1. MEMBERS PRESENT AND APOLOGIES

Apologies

Councillor J.G. Birchfield.

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Minutes of Meetings of Council

2.1.1 Council Meeting – 28 July 2011

(Pages 1-7)

2.2 Minutes and Reports to be received

2.2.1 Strategy Committee Meeting – 17 August 2011

(Pages 8-12)

3. REPORTS

3.1 Chief Executive Officer

(See Separate Report)

Recommendation

That the Chief Executive Officer's monthly report at Appendix I be received.

3.2 Mayor

Recommendation

That the Mayor's monthly report be received.

(Page 13)

4. GENERAL BUSINESS

4.1 Recommendations from Council Committees

4.1.1 Strategy Committee Meeting – 17 August 2011

(Pages 14-38)

4.2 Major District Initiative (MDI) Funding to August 2011

Attached is a memo and recommendation from the Manager Audit and Compliance.

(Pages 39-41)

4.3 Development West Coast MDI Funding Application – Harihari Community Centre

Attached is a memo and recommendation from the Manager Audit and Compliance.

(Pages 42-46)

4.4 New Harihari Community Centre – Operating Costs

Attached is a memo and recommendation from the Manager Audit and Compliance.

(Pages 47-49)

4.5 Sister City Relationship

Attached is a memo and recommendation from Her Worship the Mayor.

(Pages 50-51)

4.6 West Coast Community Trust – Regarding Funding

*Mark Lockington, Chairman and Angela Keenan, Secretary of the West Coast Community Trust will be in attendance at the meeting at **10.00 am** to discuss the new funding made available from Development West Coast and how Council can best support community groups to meet the criteria for funding.*

4.7 Representation Review

Attached is a memo and recommendation from the Manager Planning and Regulatory.
(Page 52-53)

4.8 Tourism Management Transition Committee

Councillor Montagu will provide a verbal update at the meeting regarding the first meeting of the Tourism Management Transition Committee held on the 22 August 2011.

4.9 Public Forum

5. INWARD CORRESPONDENCE

5.1 Joris de Bres, Race Relations Commissioner, Human Rights Commission
(Page 54)

A copy of the document "Māori Representation in Local Government – The Continuing Challenge" will be available on the Council table.

**NEXT MEETING: THURSDAY 22 SEPTEMBER 2011
COMMENCING AT 9.00 AM**

MINUTES OF AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 28 JULY COMMENCING AT 9.00 AM

The opening prayer was read by Councillor Montagu.

Action
by

1. MEMBERS PRESENT

Her Worship the Mayor, M.H. Pugh
Deputy Mayor Councillor B.O. Thomson
Councillors A.N. Bradley, J.G. Birchfield, J.H. Butzbach, K.J. Eggeling,
A.M. Hurley (until 2.03 pm), M.D. Montagu, K.R. Scott, F.I.W. Stapleton,
C.A. van Beek.

ALSO IN ATTENDANCE

R.F. Reeves, Chief Executive Officer; R.C. Simpson, Manager Planning and Regulatory (part of the meeting); V. Goel, Group Manager – Assets and Operations (part of the meeting); D.M. Maitland, Executive Assistant.

1.1 Register of Conflicts of Interest

The Conflicts of Interest Register was circulated and no amendments were noted.

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Minutes of Meetings of Council

2.1.1 Council Meeting – 23 June 2011

Moved Councillor Montagu, seconded Councillor Thomson and **Resolved** that the Minutes of the Ordinary Meeting of Council held on the 23 June 2011, including the “Public Excluded Section”, be confirmed as a true and correct record of the meeting.

2.2 Minutes and Reports to be received

2.2.1 Risk Management Committee Meeting – 22 June 2011

Moved Councillor Birchfield, seconded Councillor Stapleton and **Resolved** that the Minutes of the Risk Management Committee Meeting held on the 22 June 2011, be received.

2.2.2 Operations Committee Meeting – 22 June 2011

Moved Councillor Eggeling, seconded Councillor Scott and **Resolved** that the Minutes of the Operations Committee Meeting, held on the 22 June 2011, including the “Public Excluded Section”, be received.

3. REPORTS

3.1 Chief Executive Officer

Moved Councillor Stapleton, seconded Councillor van Beek and **Resolved** that the Chief Executive Officer’s Report, including the Financial Report for the period ended 30 June 2011, be received.

3.2 Mayor

Moved Councillor Montagu, seconded Councillor Thomson and **Resolved** that the Mayor’s Report for June/July be received.

4. GENERAL BUSINESS

4.1 Recommendations from Council Committees

Nil.

The following items were then taken out of order to the Agenda Papers.

4.3 Ross-Waitaha Playgroup

Lisa Morgan, Vice President of the Ross-Waitaha Playgroup attended the meeting and spoke in support of the letter regarding the land and Council building used by the Ross Waitaha Playgroup in Monteith Street, Ross.

Moved Councillor Scott, seconded Councillor Stapleton and **Resolved** that a structural report for the building be completed urgently and Council approve \$2,000.00 (excl GST) for the purpose of this report.

GMA&O

The motion was carried on a show of hands 6 - 5.

5. INWARD CORRESPONDENCE

- 5.1 John Dunbier: Regarding signposting the alpine fault on The Great Alpine Highway.

John Dunbier attended the meeting and spoke in support of the proposal to signpost the alpine fault on The Great Alpine Highway.

Moved Councillor Bradley, seconded Councillor Butzbach and **Resolved** that Council support the concept in principle, and consult with interested parties (tourism groups), including the Department of Conservation and report back to Council.

GMA&O
&
HWM

The meeting adjourned for morning tea at 10.58 am and reconvened at 11.20 am

4.2 Major District Initiative (MDI) Funding to June 2011

Her Worship the Mayor noted that the NZ Lottery Grants Board had approved funding of \$276,000.00 (including GST) towards the construction of a multi-purpose community facility in Harihari.

Councillors asked that potential running costs of the proposed community facility at Harihari be provided to the August Council Meeting with options on how they will be funded.

GMA&O

Moved Councillor Eggeling, seconded Councillor Butzbach and **Resolved** that the report from the Manager Audit and Compliance regarding MDI Funding be received.

4.4 Confirmation of Rates Write-offs 2010/2011

Her Worship the Mayor asked that rating sales of vacant land be progressed.

MF

Moved Councillor Eggeling, seconded Councillor Bradley and **Resolved** that Council confirm the 2010/2011 rates and penalty write-offs totalling \$205,789.35.

MF

4.6 Public Forum

No members of the public attended the "Public Forum" section of the meeting.

4.5 The Future of Tourism Management in Westland

Letters regarding the future of Tourism West Coast had been tabled for Councillors information as follows:

- Dave and Kandy Palmer, Fitzherbert Court Motel
- Phillip Barnett, Chairman, Tourism West Coast
- Shirley Gardiner, Administrator, Enterprise Hokitika
- Elizabeth Sandford, Jade Court Motor Lodge.

Moved Councillor Butzbach, seconded Councillor Birchfield and **Resolved** that:

HWM

1. Council establish a Tourism Management Transition Committee, consisting of:
 - a) One Council appointment.
 - b) Council's appointment on Tourism West Coast (Jenny Keogan).
 - c) One appointment from Enterprise Hokitika.
 - d) Three appointments from Glacier Country Tourism Group.
 - e) One appointment from Haast Promotions Group.
2. Council advise Tourism West Coast of its intentions, and that no funding from Westland would be confirmed until the Tourism Management Transition Committee had completed their task and reported back to Council.

Moved Her Worship the Mayor, seconded Councillor Montagu that Councillor Birchfield be appointed the Council representative on the Tourism Management Transition Committee.

Councillor Birchfield declined the nomination.

Moved Councillor Birchfield, seconded Her Worship the Mayor and **Resolved** that Councillor Montagu be appointed the Council representative on the Tourism Management Transition Committee.

SUPPLEMENTARY AGENDA

Moved Councillor Eggeling, seconded Councillor Stapleton and **Resolved** that the Supplementary Agenda be considered and received.

4.7 Hannahs Clearing Water Supply

Council considered a memo from the Group Manager – Assets and Operations, advising the results of the referendum on the proposal to close the Hannahs Clearing Water Supply.

The results of the referendum were:

No of registered voters (Voting papers sent out)	Total no. of Votes Received	"For"	"Against"
38	28	24	4
Percentage (%)	73.7%	85.7%	14.3%

Accordingly, the Hannahs Clearing Water Supply will be closed on the 8 October 2011. GMA&O

Moved Councillor Eggeling, seconded Councillor Butzbach and **Resolved** that the memo from the Group Manager – Assets and Operations, regarding the Hannahs Clearing Water Supply, be received.

4.8 LAPP – Changes to Insurance Premiums

Council considered a memo from the Group Manager – Assets and Operations regarding an increase in LAPP premiums, resulting in the current premium payable for the 2011-2012 year being \$149,105.55 (incl GST).

The Group Manager – Assets and Operations spoke to this item and advised that a report will be prepared for the Risk Management Committee Meeting, regarding the insurance of Council's assets. GMA&O

Moved Councillor Scott, seconded Councillor van Beek and **Resolved** that the information be received.

The meeting adjourned for lunch at 12.52 pm and reconvened at 1.40 pm.

6. MATTERS TO BE CONSIDERED IN THE 'PUBLIC EXCLUDED SECTION'

Moved Councillor Bradley, seconded Councillor Butzbach and **Resolved** that Council exclude the public in accordance with Section 48, Local Government Official Information and Meetings Act 1987.

