



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

**Date:** Thursday, 16 November 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

**Group Manager, Environmental Services** Bruce Halligan  
**Committee Advisor** Alyson Hamilton

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

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## **Terms of Reference – Regulatory and Consents Committee**

The Regulatory and Consents Committee is responsible for overseeing the statutory functions of the Council under the following legislation (but not limited to the following):

- 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

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.

The Regulatory and Consents Committee shall be accountable to Council for the exercising of these powers.

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, 15 August 2017

## 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 Tuesday, 15 August 2017 at 9am.

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### PRESENT

**Acting Chairperson  
Councillors**

Mayor Gary Tong  
Brian Dillon  
Paul Duffy  
Darren Frazer  
Julie Keast

### IN ATTENDANCE

Environmental Health Manager (Michael Sarfaiti), Team Leader, Building Solutions (Michael Marron), Team Leader, Resource Management (Marcus Roy), Senior Resource Management Planner-Policy (Courtney Ellison), Resource Management Planner (Theresa Cameron), Communications Manager (Louise Pagan) and Committee Advisor, (Alyson Hamilton).

## Election of Acting Chairperson

Due to the absence of the Chair the Committee Advisor called for nominations for an Acting Chairperson for the Community and Policy Committee meeting.

Moved Cr Dillon, seconded Cr Keast and **resolved that Mayor Tong Chair this meeting of the Regulatory and Consents Committee.**

### 1 Apologies

Apologies were received from Councillors Paterson and Macpherson.

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

**That the Regulatory and Consents Committee accept the apologies.**

### 2 Leave of absence

There were no requests for leave of absence.

### 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

#### Resolution

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

**That the minutes of Regulatory and Consents Committee meeting held on 29 June 2017 be confirmed as a true and correct record of that meeting.**

## Reports for Resolution

### 7.1 Strategic Resource Management Planning Projects

**Record No: R/17/5/9454**

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

Mrs Ellison advised the purpose of the report is to update the Committee on progress towards planning for strategic resource management projects.

Mrs Ellison explained staff have taken a broad look at key resource management issues that are likely to face the Southland District in the near future.

Mrs Ellison informed three key issues have been identified: climate change; historic heritage; and biodiversity.

The Committee noted these projects have implications broader than just resource management, therefore staff have begun engaging with other stakeholders prior to forming any project plans.

Mrs Ellison advised staff will provide an update including any project plans to the Committee later in the year.

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Strategic Resource Management Planning Projects” dated 30 July 2017.**

## **7.2 Dog Control Annual Report for the year ending 30 June 2017**

**Record No: R/17/7/16240**

Michael Sarfaiti (Environmental Health Manager) presented the 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.

Mr Sarfaiti explained 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.

The Committee noted the statistical information supplied for the period 1 July 2015 to 30 June 2016 included information relating to; wandering dogs, barking dogs, microchipping, proportion of pet dogs to working dogs, infringement notices and attacks/rushing.

Members commented it is pleasing there has been a decrease in the number of rushing/attack incidents which may be related to observations of less wandering dogs or dogs that are better contained.

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Dog Control Annual Report for the year ending 30 June 2017” dated 25 July 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.**

## Reports for Recommendation

### 8.1 Alcohol Licensing Annual Report and Income and Costs Report

**Record No: R/17/7/16508**

Michael Sarfaiti (Environmental Health Manager) presented the report.

Mr Sarfaiti advised the purpose of the report is to meet Council's alcohol licensing reporting requirements under alcohol legislation.

Mr Sarfaiti advised that under Section 199 of the Sale and Supply of Alcohol Act 2012 Council is required to prepare a report of the proceedings and operations of its licensing committee during the year, and to send to the Licensing Authority.

Mr Sarfaiti explained Section 199 (5) requires that the annual report must be made available on Council's Internet site for a period of not less than five years.

Mr Sarfaiti added the Alcohol Regulatory and Licensing Authority has detailed the format it requires for the Annual Report and Annual Return. Mr Sarfaiti confirmed the report and annual return conforms to these requirements.

The Committee noted regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 requires Council to make publicly available a report showing its alcohol licensing income from fees and its costs.

Mr Sarfaiti informed Council's legal advisor advises that the financial information in the format meets the requirements of the Regulations.