Council is required to move that the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Sale of Land at Ross
2. Ross Water Treatment Plant Tenders
3. Review of Council Operations

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	General subject of the matter to be considered	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1)(a) for the passing of this resolution
1.	Sale of Land at Ross	The withholding of information is necessary to protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
2.	Ross Water Treatment Plant Tenders	The withholding of information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial or industrial negotiations)	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
3.	Review of Council Operations	The withholding of information is necessary to protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item No.		
1 and 3	Protection of privacy of natural persons/organisations	Section 7(2)(a)
2	Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	Section 7(2)(b)(ii)

Moved Councillor Eggeling, seconded Councillor Scott and **Resolved** that the business conducted in the "Public Excluded Section" be confirmed and the public readmitted.

**NEXT MEETING: THURSDAY 25 AUGUST 2011
COMMENCING AT 9.00 AM**

Meeting Concluded at 3.21 pm

Confirmed by:

Maureen Pugh
Mayor

Date

**MINUTES OF A MEETING OF THE STRATEGY COMMITTEE, HELD IN
THE COUNCIL CHAMBERS, WESTLAND DISTRICT COUNCIL, 36
WELD STREET, HOKITIKA ON WEDNESDAY 17 AUGUST 2011
COMMENCING AT 9.00 AM**

1. PRESENT

Her Worship the Mayor M.H. Pugh
Deputy Mayor Councillor B.O. Thomson (Chairperson)
Councillors, M.D. Montagu and F.I.W. Stapleton.

APOLOGIES

Councillor A.M. Hurley

ALSO IN ATTENDANCE

R.C. Simpson, Manager Planning and Regulatory and R.A. Strang (District Planner).

2. CONFIRMATION OF MINUTES

2.1 Strategy Committee – 18 May 2011

Moved Councillor Montagu, seconded Her Worship the Mayor and Resolved that the Minutes of the Strategy Committee Meeting held on the 18 May 2011 be confirmed as a true and correct record of the meeting.

3. MATTERS ARISING FROM MINUTES

Her Worship the Mayor reported that the Freedom Camping Bill had proceeded to the stage of the second reading.

4. CORRESPONDENCE

4.1 Clare Curran MP for Dunedin South: Regarding ultra-fast broadband.

Members recognised that the issue of broadband coverage for the Country was one of adequacy of funding. Members were unsure as to whether Clare Curran MP had correctly stated the position in Westland.

The Manager Planning and Regulatory was asked to send a letter to Steven Joyce, Minister for Communications and Information Technology enclosing a copy of the letter from Clare Curran MP and asking the Minister if her assessment was correct.

4.2 West Coast Tobacco Free Coalition: Requesting the adoption of a policy making all Council buildings and public spaces smoke free.

Karen Hamilton from the West Coast Tobacco Free Coalition attended the meeting and tabled supporting information concerning tobacco use on the West Coast.

Ms Hamilton advised that the West Coast Tobacco Free Coalition is approaching the three West Coast Territorial Local Authorities and asking that policies be put in place to make children's playgrounds smoke free.

Ms Hamilton provided a draft policy that could be used in relation to Council buildings and public spaces in Westland.

Ms Hamilton left the meeting and the Committee considered the draft policy provided by the Coalition.

Moved Councillor Stapleton, seconded Her Worship the Mayor that it be a Recommendation to Council that the Draft Smoke free Environments-Council Buildings and Public Spaces Policy be adopted.

5. GENERAL BUSINESS

The following matter was taken out of order.

5.2 Proposed Class 4 Gambling Venue Policy

Rosie McGrath from Community and Public Health attended the meeting.

Ms McGrath addressed members and advised of the results of the Social Impact Assessment Workshop that had been held as a consequence of the Committee's previous decision.

The Committee considered the report of the Social Impact Assessment Workshop and considered the possibility of a "sinking lid policy" for Hokitika.

Ms McGrath noted that the Gambling Act 2003 provided that if an existing venue was to move to another location in Hokitika that venue would require a new consent and be allowed a maximum of nine machines at the new location. Furthermore, the Gambling Act 2003 allows a six month "window of opportunity" for another operator to establish at the former site without seeking any further consent from the Council. Such a "new venue" would be able to establish with the number of machines previously consented for that site. Such an outcome is a possibility despite a Sinking Lid Policy and accordingly, under certain circumstances there could be an effective increase in the total number of venues and machines in Hokitika.

Members considered the Social Impact Assessment report and the proposed Gambling Venue Policy.

Members made two amendments to the Proposed Policy by way of the addition of Clause 2.3 which related to standalone TAB venues and Clause 3.5 which provided an exception.

Moved Councillor Montagu, seconded Councillor Stapleton that it be a **Recommendation** to Council that the Class 4 Gambling Venue Policy, as amended, be adopted.

5.1 **Dangerous, Earthquake-Prone and Insanitary Buildings Policy**

Members considered the report prepared by the Manager Planning and Regulatory, a proposed amended Policy and a list of buildings that were possibly earthquake-prone.

The Committee had previously consulted with the industry and other parties and the various amendments made to the existing Policy were considered.

Members considered the possibility of providing for Council undertaking assessments as part of a Policy direction and noted that building owners were undertaking seismic alterations as part of upgrading works. Staff were asked to write to all the building owners on the list of possibly earthquake-prone Buildings and recommend that the owners undertake a seismic

assessment and make any improvements identified as being necessary for the building to be used safely.

Moved Councillor Stapleton, seconded Councillor Thomson that it be a **Recommendation** to Council that the Draft Policy on Dangerous, Earthquake-Prone and Insanitary Buildings be adopted through the special consultative procedure.

5.3 **RC 090171 – Request to waive Recreation Contribution**

The Chairman declared a conflict of interest and took no part in the discussion.

Members considered a report from the District Planner and noted the previous consistent policy approach of requiring financial contributions.

Moved Councillor Montagu, seconded Her Worship the Mayor that Westland District Properties Limited be advised that the request to waive the recreation contribution is declined and that the Company be encouraged to apply for funding to be provided out of the reserves fund for development of a neighbourhood playground.

5.4 **Proposed Aviation Strategy for Westland**

Members considered the report prepared by the Manager Planning and Regulatory that addressed the questions of whether there was a continuing need to have an Aviation Strategy and, if so, would it be possible to proceed with the proposal using expertise limited staff.

The report identified a continuing need for the Strategy and noted that Aviation Planning is a specialist field and such a strategy would not be able to be effectively compiled with existing staff resources.

Moved Her Worship the Mayor, seconded Councillor Montagu and **Resolved** that the report from the Manager Planning and Regulatory be received.

Supplementary Agenda

Moved Councillor Stapleton, seconded Councillor Montagu and **Resolved** that the Supplementary Agenda be received and considered.

5.6 Annual Report on Dog Control Policy and Procedure:

The Manager Planning and Regulatory tabled a draft report as required by Section 10A of the Dog Control Act 1996 for the year ended 30 June 2011.

Moved Councillor Montagu, seconded Councillor Thomson that the Annual Report of Dog Control Policy and Procedure be adopted.

The meeting closed at 12.50pm and after lunch Members met in a Workshop to consider the next stages of the District Plan Review and considered a report prepared by the District Planner regarding resourcing issues.

**NEXT MEETING – WEDNESDAY 16 NOVEMBER 2011
COMMENCING AT 9.00 AM**

MEETING CLOSED AT 12.50PM.

Deputy Mayor Bryce Thomson
Chairperson

Date

MAYOR'S ACTIVITIES JULY/AUGUST 2011

- Several meetings with TWC rep, Jenny Keogan
- Two meetings re: All Blacks visit
- Lions Club, Change of Officers' dinner
- Citizenship ceremony
- Meeting re: visiting international singer Toni Childs
- Junk to Funk show at Museum
- Meeting with MP Chris Auchinvole
- Opening of Franz Josef Health Services Facility
- Woman Achiever of the Year dinner
- Introduction meeting with representatives of Toastmasters
- Meeting with Mastagard
- Visit from Japanese students
- Presentation to winner of letter writing competition for visiting All Blacks chaperone
- Meeting with Polytech re: education opportunities on the Coast
- Meeting with Ned Tauwhare re: White Ribbon activities and other updates
- Strategy Committee meeting.

A wonderful evening was hosted by Soroptimists to celebrate high achieving women on the West Coast. Overall winner was Dr. Anna Dyzel in recognition of her professional and volunteer contribution to the community. I seek Council's support to write to Dr. Anna in recognition of her achievement with our appreciation for her efforts.

An initial conversation was held with Roderick from the Polytech on how we can re-shape education on the Coast to make it more appropriate to the work environment. My thoughts were received positively and it is intended to invite key employers to explore how to move forward in partnership with education/training institutions.

Franz Josef is now home to a state of the art health facility complete with receptionist, a first for South Westland. Modern video conferencing equipment allows instant access to specialist consultations. A demonstration at the formal opening showed a specialist based in Christchurch explaining brain scan images (visible on screen) to a family whose child had been ill. The family could see exactly what the specialist was discussing and recommended the on-going treatment to the family and the local GP. The value to the community is immeasurable. A second GP is also on staff in South Westland, relieving Dr. London of some of his case load. *"A world class tourist destination with world class infrastructure"*.



Recommendations to Council

DATE: 18 August 2011

4. GENERAL BUSINESS

4.1 Recommendations from Council Committees

4.1.1 Strategy Committee Meeting – 17 August 2011

The Strategy Committee met on 17 August 2011.

a) Dangerous, Earthquake-prone and Insanitary Buildings Policy

This policy is due for review and the Committee has been in consultation with the public and the industry.

A draft policy has been prepared and it is based on the policy previously adopted. Several amendments have been made that reflect the outcome of the consultation undertaken.

The policy must now proceed through the Special Consultative Procedure.

The Committee **recommends**

1. **THAT** the reviewed Dangerous, Earthquake-prone and Insanitary Buildings Policy be adopted using the Special Consultative Procedure pursuant to Section 87, Local Government Act 2002. *(Pages 16-34)*

b) Gambling Venue Policy

The Committee has been dealing with submissions and has sponsored a Social Impact Assessment Workshop on the effects of gambling in Westland. The policy has been through the Special Consultative Procedure and has been amended as a result of the submissions received and the Social Impact Assessment.

The Committee **recommends**

2. **THAT** the Westland District Council Class 4 Gambling Venue Policy be adopted. *(Pages 35-37)*

c) Smokefree Environments Policy

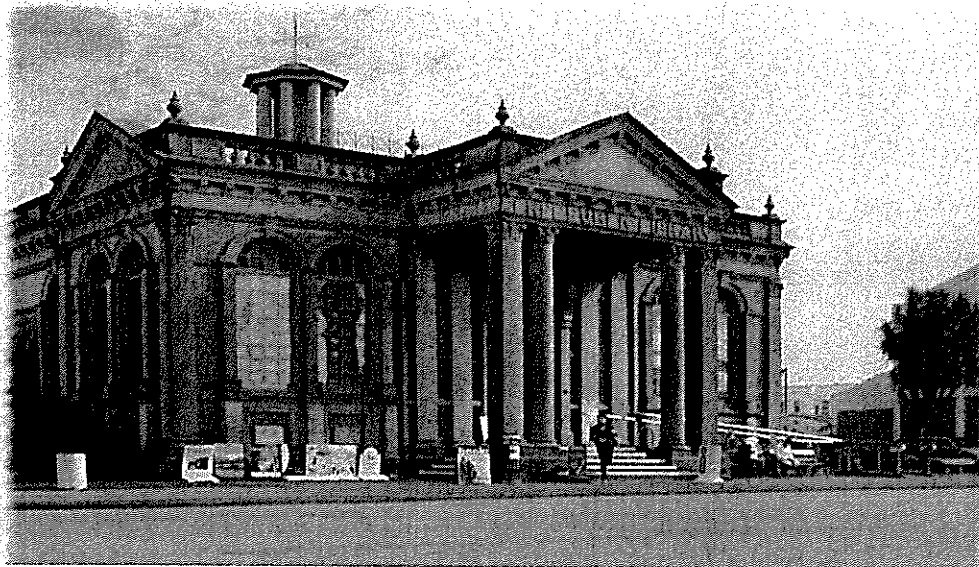
The Committee has met with the West Coast Tobacco Free Coalition and has considered a draft policy relating to Council buildings and public places.

The Committee **recommends**

3. **THAT** the draft Smokefree Environments Policy be adopted. *(Page 38)*



DANGEROUS, EARTHQUAKE-PRONE AND INSANITARY BUILDINGS POLICY



FIRST Adopted by Council on Thursday 21 September 2006

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1. INTRODUCTION AND BACKGROUND

Section 131 of the Building Act, 2004 requires territorial authorities to adopt a policy on dangerous, earthquake-prone and insanitary buildings by 31 May 2006.

This document sets out the policy adopted by Westland District Council in accordance with the requirements of the Building Act, 2004.

The policy is required to state:

1. The approach that the Westland District Council will take in performing its functions under the Building Act 2004;
2. Westland District Council's priorities in performing those functions; and
3. How the policy will apply to heritage buildings.

In developing and adopting its earthquake-prone buildings policy, Westland District Council has followed the consultative procedure set out in section 83 of the Local Government Act 2002.

In preparing this policy, Westland District Council has made extensive use of the Department of Building and Housing's guidance documents.

2. BUILDING ACT PRINCIPLES

Section 4 of the Building Act lays down the principles to be applied in performing functions or duties or exercising powers under the Act. The subclauses appropriate to this policy are as follows:

- (2) *In achieving the purpose of this Act, a person to whom this section applies must take into account the following principles that are relevant to the performance of functions or duties imposed, or the exercise of powers conferred, on that person by this Act:*
 - (a) *when dealing with any matter relating to 1 or more household units,—*
 - (i) *the role that household units play in the lives of the people who use them, and the importance of—*
 - (A) *the building code as it relates to household units; and*
 - (B) *the need to ensure that household units comply with the building code:*
 - (ii) *the need to ensure that maintenance requirements of household units are*

reasonable:

- (iii) *the desirability of ensuring that owners of household units are aware of the maintenance requirements of their household units:*
- (b) *the need to ensure that any harmful effect on human health resulting from the use of particular building methods or products or of a particular building design, or from building work, is prevented or minimised:*
- (c) *the importance of ensuring that each building is durable for its intended use:*
- (d) *the importance of recognising any special traditional and cultural aspects of the intended use of a building:*
- (e) *the costs of a building (including maintenance) over the whole of its life:*
- (f) *the importance of standards of building design and construction in achieving compliance with the building code:*
- (g) *the importance of allowing for continuing innovation in methods of building design and construction:*
- (h) *the reasonable expectations of a person who is authorised by law to enter a building to undertake rescue operations or firefighting to be protected from injury or illness when doing so:*
- (i) *the need to provide protection to limit the extent and effects of the spread of fire, particularly with regard to—*
 - (i) *household units (whether on the same land or on other property); and*
 - (ii) *other property:*
- (j) *the need to provide for the protection of other property from physical damage resulting from the construction, use, and demolition of a building:*
- (k) *the need to provide, both to and within buildings to which section 118 applies, facilities that ensure that reasonable and adequate provision is made for people with disabilities to enter and carry out normal activities and processes in a building:*
- (l) *the need to facilitate the preservation of buildings of significant cultural, historical, or heritage value:*
- (m) *the need to facilitate the efficient use of energy and energy conservation and the use of renewable sources of energy in buildings:*
- (n) *the need to facilitate the efficient and sustainable use in buildings of—*
 - (i) *materials (including materials that promote or support human health); and*
 - (ii) *material conservation:*
- (o) *the need to facilitate the efficient use of water and water conservation in buildings:*

- (p) *the need to facilitate the reduction in the generation of waste during the construction process.*

3. DEFINITIONS OF BUILDINGS COVERED BY THIS POLICY

The definitions of dangerous, earthquake-prone and insanitary buildings are set out in sections 121 - 123 of the Building Act 2004 as follows:

121 Meaning of dangerous building

- (1) *A building is dangerous for the purposes of this Act if,—*
 - (a) *in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause—*
 - (i) *injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or*
 - (ii) *damage to other property; or*
 - (b) *in the event of fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.*
- (2) *For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority—*
 - (a) *may seek advice from members of the New Zealand Fire Service who have been notified to the territorial authority by the Fire Service National Commander as being competent to give advice; and*
 - (b) *if the advice is sought, must have due regard to the advice.*

122 Meaning of earthquake-prone building

- (1) *A building is earthquake prone for the purposes of this Act if, having regard to its condition and to the ground on which it is built, and because of its construction, the building—*
 - (a) *will have its ultimate capacity exceeded in a moderate earthquake (as defined in the regulations); and*
 - (b) *would be likely to collapse causing—*
 - (i) *injury or death to persons in the building or to persons on any other property; or*
 - (ii) *damage to any other property.*
- (2) *Subsection (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building—*

- (a) *comprises 2 or more storeys; and*
- (b) *contains 3 or more household units.*

The definition of moderate earthquake is laid down in the Building Regulations, 2005 as:

“... in relation to a building, an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one-third as strong as, the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at the site.”

123 Meaning of insanitary building

A building is insanitary for the purposes of this Act if the building –

- (a) *is offensive or likely to be injurious to health because –*
 - (i) *of how it is situated or constructed; or*
 - (ii) *it is in a state of disrepair; or*
- (b) *has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or*
- (c) *does not have a supply of potable water that is adequate for its intended use; or*
- (d) *does not have sanitary facilities that are adequate for its intended use.*

4. OVERALL APPROACH

4.1 Policy Principles

Westland District Council has noted that provisions of the Building Act 2004 in regard to dangerous, earthquake-prone and insanitary buildings reflect the government’s broader concern with the health and safety of the public in buildings and, more particularly, the need to address human safety in the event of an earthquake.

Council is committed to ensuring that the Westland District is a safe and healthy place to live and work while also ensuring that the District continues to develop and thrive. This policy supports the following outcomes from the Westland District Long Term Plan:

- **Community Outcome – Health:** Healthy communities with access to quality facilities and services.
- **Community Outcome - Safety:** A District that is a safe place to live.

- Community Outcome – Environment: The distinctive character of the environment is appreciated and maintained.
- Community Outcome – Identity: A “happening” region with a strong community spirit and distinctive lifestyle.

Westland District Council has also noted that the development of dangerous, earthquake-prone and insanitary building policies is up to each territorial authority to determine and has responded accordingly.