### Resolution

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Alcohol Licensing Annual Report and Income and Costs Report" dated 27 July 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) **Receives the Annual Report and authorises it to be forwarded to the Alcohol Regulatory and Licensing Authority and to be made publicly available on Council's website.**
- e) **Receives the financial information and authorises it to be made publicly available on Council's website.**

**Item - 8.2. Objection to Disqualification from owning a dog - Scott Skilling - will be considered later in the meeting.**

## Reports

### 9.1 Nuisance Complaints Survey

**Record No: R/17/7/17163**

Michael Sarfaiti (Environmental Health Manager) presented the report.

Mr Sarfaiti advised the purpose of the report is to provide the Committee with the results of the Nuisance Complaints survey.

Mr Sarfaiti explained the Nuisance Complaints Survey provides Council with useful feedback about its response to noise and environmental health complaints.

Mr Sarfaiti advised this allows reporting on whether levels of service as outlined in the Council's Long Term Plan are being achieved.

Mr Sarfaiti commented that overall the results are very good with high levels of customer satisfaction.

#### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Nuisance Complaints Survey" dated 28 July 2017.**

### 9.2 IANZ Certificate of Accreditation

**Record No: R/17/7/16916**

Michael Marron (Team Leader Building Solutions) presented the report.

Mr Marron advised the Southland District Council Building Control department has successfully renewed its Building Consent Authority Accreditation.

Mr Marron explained the Corrective Action required has been cleared by IANZ and the Certificate of Accreditation has been received from IANZ. Mr Marron added this will allow building control to continue to issue building consents through to February 2019 which is the preliminary date for our next assessment.

Mr Marron advised the process identified some additional areas for improvement and these will be completed over the coming year.

Mr Marron commented the department accepts and welcomes the findings of the Auditor and a number of their recommendations have already been acted on.

Mr Marron felt the process was very worthwhile and has allowed the team to improve the services provided to customers.

The Committee noted there was a focus on the completeness of forms and recording thought processes in decision-making.

Mr Marron confirmed this has been taken on board and continued monitoring has shown the team is complying with IANZ recommendations.

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “IANZ Certificate of Accreditation” dated 1 August 2017.**

### **9.3 Building Control Customer Survey Results 2017**

**Record No: R/17/7/16930**

Michael Marron (Team Leader Building Solutions) presented the report.

Mr Marron advised the building Control; Customer Survey is conducted once every two years to provide useful feedback and identify areas for improvement in the department and to allow reporting on whether levels of service as outlined in Council's Long Term Plan are being achieved.

Mr Marron explained the survey covered all Building Consent Authority and Territorial Authority functions of the building department but the majority of the responses were in relation to the issuing and inspecting of building consents.

Mr Marron informed the survey indicated that the department has failed to meet its KPI of achieving an 80% satisfaction rating (achieved 76%). Mr Marron added the department did achieve its internal KPI in achieving 85% of respondents agreeing Council provided consistent timely and professional service for the onsite inspections.

Mr Marron advised the department will take the responses and comments on board and will take appropriate measures to address customers' concerns and make further customer service improvements.

### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Building Control customer survey report 2017” dated 2 August 2017.**

### **9.4 Resource Management Customer Survey Results 2017**

**Record No: R/17/7/17144**

Marcus Roy (Team Leader Resource Management) presented the report.

Mr Roy advised every two years the resource management customers are surveyed to identify areas of improvement and provide data for the Resource Management department's levels of service.

Mr Roy informed the survey indicated that 63% of the respondents were satisfied with the service provided by the staff however Mr Roy added the target of 80% was not met.

The Committee was advised the survey indicated that 68% of the respondents agreed that Resource Management staff provided timely guidance and assistance to their queries. It was noted the target of 75% was not met.

Mr Roy explained the data provided from the survey will be used to improve how the department engages with customers and the two priorities to focus on are:

- Improving guidance and easy access to documents for applicants.
- Establishing on-line lodgement.

Mr Roy advised these two priorities were also highlighted during Section 17 of the Local Government Act review of the department that was completed in early 2017.

#### **Resolution**

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

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Resource Management Customer Survey Results" dated 27 July 2017.**

**The meeting adjourned at 10.10am and to reconvene at 11.00am.**

**The meeting reconvened at 11.01am.**

(Mayor Tong, Councillors Dillon, Duffy, Keast and Frazer were present when the meeting reconvened).

#### **8.2 Objection to Disqualification from owning a dog - Scott Skilling**

**Record No: R/17/6/12107**

Mr Skilling appeared before the Committee advising that he wished to speak in support of his objection to being disqualified from owning a dog.

Mr Skilling acknowledged the number of complaints and infringements received in regards his two dogs and acknowledged Council will have been frustrated by complaints from his neighbours of his dogs escaping all the time and wandering the streets.