This policy was first developed and finalized after due consultation with Westland District Council ratepayers and stakeholders in accordance with Section 83 of the Local Government Act 2002. This process involved a submission period and an opportunity for submitters to be heard before the Council decided on final policy content. As a result of that consultative approach, the Council resolved that no part of this policy will apply to Council and Transit New Zealand infrastructure covered by an Asset Management Plan.

The review of the policy commenced in February 2011 with consultation with the public and building owners. The Council also took advice from a structural engineer who had experience with the aftermath and repair of buildings in Christchurch subsequent to the September 2010 and February 2011 earthquakes.

4.2 District Characteristics

The built environment of the Westland District has developed over the last 150 years. European settlement has largely been based around the original early settlements. Construction of buildings has been according to the standards and styles of the period.

Local buildings comprise a range of types and ages with construction techniques ranging from wood and unreinforced masonry buildings to a few modern multi-storey steel and concrete buildings. The great majority of buildings are one or two-storey only.

Westland District is presently experiencing a period of steady economic growth that reflects the confidence in greater agricultural productivity, a growth in tourist activity, increased land prices and an influx of new residents.

Westland District is in a zone of high to moderate seismic activity, with the alpine fault bordering the district, but due to the mountainous terrain – a very low density of building stock exists close to the Main Divide. Farm Buildings and Recreational Huts make up the greater percentage of buildings in this higher risk location of the

District. However, the townships of Franz Josef/Waiiau and Fox Glacier are in very close proximity to the alpine fault.

It is estimated that a movement in the alpine fault could produce shaking intensities in the region of 8 on the Modified Mercalli Scale over much of the District with intensities of 9 on the Mercalli Scale being experienced in the immediate vicinity of the fault line. (Reference:- "Probability and Consequences of the Next alpine fault Earthquake – Geotech Consulting Ltd"). Additionally, it is estimated that the next large to great earthquake rupture has a likelihood of being between 25% - 33% probability in the next 50 years.

In developing this policy the Westland District Council must balance the need to protect public health and safety against the economic implications of requiring significant remedial building work and the community's desire to protect heritage structures.

Dangerous and Insanitary Buildings are addressed in this first part of the Policy, while Earthquake Risk Buildings are addressed in the second part.

5. DANGEROUS AND INSANITARY BUILDINGS POLICY

5.1 Policy Approach

Conversions of existing buildings, lack of maintenance, lack of appropriate facilities, overcrowding and un-consented alterations can cause serious health and safety problems.

The failure to obtain a building consent or the use of buildings for unauthorised purposes can pose a danger to the occupants as well as users. Dangers may include danger of collapse, inadequate fire protection or means of escape.

The development of the New Zealand Building Code and associated standards creates, over time, an effective "raising of the bar" for the standards which buildings and Building Owners must meet. Existing buildings must be maintained appropriately in order to continue to meet such standards.

The Council is actively involved in educating the public on Building Act matters with a view to encourage owners to obtain building consent where necessary. The Council treats building safety as a serious matter; buildings must be safe for their intended use and for Occupiers.

5.2 Identifying Dangerous or Insanitary Buildings

The Council will identify potentially dangerous or insanitary buildings on the basis of:

1. Complaints from members of the public.
2. Advice received from Council staff.
3. Complaints or advice from other agencies (e.g. local health providers, NZ Police, trades people).

5.3 Assessment/Prioritisation Criteria

The Council will assess potentially dangerous or insanitary buildings in accordance with sections 121(1) or 123 of the Act as appropriate and in terms of the level of risk to public health or safety that is presented.

The Council will give priority to buildings that have been determined to present such a high level of risk as to warrant immediate action to remove the risk.

Options for such immediate action include:

- Prohibiting any person from occupying or using the building;
- If necessary, erecting barriers and warning signs, plus securing the building to prevent entry until such time as remedial action can be taken;
- Undertaking remedial action under s129 of the Building Act. Note that, in the case of insanitary buildings, the Council reserves the right to use its powers available under s34 of the Health Act, 1956.

Where the Council undertakes remedial action under either s129 of the Building Act or s34 of the Health Act, all costs will be recoverable from the building owner(s) as provided for in the relevant legislation.

Buildings that are determined to present a serious risk which is not immediate will be subject to the minimum timeframes for reduction or removal of the danger (being not less than 10 days) as set out in s124(1) (c) of the Act.

In addition to remedial action, the Building Act 2004 also empowers the Council to prosecute Building Owners and this power may be considered at times by the Council.

5.4 Investigation and Enforcement Process - Dangerous or Insanitary Buildings

The Council will:

1. Respond to and investigate all building complaints received.
2. Identify from these investigations any buildings that are dangerous or insanitary.

3. Assess the level of risk presented by the building and, if required, take immediate action.
4. Inform the owner and occupier of the building to take action to reduce or remove the danger or insanitary condition, as required by s124 and s125 of the Act.
5. Liaise with the New Zealand Fire Service when Council deems it appropriate, in accordance with s121 (2) of the Act which provides that:

“For the purpose of determining whether a building is dangerous in terms of s121 subsection (1) (b), a territorial authority-

(a) May seek advice from members of the New Zealand Fire Service who have been notified to the territorial authority by the Fire Service National Commander as being competent to give advice; and

(b) If the advice is sought, must have due regard to the advice.”

6. Where the building is a heritage building listed in Council’s District Plan or a building listed in the New Zealand Historic Places Register, the New Zealand Historic Places Trust shall also be advised and consulted.

If the building is found to be dangerous or insanitary but does not present an immediate risk the Council may:

7. Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger.
8. Give copies of that notice to the building owner, occupier and every person who has an interest in the land, or is claiming an interest in the land, as well as the New Zealand Historic Places Trust, if the building is a registered heritage building.
9. Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
10. Where the danger is the result of non-consented building work the owner will formally be requested to provide an explanation as to how the work occurred and who carried it out and under whose instructions.
11. Pursue enforcement action under the Building Act 2004 and Health Act 1956 and recover actual and reasonable costs.

All owners have a right of objection as defined in the Act, which can include applying to the Department of Building and Housing for a determination under s 177(e) of the Act. However a formal objection process will be available whereby written objections may be lodged with the Council for a hearing and review by the Council or an appropriate Council Committee. Council will reserve the right to recover costs of this process from Objectors and / or Building Owners.

5.5 Interaction between this Policy and Related Sections of the Act

Section 41 of the Building Act 2004 provides for situations where, because of the urgency of the work to be done, it is not practical to apply for a building consent before the work is undertaken. In cases where a building is assessed as being immediately dangerous the Council may not require a building consent to be obtained for any building work considered to be immediately necessary to remove the danger. However, prior to any action being taken it is essential that building owners provide a written proposal of any proposed works to the Council for agreement on the matter.

5.6 Record Keeping

Any buildings identified as being dangerous or insanitary will have a requisition placed on the Council's records for the property on which the building is situated until the danger or insanitary condition is remedied.

In addition, the information will be placed on any Land Information Memorandum (LIMs) and will be available for public release in accordance with the provisions of Local Government Official Information and Meetings Act 1987.

6. EARTHQUAKE-PRONE BUILDINGS POLICY

6.1 Policy Approach

Because of the high to moderate seismic risk, with the alpine fault extending through the length of the District, Westland District Council has pursued a policy of encouraging the strengthening of earthquake-prone buildings through the building consent process and at times when alterations are being considered. It was clear during the review of the original policy that building owners took the opportunity of undertaking seismic upgrading work when other building work was carried out.

In developing this policy further the Westland District Council must balance the need to protect public health and safety against the economic implications of requiring significant remedial building work and the community's desire to protect heritage structures. In some instances, property owners have acted on their own accord and have carried out strengthening work.

Some buildings have also been strengthened in accordance with the requirements of Section 46 of the Building Act 1991 and as a result of the previous version of this policy.

In developing its approach to this policy, Westland District Council has to consider key issues of:

- Economic impacts of progressively strengthening building stock in anticipation of an earthquake that could damage the building stock.
- Economic impacts of NOT strengthening building stock and incurring the cost of repair / replacement all at the same time and at the same time that infrastructure may be damaged and require repair as the result of an earthquake.
- The level of risk to human life and safety which can be tolerated over both the short and long term if building strengthening is delayed.

In considering the key issues, the Council needs to achieve a balance between a number of conflicting issues and concerns:

- The safety of the public when an earthquake event occurs.
- The likelihood, severity and potential timing of a major earthquake and effects on different locations within the District.
- The economic impact on the District of a major earthquake.
- The relative age and condition of non-residential buildings within the District.
- The costs of undertaking a comprehensive review of potentially earthquake-prone buildings and the availability of funding for this work.
- The costs of planned and progressive strengthening of buildings versus the economic impact of catastrophic failures caused by an earthquake.
- The costs to building owners of undertaking various levels of strengthening work and the potential economic impact (including loss of businesses) to the District.

- The risk that buildings which are uneconomic to strengthen will be demolished and that the character of the built environment in Westland District will alter as a result.
- The potential loss of heritage buildings as the result of this process.
- The need for statutory compliance by Building Owners and the Council.

Westland District Council's Earthquake-Prone Building Policy needs to reflect Council's approach to reduce earthquake risk over time, but in a way that is acceptable to its ratepayers in terms of the key well-beings; - economic, social, environmental and cultural.