Mr Skilling advised he previously lived in Winton township and had recently moved to Lumsden township.

Mr Skilling admitted his dogs are difficult to keep contained and seem to escape all the time.

The Committee was advised that the local publican has offered their border control wire to keep the dogs contained within the section, however Members agreed this

particular system is not effective.

Mr Skilling informed his own health is not good, he suffers from depression and is currently going through the court system for custody for some of his children.

Mr Skilling added he wished to keep his dogs as they are his companions, live inside and sleep with him. He advised he has had the female dog since a puppy and he saved the male dog from an abusive owner and feels due to his care this dog is a more friendly and sociable dog as a result.

Mr Skilling confirmed he is a sickness beneficiary and is stuck financially and is unable to afford to neuter the dogs.

Mr Skilling advised if the Council decision is to remove the dogs he requested that he be able to keep the female dog.

**Mayor Tong (Acting Chair) thanked Mr Skilling for his presentation and attendance at the meeting.**

**Mr Skilling was advised that the Committee will deliberate on the information provided in a public excluded part of the meeting.**

#### Public Excluded

#### Exclusion of the Public: Local Government Official Information and Meetings Act 1987

#### Resolution

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

**That the public be excluded from the following part(s) of the proceedings of this meeting.**

#### **C8.2 Objection to Disqualification from owning a dog - Scott Skilling**

**The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Objection to Disqualification from owning a dog - Scott Skilling	s7(2)(a) - protect the privacy of natural persons, including that of deceased natural persons	That the public conduct of the whole or 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 exists.

That the Environmental Health Manager, Dog Control Ranger, Communications Manager and Committee Advisor be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C8.2 Objection to Disqualification from owning a dog - Scott Skilling. This knowledge, which will be of assistance in relation to the matters to be

discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public were excluded at 11.30am.

The meeting returned to open session at 11.55am.

**8.2 Objection to Disqualification from owning a dog - Scott Skilling (Continued)**  
**(Record No: R/17/6/12107)**

Michael Sarfaiti (Environmental Health Manager) presented the supporting report.

Mr Sarfaiti advised the purpose of the report is to determine Mr Scott Skilling's objection to disqualification from owning a dog.

Mr Sarfaiti informed that on 18 May 2017, the Group Manager Environmental Services, disqualified Mr Skilling from owning a dog until 22 January 2021, in accordance with Section 25 of the Dog Control Act 1996.

The Committee noted that Mr Skilling has objected to the disqualification, and had used his entitlement to appear before the Committee and speak in support of the objection.

**Following deliberations in the public excluded section of the meeting the Committee agreed with the officers recommendation.**

**Resolution**

Moved Mayor Tong, seconded Cr Keast **recommendations a to d and a new e (as indicated) and resolved:**

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Objection to Disqualification from owning a dog - Scott Skilling" dated 2 August 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) **Upholds the decision to disqualify Mr Scott Skilling and gives notice of this decision to Mr Skilling in accordance with Section 26(4) of the Dog Control Act 1996.**
- e) **Agrees to the withdrawing of the last two infringements issued to Mr Skilling total value \$400 held with the District Court, should he choose the option of surrendering his dogs to Council.**

**Mayor Tong advised that officers will notify Mr Skilling of the Committee's decision, in writing, as soon as possible, and that Mr Skilling has a right of appeal against the decision to the District Court.**

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publically available unless released here.

The meeting concluded at 11.55am

CONFIRMED AS A TRUE AND CORRECT  
RECORD AT A MEETING OF THE  
REGULATORY AND CONSENTS COMMITTEE  
HELD ON TUESDAY, 15 AUGUST 2017.

**DATE:**.....

**CHAIRPERSON:**.....

## Action Plan for the implementation of Earthquake-prone Buildings Regulations 2016

**Record No:** R/17/10/25236  
**Author:** Peter Meikle, Building Control Senior  
**Approved by:** Bruce Halligan, Group Manager Environmental Services

Decision  Recommendation  Information

### Purpose

- 1 The purpose of this report is to outline Council's requirements under the Earthquake-prone Buildings (EPBs) Regulations 2016 and to demonstrate how these requirements are going to be met by the Southland District Council.