6.2 Identifying Earthquake-Prone Buildings

As part of the policy review process, a list of buildings in Westland considered to be "possible earthquake prone buildings" was compiled (acknowledged to be a desktop exercise and not an exhaustive list) and the Council has elected to liaise with the owners of those buildings about this policy.

The following criteria will now apply;-

1. When a Building Consent Application is received, or;
2. When a "Change the Use" occurs; or
3. When complaints are made or concern is received about the state of a building and the Council considers there are grounds for further investigation and assessment.

6.2.1 Building Consent Applications

On receipt of an application for a Building Consent relating to alterations to an existing building, the Council will require an assessment of structural strength of the entire building or parts of the building. Such an assessment will address whether or not the building could be earthquake-prone.

Where a Building Consent is applied for and a satisfactory assessment of structural strength of the building, or relevant parts of the building, has NOT been accepted by the Council, then a Building Consent will not be issued or progressed further, until the Council has been satisfied that the building

currently meets the minimum requirements of this policy for structural strength, or will do so upon completion of the proposed works.

6.2.2 “Change the Use” Applications

All owners wishing to change the use of a building must advise the Council of their intentions and the Council must be satisfied that the requirements of section 115 of the Building Act 2004 can be met after the change of use has occurred..

Section 115 of the Act requires that, where the use of a building changes, and prior to issuing a code compliance certificate, the Council must be:

*“satisfied, on reasonable grounds, that the building, in its new use, will –
(i) comply, as nearly as is reasonably practicable and to the same extent as if it were a new building, with the provisions of the building code that relate to –
(A) means of escape from fire, protection of other property, sanitary facilities, structural performance...”*

6.2.3 Complaints

Potentially earthquake-prone buildings may also be identified as the result of complaints about a specific building or following investigations into complaints about dangerous or insanitary buildings.

6.3 Assessment and Strengthening Criteria

For practical purposes relating to this policy, Westland District Council will define earthquake-prone buildings as those that, when subject to moderate earthquake shaking, do not achieve 33% of ultimate limit state as defined in the loadings and materials Standards for new buildings, with the exception of those buildings that have special strategic “Life Lines” importance to the Westland District as set out in section 6.3.2 of this policy.

The Council will require prior assessment and reporting by an appropriately qualified person or persons of the structural strength of a building, at the Building Owners expense. Such assessment will be provided to the Council before a Building Consent is issued for any structural work on the building or parts of the building.

Where the building (or part of the building) is assessed as being potentially earthquake-prone the Council will require the building owner to undertake, the strengthening work detailed in the Structural Strength Assessment Report that has been accepted by the Council in conjunction with the work that prompted the need for the assessment.

Notwithstanding the above, if at any time a building poses a risk to persons or property due to the risk of partial or total collapse in an earthquake, then the Council may declare the building dangerous and proceed in accordance with adopted policy in that regard.

6.3.1 Assessment Process, Criteria and Cost

Assessment of whether or not a building is earthquake-prone will be undertaken by an appropriately qualified person – i.e. a Chartered Professional Engineer with expertise in Earthquake Engineering and preferably recognised by the New Zealand Society of Earthquake Engineers. The Council anticipates that in the majority of occasions that the Building Owner will commission Structural Strength Assessment Reports on affected buildings. However the Council recognizes, that at times to fulfill its statutory obligations, some investigation and assessment may have to be commissioned by the Council and recovered from the Building Owner.

In addition to the more generic risks of the likely probability and magnitude of an earthquake affecting the building, assessments will take into account the following factors specific to the building and its site:

- Hazard – geographic proximity to an earthquake hazard/fault line.
- Vulnerability of site – building site conditions, especially with regard to liquefaction risk and soil types.
- Vulnerability of building – construction methods, materials, maintenance, current condition, height, design and loadings.
- Importance – of building and/or contents, e.g. strategic value of the building.
- Damage – risk of the building damaging neighbouring property.
- Exposure – the numbers of people using the building and frequency of use.

In all situations Building Owners will be required to fund 100% of costs incurred in assessment and strengthening of a building, including Objection Hearings Panel, Council staff, consultancy and legal costs, unless the Councils Funding Policy specifically contains provision for remission due to public benefit.

6.3.2 Strengthening Requirements

Westland District Council will use the New Zealand Society for Earthquake Engineering Recommendations as its preferred basis for defining technical requirements and criteria. These Recommendations are designed to be used in conjunction with AS/NZS 1170 Loadings Standard, NZS 3101 Concrete Structures Standard, NZS 3404 Steel Structures Standard and other materials Standards.

Where a building is formally identified as being earthquake-prone, the Westland District Council will apply the following strengthening criteria:

“A Buildings” with special post-disaster functions as defined in AS/NZS 1170.0: 2002, Importance Level 4, to be strengthened to a minimum of 67%.

“B Buildings” that contain people in crowds or contents of high value to the community as defined in AS/NZS 1170.0: 2002, Importance Level 3, to be strengthened to a minimum of 33%, with strengthening to 67% to be strongly encouraged.

“C Heritage” buildings listed in Council’s District Plan Schedule, Marae and buildings listed in the New Zealand Historic Places Trust Register to be strengthened to a minimum of 33%.

“D Buildings” with an Importance Level of less than 3 as defined in AS/NZS 1170.0: 2002 and identified as being earthquake-prone to be strengthened to a minimum of 33%.

6.4 Liaison with Building Owners and Taking Action on Buildings Likely to be Earthquake-Prone

Before exercising its powers under section 124, Westland District Council will seek to discuss options for remedial action with affected building owners to reach agreement on the best approach to deal with the danger. The building owner will then be required to submit a formal proposal to Council which confirms the works to be undertaken to strengthen the building, remove the danger or remove the building.

In the event that discussions do not result in a mutually acceptable proposal, Westland District Council will serve a formal notice on the building owner to strengthen or demolish the building. A Building Consent will not be issued that could extend the building life or maintain / increase the level of danger to building occupants or neighbouring persons / buildings, unless the Building Consent also includes strengthening of the building / parts of the building, to the Councils’ satisfaction.

Westland District Council will:

- i. Advise and liaise with the owners of buildings identified as earthquake-prone.
- ii. Encourage building owners to carry out an independent assessment of the structural performance of those buildings identified as earthquake-prone.
- iii. Serve formal notices on owners of earthquake-prone buildings in accordance with the building act 2004, requiring them to remove the danger.
- iv. Allow building owners to object to the classification of the building within 12 months of receipt of the notice.

6.5 Interaction Between Earthquake-Prone Building Policy and Related Sections of the Act

6.5.1 Section 112: Alterations to Existing Building

Whenever a building consent application is received for significant upgrading or alteration of a building that is or could be earthquake-prone, then, irrespective of the general priorities set by Westland District Council for dealing with earthquake-prone buildings, the Council will not issue a building consent unless it is satisfied that the building is not earthquake-prone and that the building work will not detrimentally affect the building's compliance with the Building Code. The obligation rests upon the Building Owner to show that the building is not of lesser levels of earthquake resistant strength than shown in this policy.

6.6 Recording a Building's Earthquake-Prone Status

Westland District Council will keep a register of all earthquake-prone buildings noting the status of requirements for improvement or the results of improvement as applicable.

In addition, the information will be placed on any Land Information Memorandum (LIMs) and will be available for public release in accordance with the provisions of Local Government Official Information and Meetings Act 1987. The information will be available at the Council offices and via the LIM process.

7. **HERITAGE BUILDINGS**

Heritage buildings are those listed in Councils District Plan Schedule, Marae and buildings listed in the New Zealand Historic Places Trust Register. The Building Act 2004 recognises that special provision shall be made for such buildings. Westland District Council believes it is important that its heritage buildings have a good chance of surviving a major earthquake in order to retain these important connections to the District's history and unique character.

However, Westland District Council does not wish to see the intrinsic heritage values of these buildings adversely affected by structural improvement measures.

Heritage buildings will be assessed in the same manner as other potentially dangerous, earthquake-prone or insanitary buildings and as per ss121-123 of the Act and discussions will be entered into with the owner and the New Zealand Historic Places Trust (pursuant to s125(2)(f) where the building is contained in their Register) to identify a mutually acceptable way forward which meets heritage objectives and Building Act requirements included in this Policy as near as is reasonably practicable in the circumstances.

Council will serve notices requiring upgrading or demolition within specified timeframes, in consultation with building owners. A copy of any notice issued under s124 of the Act will be sent to the Historic Places Trust in the case of all heritage buildings. Any upgrading work must take into account the principles of the International Council on Monuments and sites (ICOMOS) NZ Charter, any advice from Council's heritage staff or other heritage professionals or organisations, where applicable and should be designed to involve minimal loss to heritage fabric.

Waivers of modifications of the building code will be considered on a case by case basis and seismic strengthening methods that respect heritage values will be supported.

It is not expected that Council Funding of Structural Strength Assessments and Strengthening Works will occur. The Councils' Funding Policy will also be relevant to this matter.

Demolition is an option of last resort for heritage buildings.

8. **OBJECTIONS**

In the first instance, building owners or other directly affected parties who wish to object to a building being (or not being) declared dangerous, earthquake-prone or insanitary should record their objections in writing to the Council Chief Executive Officer who will undertake an investigation of the circumstances of the building and the reasons behind the Councils' decision on the matter and arrange for an appropriate Committee of Council to review the decision and if necessary to hear evidence from parties involved. The Committee decision will be provided by way of response to an objection.

Further legal remedies and application to the Department of Building and Housing for a Determination are also available to Building Owners.

The Council reserves the right to recover actual and reasonable costs incurred in conducting review and objection processes, in accordance with fees set from time to time.

Priority will be given to objections where the building has been declared to be of such a risk as to require immediate remedial action so that no undue delays are caused.

8.1 Determinations

Building owners and a variety of other interested parties can formally object to the Council's decision through the right to apply to the Chief Executive of the Department of Building and Housing for a determination. Determinations can be applied for concerning the Council's decisions to issue or not issue a consent or code compliance certificate, or to exercise its powers concerning dangerous, earthquake-prone or insanitary buildings. Sections 176 – 190 of the Building Act lay out the requirements for determinations.

9. ECONOMIC IMPACT OF POLICY

The economic impact of the dangerous and insanitary buildings section of this policy is assessed as being minor, since there are relatively few such issues each year.

The economic impact on the District of an earthquake involving the alpine fault is likely to be very substantial given the probability of a significant earthquake that is predicted to adversely affect building structures in the District. Given the high level of risk (in terms of both severity and likelihood), it would seem reasonable for Westland District Council to pursue a much more proactive stance on earthquake-prone buildings. However, the Council is sensitive to issues such as the limited rating base and potential costs to Building Owners.

10. REVIEW

Pursuant to section 132 of the Building Act 2004 this policy is required to be reviewed by the Council every 5 years. Any amendment or replacement of the policy must be in accordance with the Local Government Act 2004 Special Consultative Procedure.

This policy was first adopted by the Westland District Council on Thursday 21 September 2006. It was reviewed and amended in 2011 and was adopted on

GAMBLING VENUE POLICY

1. Objectives of the Policy

- 1.1 To minimise the harm to the community caused by gambling;
- 1.2 To control the growth of gambling in the District;
- 1.3 To ensure the Council and the community have influence over the provision of new gambling venues in the District;
- 1.4 To allow those who wish to participate in gaming machine or TAB gambling to do so responsibly within the District.

2. Where TAB Venues may be established

TAB Venues may be established within the Westland District subject to:

- 2.1 Meeting application and fee requirements;
- 2.2 Not being a venue primarily associated with family or children's activities.
- 2.3 No stand-alone TAB venue may be used for gambling involving a gaming machine.

3. Where Class 4 Gambling Venues may be established

Class 4 Gambling Venues may be established within the Westland District subject to:

- 3.1 Meeting the application and fee requirements;
- 3.2 Not being a venue primarily associated with family or children's activities;
- 3.3 New venues must provide a separated area for Class 4 Gambling;
- 3.4 Established venues applying to increase the number of gaming machines within the venue must provide a separated area for Class 4 Gambling.

EXCEPT that as from 1 January 2012 no new Class 4 Gambling Venue shall be permitted to be established in Hokitika.

4. Number of gaming machines to be allowed

- 4.1 New venues shall be allowed a maximum of no more than 9 gaming machines;
- 4.2 Venues with licences issued after 17 October 2001 and operating fewer than 9 gaming machines shall be allowed to increase the number of gaming machines operated at the venue to 9;
- 4.3 Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines in the venue to no more than 9 and where, at the date of the adoption of this policy,

existing numbers of machines are greater than 9, that number can be maintained.

5. Applications

Applications for consent for new venues must be made on the approved form and must provide:

- 5.1 Name and contact details of the applicant;
- 5.2 Street address of the premises;
- 5.3 A site plan covering both gambling and other activities proposed for the venue;
- 5.4 Details of any liquor licence(s) applying to the premises;
- 5.5 Any relevant gambling harm minimisation policies;
- 5.6 Suitability of the applicant.

6. Decision Making

- 6.1 Upon receipt of a complete application form containing all required information and the full application fee, the Council has 30 working days to determine a decision;
- 6.2 The decision on an application will be made by the Planning and Development Committee pursuant to delegated authority and be based on the criteria detailed in this policy.
- 6.3 Where applications for Class 4 Gambling Consents can be demonstrated to be in full compliance with Council's Class 4 Gambling Policy, the approval of the application is delegated to the Chief Executive Officer.

7. Application Fees

These will be set by the Council from time to time, and shall include consideration of:

- 7.1 The cost of processing the application, including any consultation and hearings involved;
- 7.2 The cost of establishing and triennially reviewing the Class 4 Gambling Venue and TAB Venue policy;
- 7.3 The cost of inspecting Class 4 Gambling Venues on a regular basis to ensure compliance with consent conditions;
- 7.4 A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

8. Monitoring and Review

- 8.1 The Council will review the policy within 3 years of its adoption and then within 3 years after that review and after each subsequent review;
- 8.2 The Council will monitor the social and economic impact of gambling on the community as part of the policy review process;

- 8.3 The Council may amend this policy as a result of the findings of the social and economic impact monitoring;
- 8.4 Any review or amendment of this policy will be undertaken in accordance with the special consultative procedure outlined in the Local Government Act 2002.

9. Commencement of Policy

- 9.1 This policy is required to be adopted by the Council in accordance with the special consultative procedure provided for in the Local Government Act 2002.
- 9.2 The initial resolution to adopt this policy was passed by the Westland District Council at an ordinary meeting of the Council held on 21st October, 2010 and was confirmed, following consideration of submissions received and undertaking a Social Impact Assessment workshop during the special consultative procedure, by a resolution at a meeting of the Council held on
- 9.3 This policy will take effect from the day after its adoption by the Council.

Westland District Council

Smokefree Environments – Council Buildings & Public Spaces

SCOPE

This policy applies to Council owned buildings, swimming pools, playgrounds, parks and sports fields.

RELEVANT LEGISLATION

This policy has been prepared in accordance with the Smokefree Environments Act (1990).

GENERAL POLICY

This is an educational policy. The Westland District Council will be proactive in promoting a healthier community. The Council will demonstrate leadership by promoting a Smokefree lifestyle as being both desirable and the norm in the Westland District. Adults using Council facilities including parks and playgrounds will be smokefree role models for children and young people.

Council Owned Buildings

All Council workplaces are Smokefree work environments, including Council vehicles.

All Council owned enclosed public facilities, such as public halls, are Smokefree. Appropriate signage will be clearly displayed.

Council owned Swimming pools and Surrounds

All Council owned swimming pools are designated smokefree areas, including the outdoor area surrounding the pools. Appropriate signage will be displayed at the entrance to each pool and inside the grounds of each swimming pool.

Council owned Playgrounds and Parks

The public will be asked to refrain from smoking in Council owned playgrounds and parks. Signage will be displayed at the entrance to parks and beside playgrounds asking people to refrain from smoking. Messages on the signage will be positive rather than punitive.

Memo



DATE: 16 August 2011
TO: Mayor and Councillors
FROM: Manager Audit and Compliance

MAJOR DISTRICT INITIATIVE (MDI) FUNDING TO AUGUST 2011

Westland District Council has had a total of six applications for MDI funding for projects in Westland approved by Development West Coast.

Total Major District Initiative funds available to Council from Development West Coast, based on their allocation to each Council of \$400,000 per annum, up to 2020 is:

TO	MDI Allocation	MDI Funds Committed by Westland District Council
30 June 2009	\$1,600,000	\$829,373
30 June 2010	\$2,000,000	\$1,844,063
30 June 2011	\$2,400,000	\$2,044,063
30 June 2012	\$2,800,000	\$2,523,063
30 June 2013	\$3,200,000	\$3,523,063
30 June 2014	\$3,600,000	
30 June 2015	\$4,000,000	
30 June 2016	\$4,400,000	
30 June 2017	\$4,800,000	
30 June 2018	\$5,200,000	
30 June 2019	\$5,600,000	
30 June 2020	\$6,000,000	

Summary of Westland Projects Approved by Development West Coast and Council

	Approved	Total Project Cost	MDI Funding
Westland District Library Relocation	November 2008	752,912	489,373
Regent Theatre Restoration		1,400,000	
- Stage 1	November 2008		340,000
- Stage 2	November 2009		570,000
Donovan's Store Okarito Restoration	November 2008	323,375	78,375
Westland I-SITE Relocation	July 2009	456,850	296,952
Hokitika Gorge Development	September 2009	393,822	82,014
4th Westland Boys Brigade Extension	October 2009	576,852	247,349
Harihari Community Complex	June 2008	1,021,400	455,000
TOTAL MDI PROJECTS APPROVED BY DWC		\$4,925,211	\$2,559,063
Projects Approved by Council but not yet submitted to DWC			
Fox Glacier Community Centre	June 2009	5,500,000	1,000,000
TOTAL MDI PROJECTS		\$10,425,211	\$3,559,063

Projects completed and funds expended to August 2011 are:

Regent Theatre Restoration - Stage 1	Completed October 2009	340,000
Hokitika Library Relocation	Completed June 2009	489,373
Relocation of Hokitika i-SITE	Completed May 2010	296,952
Hokitika Gorge Upgrade	Completed March 2010	82,014
4 th Westland Boys Brigade	Completed August 2011	247,349
Total Projects Completed and Funds Expended		1,455,688

Projects started but not completed and expenditure to August 2011 are:

Regent Theatre – Stage 2	Est Completion 2012	256,667
Donovan's Store Okarito	Est Completion April 2011	18,060
Total Projects Started But Not Yet Completed		274,727

Actual MDI Funds Expended to August 2011 **\$1,730,415**

Assuming that projects are carried out in accordance with plans and MDI funds are uplifted, Council has committed \$3,559,063 to 30 June 2013. This includes any projects included in the LTCCP or Annual Plans but not yet submitted to DWC, as total funding requirement has not yet been obtained. The only project in this category is the Fox Glacier Community Centre.