### Executive Summary

- 2 New Zealand is extremely prone to seismic activity and ensuring the safety of people is paramount. Buildings need to be safe for occupants and users.
- 3 The Building (Earthquake-prone Buildings) Amendment Act 2016 introduced major changes to the way EPBs are identified and managed under the Building Act. It uses knowledge learned from past earthquakes in New Zealand and overseas.
- 4 The system established via the Amendment Act is consistent across the country and focuses on the most vulnerable buildings in terms of the safety of persons.
- 5 It categorises New Zealand into three seismic risk areas and sets time frames for identifying and taking action to strengthen or remove EPBs.
- 6 It provides more information for people using buildings such as nationally consistent EPB notices with ratings for EPBs, and a public EPBs register.
- 7 Under the new system for managing EPBs territorial authorities, engineers and building owners have key roles to play.
- 8 These are set out in the Building Act and can be summarised as:
  - territorial authorities identify potentially EPBs
  - owners who are notified by their territorial authority must obtain engineering assessments of the building carried out by suitably qualified engineers
  - territorial authorities determine whether buildings are earthquake-prone, assign ratings, issue notices and publish information about the buildings in a public register
  - owners are required to display notices on their building and to remediate their building.
- 9 The Building Act also divides New Zealand into three seismic risk areas - high, medium and low. The Southland District Council has all three zones.
- 10 There are set time frames, based on these seismic risk areas. They include time frames for territorial authorities to identify potentially EPBs and for building owners to assess and remediate EPBs.

## Recommendation

That the Regulatory and Consents Committee:

- a) **Receives the report titled “Action Plan for the implementation of Earthquake-prone Buildings Regulations 2016” dated 6 November 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) **Agrees to the Action Plan for the implementation of Earthquake-prone Buildings Regulations 2016.**

### Background

- 1 The Building (Earthquake-Prone Buildings) Amendment Act 2016 has come about from the Christchurch and Hurunui/Kaikoura earthquakes and associated tragic loss of life and injury. As was seen in the earthquakes in Christchurch, certain eras of building, construction type and stability of parts of buildings failed, causing loss of life, blocked traffic routes and rendering critical structures unusable.
- 2 The legislation's key objectives are to reduce loss of life, keep main key thoroughfares open for emergency responders, and keep priority buildings operational such as emergency response buildings, hospitals, schools etc.
- 3 The Amendment Act has a core framework- as set out below. The Act and Regulations apply to commercial and public buildings. Please note that most private dwellings are not covered by the regulations, although there are some exceptions to this such as multi storey apartment complexes.

### Regulations

Legal documents and tools to support the system

- 4 The core legal documents and tools that support the system are described below:

#### Building Act 2004

- the core framework for managing EPBs - major changes to this framework took effect from 1 July 2017 (through an Amendment Act)
- defines an EPB (in a revised definition that clarifies certain aspects, including the application to parts of a building)
- sets out exclusions from the scope of the EPBs provisions
- makes certain provisions for heritage buildings.

#### Regulations (about EPBs)

- provide more detail about how to meet certain requirements under the Building Act
- define 'ultimate capacity' and 'moderate earthquake', two terms in the Building Act definition of an EPB
- establish the categories for earthquake ratings and the form of EPB notices
- include criteria for territorial authorities considering whether alterations to EPBs trigger the requirement to complete seismic work
- identify characteristics a building must have to be granted an exemption from seismic work
- identify some new offences and fees for actions relating to EPBs.

#### Engineering Assessment Guidelines

- provide engineers with the framework and technical methods they are required to use in undertaking assessments
- a full revision of the 2006 seismic assessment guidelines (also known as the 'red book') that incorporates new knowledge and research in earthquake engineering assessment methods

#### EPB register

- a national, publicly accessible register of buildings determined to be earthquake-prone, and their earthquake ratings
- will be added to progressively as buildings are determined as earthquake-prone.