The third and final instalment of MDI funding was transferred to the Boys Brigade in August 2011 to pay for kerb and channelling and other finishing work to the grounds and building. The Boys Brigade are now considering ways to raise the extra \$77,000 required to complete the project.

Council allocated \$444,000, at its meeting on 18 December 2008, to the Harihari Community Complx, including new public toilets, with funds to be released over two years from the 2009/2010 year, with \$200,000 to be available in 2009/2010 and \$219,000 in 2010/2011. Estimates for the construction of the facility were higher than originally estimated at \$1,021,400 and a Community Facilities Fund application was submitted to the NZ Lotteries Board for the remaining \$240,000 required to complete the project. This application was successful with the Lottery Board approving the total amount applied for of \$240,000. An application was then submitted to Development West Coast for approval of the MDI funding of \$455,000. This was approved at the DWC meeting on 9 August 2011. The final building plans can now be completed and tenders called for the construction of the facility.

Council resolved, at its meeting held on Tuesday 30 June 2009, to commit \$1 million MDI funding to the Fox Glacier Community Centre plus a further \$500,000 from the proceeds of land sales over the following two years. It also resolved to determine over the next 12 months how Council could commit another \$500,000, from other funding sources, toward the project over the next three years. Possible funding sources noted were land sales, the Reserves Development Account or loans financed by the local community by way of a special rate. This project is the next priority for Westland District Council for MDI funding assistance but is reliant on the extra funds required being raised by the Community Group driving the project by 2012, before the project will be included in the 2012-2022 LTCCP. The status of this fundraising needs to be determined.

Summary of MDI Funding Committed by Council

	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013+	Total
Approved						
Regent Theatre Restoration	340,000	310,000		260,000		910,000
Library Relocation	489,373					489,373
Westland Business Unit		296,952				296,952
Donovan's Store Restoration		78,375				78,375
Harihari Community Complex				455,000		455,000
4 th Westland Boys Brigade		166,640	80,709			247,349
Hokitika Gorge Development		82,014				82,014
Fox Glacier Community Centre					1,000,000	1,000,000
Total Projects	\$829,373	\$933,981	\$80,709	\$715,000	\$1,000,000	\$3,559,063

Recommendation:

1. **THAT** this report be received.

Geoff Day
Manager Audit and Compliance

Memo



DATE: 16 August 2011
TO: Mayor and Councillors
FROM: Manager Audit and Compliance

DEVELOPMENT WEST COAST MDI FUNDING APPLICATION **HARIHARI COMMUNITY COMPLEX \$455,000**

Development West Coast approved the MDI funding application of \$455,000 for the Harihari Community Complex at its meeting held on 9 August 2011.

A copy of the proposed Key Performance Measures and conditions are attached for Council's approval, as well as the Council Minutes of 18 September 2008 approving the MDI funding subject to certain conditions, which have now been met or addressed.

Recommendation

1. **THAT** Council accept the KPI's as recommended by Development West Coast.

Geoff Day
Manager Audit and Compliance

DW L 6.7



Development
West Coast

SCANNED

REG	NO	MPN	NO	MAC	DE	MPA	CSO	ENV
					✓	✓		
				Ⓞ				

10 August 2011

Geoff Day
Manager Audit and Compliance
Westland District Council
Private Bag 704
Hokitika

Dear Geoff,

MDI Application - Harihari Community Centre.

At their meeting of 9th August 2011 Trustees resolved to adopt the following;

1. That Development West Coast provide a grant of \$455,000+GST, of accrued MDI funding to the Westland District Council for the Harihari Community Centre project.
2. That this support is subject to the Westland District Council accepting the proposed KPIs and conditions.

A copy of the draft KPIs / conditions is attached for your perusal.

Should you accept these KPIs / conditions then please contact the undersigned to arrange for formal copies to be forwarded for your sign off.

I look forward to hearing from you in due course.

Yours sincerely

Peter Walls
Senior Business Development Manager

Community Funding

Key Performance Indicators

Agreement to accept key performance indicators between

Development West Coast

and

Westland District Council- Harihari Community Centre Project

1. That Westland District Council shall provide a copy of the construction timeline and agreed invoicing protocols to Development West Coast.
2. That Development West Coast will pay Westland District Council up to \$455,000+GST on receipt of invoices, in line with an agreed Funding Agreement.
3. That Westland District Council will underwrite the ongoing maintenance of the facility and toilets.
4. That there will be no additional funding for this project from Development West Coast
5. That Development West Coast will be recognised in all publicity and promotional material relating to the construction of the Harihari Community Centre.
6. That Development West Coast will be formally recognised on a plaque or similar as the major sponsor of the facility.
7. That the construction of the building and foundations are to be put out for tender.

for Development West Coast

For Westland District Council- Harihari
Community Centre

Date:

Date:

(5)



COUNCIL MEETING

MINUTES OF AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD AT THE WESTLAND DISTRICT COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 18 SEPTEMBER 2008 COMMENCING AT 9.30 AM

1. MEMBERS PRESENT

Action by

Her Worship the Mayor, M.H.Pugh.

Deputy Mayor Councillor B.O. Thomson.

Councillors A.N. Bradley, P.J. Davidson, R.F. Gugich, A.M. Hurley, I.W. Hustwick, K.J. Eggeling, A. Payn, K.R. Scott.

APOLOGIES

Councillor J.G. Birchfield.

ALSO IN ATTENDANCE

R.F. Reeves, General Manager; R.C. Simpson, Manager: Planning and Regulatory (part of the meeting); R.J. Daniel, Manager Operations; G.W. Day, Manager Audit and Compliance; Q.H. Horning, Manager Finance, D. Blight, Community Services Officer (part of the meeting) and D.M. Maitland, Managers' Personal Assistant.

2. CONFIRMATION OF MINUTES:

2.1 Confirmation of Minutes of Meetings of Council:

2.1.1 Ordinary Council Meeting – 21 August 2008.

Moved Councillor Payn, seconded Councillor Bradley and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 21 August 2008, including the "Public Excluded Section" be confirmed as a true and correct record of the meeting, subject to the following amendments:

- i) Regular monthly updates be provided in Council's monthly agendas.
- ii) The Community contribution of a maximum of \$159,000 be funded from increased rental revenue paid by the Wild at Heart Business Unit.

5.6.6 Harihari Community Centre - \$455,000

Moved Councillor Bradley, seconded Councillor Payn and **Resolved** MAC
subject to removal of the word "of" at paragraph 5 that:

The application be approved for submission to Development West Coast subject to:

- i) The land currently occupied by the Pony Club, being sold at the best possible price.
- ii) The RSA be encouraged to move operations to the new facility once it is completed.
- iii) Detailed plans and costing be prepared and approved by Council.
- iv) Council manage the project in consultation with the Harihari Community Association.
- v) The property will be in the ownership of Westland District Council and managed by the Community Association when completed.
- vi) The Community share of \$245,000 to be funded by \$100,000 from the Reserves Development Account and a minimum \$145,000 from proceeds from land sales.

Moved Councillor Eggeling, seconded Councillor Bradley and **Resolved** that regular monthly updates for all the projects be provided in Council's monthly agenda. MAC

Memo



DATE: 16 August 2011
TO: Mayor and Councillors
FROM: Manager Audit and Compliance

NEW HARIHARI COMMUNITY COMPLEX - OPERATING COSTS

Council, at the July meeting requested that potential operating costs for the new Community Complex at Harihari be identified along with funding options.

The facility was approved by Council as a MDI project as part of deliberations of submissions to the 2008/2009 Annual Plan and also listed as a Key Project in the 2009-2019 LTCCP adopted by Council.

The original estimate in 2008 to complete the project in 2008 was \$700,000 but the actual detailed estimates put the construction cost at \$1,021,000.

The community contribution for the project was obtained from the sale of the ex-pony club land behind the South Westland Area School. This was sold at the request of the community by public tender for a net return after expenses of \$189,061 (plus GST).

Funding for the project was to come from \$100,000 allocated in the 2006-2016 LTCCP for new public toilets in Harihari, \$455,000 as approved by Council as part of the 2008/2009 Annual Plan deliberations and the remainder from the sale of the land. A NZ Lottery Board application was then successfully lodged this year for \$240,000 to make up the shortfall in funds from the original estimate.

The facility is expected to operate in line with other community halls in the District with the Community Association to manage and maintain the facility on behalf of Council and apply to Council for financial assistance as part of the Annual Plan or LTP process as required.

Annual depreciation of \$20,420 would be charged against the building being 2% of \$1,021,000 in accordance with Council's Statement of Accounting Policies, but Council should consider if this building should to be depreciated at all as it has been built and financed from sources other than Council rate reserves. Finance has come from the Reserves Development Fund \$100,000, MDI \$455,000, proceeds of land sold in Harihari \$189,061 and NZ Lotteries Board \$240,000 while the remaining \$36,939 will be done by the Community Association in the

form of demolition work or landscaping. It will be maintained by the Community Association.

The building and contents will be insured at Indemnity Value only in accordance with other community facilities of this type in the District at an estimated cost of \$2,200 per annum. Maintenance of the building has been estimated at \$5,000 per annum.

Cost estimates to operate and maintain the facility are attached with the net cost of operation being \$9,200 if the building is not fully depreciated or \$30,420 if full depreciation is charged.

By comparison net costs to operate and maintain other community toilets and facilities in the District for the 2010/2011 year (including overheads) are:

- Haast Hall \$9,589
- Haast Public Toilets \$21,547
- Ross Memorial Hall \$14,671
- RSA Memorial; Hall Hokitika \$8,685
- Hokitika Public Toilets \$49,608

Councils current adopted Revenue and Financing Policy states that Community Halls and Buildings will be funded by at least 10% Fees and Charges and 90% General Rates from across the District.

Recommendation

1. **THAT** Council fund the net estimated operating costs of \$9,200 in accordance with its adopted Revenue and Financing Policy for Community Halls and Buildings, being 10% Fees and Charges and 90% General Rates; or
2. **IF** Council chose to fully depreciate the facility then the net cost of operation would be \$30,420 funded in accordance with the Council Policy as above.

Geoff Day
Ex-Manager Audit and Compliance

Harihari Community Centre - 2012-2013 Projected Annual Operation Costs

Income		
WDC - Public Toilet Grant	6,000	Current Toilet Grant
Public Toilets Donations Box	800	Current Donations
Harihari Playgroup Rental	2,600	\$25 per day X 2 days per week
Community Centre Hire Fees	2,000	Weddings, birthdays, meetings
Sports evenings, bowls, table tennis	2,000	Conservative estimates for regular competitions
Other Revenue	<u>1,000</u>	Dairy Co, CRT, WCRC, DOC etc
Total Revenue		14,400
Expenditure		
Electricity	2,400	\$200 per month
Insurance	2,200	Indemnity and contents
Public Toilet Cleaning and Provisions	6,000	Council Grant
Centre cleaning and materials	5,000	Community Assoc to coordinate
Repairs and Maintenance	5,000	Annual Allowance
Depreciation Contents Only	<u>3,000</u>	Contents only \$3,000
Total Operating Costs		<u>23,600</u>
Net Operating Deficit	-\$	9,200
Depreciation - Building		<u>20,420</u>
Total Cost including Depreciation		\$30,420

Memo

DATE: 17 August 2011
TO: Councillors
FROM: Her Worship the Mayor

SISTER CITY RELATIONSHIP

Background

At the December 1999 meeting of the Westland District Council questions were asked regarding the Sister City Relationship between Hokitika and Deloraine and the current situation.

On checking the file, an approach was made by the Deloraine Municipal Council in Tasmania in October 1981 to establish a sister city relationship with Hokitika and this duly occurred.

During the ensuing years up to the end of the 1980's, dialogue and exchanges of gifts took place and a party of Westland Returned Service Association Members visited Deloraine in 1983.

In 1989, New Zealand Local Government was reformed and the Hokitika Borough Council ceased to exist from 1 November 1989, being amalgamated with the Westland County Council to form the Westland District Council.

From 1 November 1989, the Hokitika/Deloraine relationship remained dormant.

In 2000, a separate committee of Council with Council representatives pursued the relationship. The item was subsequently raised at several Council meetings during the Year 2000.

In July 2000, the Community Development Officer contacted Meander Valley Council seeking a Sister City Relationship and were unanimous in their decision to consider developing a sister city relationship with Council with a view to exploring what mutual benefits there may be between the two Councils.

In reviewing the Sister City file earlier this year, I found that nothing had happened to further the relationship with Deloraine (Meander Valley Council) so contact was made by Glenys Byrne prior to her taking leave to ascertain whether we terminate or foster the relationship with them. A letter has been received from their Mayor in support of the Sister City Relationship.

Meander Valley Council

The Meander Valley Council was created on 2nd April, 1993 from the merger of the former Municipalities of Deloraine and Westbury and covers an area of 3,821 square kilometres, extending from Paramatta Creek in the West to Prospect Vale in the East, and from Birralee in the North to Liena in the South.

The municipality offers access to the North East and North West Coasts. The Eastern urban centres of Prospect Vale, Hadspen, Carrick and Westbury are only a short drive from the centre of the North's regional city Launceston where there are major regional facilities such as the University of Tasmania, Launceston General Hospital, Institute of TAFE, Australian Maritime College and Launceston Airport. The major western urban centre of Deloraine is only 30 minutes drive from the centre of Devonport where there are also major recreational facilities.

Meander Valley Council				Westland District Council			
Rateable assessments:	9,614	Sealed roads:	565 km	Rateable assessments:	6,538	Sealed roads:	350 km
Capital value of properties:	\$2,550,538,000	Unsealed roads:	241 km	Capital value of properties:	\$2,355,744,800	Unsealed roads:	335 km
Assessed annual value of properties:	\$113,130,168	Bridges:	215	Assessed annual value of properties:	\$1,459,384,200	Bridges:	257
Population:	19,547	Number of Councillors:	9	Population:	8,403 (resident)	Number of Councillors:	11 (including Mayor)

Recommendation:

1. **THAT** Westland District Council fosters a Sister City Relationship with Meander Valley Council and explores what mutual benefits there may be between the two Councils.

Maureen Pugh
Mayor

Memo



DATE: 18 August 2011
TO: Mayor and Councillors
FROM: Manager Planning and Regulatory

REPRESENTATION REVIEW

The Local Electoral Act 2001 (LEA) governs the conduct of local government elections in New Zealand. Under the LEA all local authorities are required to carry out a representation arrangements review at least once every six years.

Council's last representation arrangements review was undertaken in 2006, which means one is required in 2012 in preparation for the 2013 triennial elections. Council is required to determine the following by 31 August 2012:

- The proposed number of constituencies; and
- The proposed name and the proposed boundaries of each constituency; and
- The number of members proposed to be elected by the electors of each constituency.

As part of the wider electoral review process, Council may consider the following electoral issues:

- Whether to change the electoral system from First Past the Post [FPP] to Single Transferrable Vote [STV] (optional but resolution must be passed by 12 September 2011 to be effective for 2013 triennial election); and
- Whether it wishes to introduce Maori constituencies (optional but resolution must be passed by 23 November 2011 to be effective for 2013 triennial election).

It is intended to commence work on the representation arrangements review process early in 2012 to give Council adequate time to consider the options and consult with the regional community, including any decisions on the inclusion of Maori constituencies.

Important dates are:

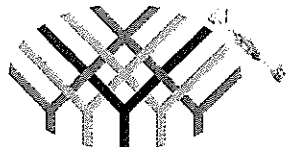
- **12 September 2011:** Last date to change the electoral system.
- **23 November 2011:** Last date to introduce Maori constituencies.
- **31 August 2012:** Last date for Council to determine representation arrangements including provision of Maori constituencies if they are to be established.
- **8 September 2012:** Last date for public notice of proposed representation arrangements, including the proposed number, names and boundaries of constituencies.
- **8 October 2012:** Close of public submissions (not later than one month after date of public notice).
- **18 October 2012:** (approx) if no submissions received; give public notice that the representation review proposal is the basis for the 2013 elections.
- **19 November 2012:** Final date for hearing of public submissions and public notice of “final” representation arrangements (both must be within 6 weeks of closing date of submissions).
- **20 December 2012:** Close of public appeals and objections to “final” representation arrangements.
- **15 January 2013:** Last date for any appeals/objections on representation arrangements review to the LGC.
- **10 April 2013:** Determination by LGC on any appeals/objections to representation arrangements review.
- **11 May 2013:** Determination subject to appeal to High Court on a point of law

Recommendation:

1. **THAT** this report be received
2. **THAT** the timetable for the review be noted.
3. **THAT** Council consider the two discretionary representation matters.

Richard Simpson
Manager Planning and Regulatory

CCL 11-1



31 March 2011

Maureen Pugh
Westland District Council
Private Bag 704
Hokitika 7842

RECEIVED
- 4 APR 2011
BY:

SCANNED

Human Rights
Commission
Te Kāhui Tika Tangata

CEO	HWM	MPR	MO	MAC	MF	MPA	CSO	ENG
	M.P.							

Dear Mayor Maureen Pugh

REPRESENTATION OF MĀORI ON YOUR COUNCIL

I am writing to request that your Council this year consider the option of establishing Māori seats or constituencies, as provided for under Section 19Z of the Local Electoral Act.

August
AM

In accordance with the Act, you will need to do so before 23 November this year, in order for any decision to come into effect in time for the 2013 local government election.

Māori constituencies have been operating successfully in Environment Bay of Plenty since the 2004 elections. They were also recommended by the Royal Commission on Auckland Governance for the new Auckland Council, although the Government instead opted for a Statutory Board. The Human Rights Commission produced a report last year on *Māori Representation in Local Government: the Continuing Challenge*, which examines the EBOP experience, the Government's decision in relation to Auckland, and the consideration of Māori seats by all other local authorities in recent years. I enclose a copy for your information, and would be happy to supply you with further copies for your councillors if you so wish. It contains a number of recommendations on page 3.

I would ask that as a first step, the Council engages with local tangata whenua on the issue, in order to ascertain their preferences. It is very easy for discussion of this topic to be *about* Māori, rather than *with* Māori, and it is thus particularly important to enable their voice to be heard at the outset.

Please feel free to contact me if you have any questions on the matter. I am happy to assist in any way that I can.

Yours sincerely

Joris de Bres
Race Relations Commissioner