#### Risk Zone Maps

- 5 Two maps are attached in the appendices, one shows a national level map produced as part of the enactment of legislation of the whole of New Zealand which shows the earthquake zones, the second map produced by SDC GIS staff shows a close up of Southland District and the towns in each zone.
- 6 The Council's current priority is Zones 3 and 4 as these zones are considered high risk areas for seismic activity. Council has until July 2022 to identify and write to the owners of all potentially EPBs. The owners of these buildings will have up to a maximum of two years from the date of receipt of notification that the building has been assessed by Council as being a potentially earthquake-prone building to forward the engineer's assessment on the building to Council, and between 7.5 to 15 years to strengthen their buildings. Because of the age and type of construction in these areas Council believes there will not be many buildings affected in these areas.
- 7 Zone 2 is considered a medium risk area for seismic activity. Council has until July 2027 to identify and write to the owners of all potentially EPBs in this zone. The owners of these buildings will have up to a maximum of two years from the date of receipt of notification the building has been assessed by Council as being a potentially EPB to forward the engineer's assessment on the building to Council, and between 12.5 to 25 years to strengthen their buildings.
- 8 Zone 1 is considered a low risk area for seismic activity. There will be no priority buildings in this area. Council has until July 2032 to identify and write to the owners of all potentially EPBs. The owners of these buildings will have up to a maximum of two years from the date of receipt of notification that the building has been assessed by Council as being a potentially EPB , to forward the engineer's assessment on the building to Council and 35 years to strengthen their buildings.
- 9 Priority Buildings or part of a building are a certain type of EPB buildings within the high and medium seismic risk areas. They are considered a priority building because of their construction type, use or location, e.g. emergency response buildings, hospitals, schools and URM (unreinforced masonry) buildings on major thoroughfares.
- 10 Part of the reason for a building to be classified as a priority building could, for example, be an unreinforced parapet, verandah structure, façade of a building etc. The initial step is to contact the owners of potentially EPBs. These buildings will be assessed and if found to be earthquake-prone, they will then be a priority building.
- 11 Southland District Council is unusual in a national context as it has all three seismic risk areas included in it, as can be seen from the map in Appendix A. The Alpine Fault runs through the western part of the District. GNS science has reviewed current data and has estimated 30%-50% chance of another rupture in the next 50 years , causing a potentially catastrophic event which could-have widespread disruption to the Southland region , as well as nationally.

- 12 The EQPB legislation seeks to mitigate potential effects of this by having the District's designated EQPB stock upgraded to a minimum standard within defined timeframes. This will ensure buildings are managed for future earthquakes via a consistent national framework which strikes a balance between the following:
- a) protecting people from harm in an earthquake
  - b) the costs of strengthening or removing buildings
  - c) the impact on New Zealand's built heritage.

Council's role under the previous legislation was to identify buildings within the District that were potentially earthquake-prone, using the profiling tool developed by the then Department of Building and Housing. Council has hence identified a number of potentially EPB by way of a desktop assessment process. These desktop assessments will need to be reviewed in line with the current MBIE assessment tools.

- 13 It is common for EPB to share an adjoining wall with the premises each side. This will make completing assessments more difficult. Owners will need to work together to have the engineering assessment carried out at the same time for a block or indeed the town at the one time.
- 14 Peter Meikle, Building Control Senior will be Council's technical lead on EPBs and he will be assisted in this role by Michael Marron Team Leader Building Solutions. Implementation dates are in Attachment C.

### Issues

#### Identifying priority buildings with prescribed definitions

- Section 133AE(1)(a) to (d) of the Building Act 2004 details a number of circumstances when certain potentially EPBs and EPBs should be prioritised based on their function being:
  - hospital buildings
  - emergency buildings
  - education buildings.

Each of these categories is more specifically defined in the Act

#### Identifying priority buildings with community input

- 15 Sections 133AE(1)(e) and (f) of the Building Act 2004 describe when certain buildings should be prioritised based on community consultation. These are:
- parts of URM buildings that could fall in an earthquake onto certain thoroughfares with sufficient vehicular or pedestrian traffic to warrant prioritisation
  - buildings that could collapse and impede transport routes of strategic importance.
- 16 Territorial authorities must undertake public consultation on the identification of priority buildings. The consultation will assist to identify thoroughfares with sufficient vehicular or pedestrian traffic to warrant prioritisation and transport routes of strategic importance. These thoroughfares and routes can be identified simultaneously in the same consultation process.

## Regulatory and Consents Committee

16 November 2017

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Item 7.1

- 17 Council has drafted two new policies to replace the existing earthquake-prone and dangerous/insanitary building policy that became out of date with the enactment of the new legalisation.
- 18 Council intends to be in a position to seek public consultation on priority buildings by December 2018. This process will be to inform the public of the regulations and seek input in establishing primary routes which will in turn be a factor in establishing what is a priority building. The formal public consultation part of that process will start early 2018.
- 19 It is intended to have all desktop assessments on potentially EPBs completed to the MBIE guidelines in high risk seismic areas (Zones 3 and 4) by June 2018. Having confirmed the buildings status under the new regulations, Council will then communicate this to the building owner before December 2018. It is intended to recheck buildings where necessary.
- 20 All category 1 buildings within the District will be identified and the initial desktop assessment to MBIE guidance will be completed by September 2018. As indicated above these are buildings that are important for community resilience following a seismic event.
- 21 All building owners in high seismic risk area (Zones 3 and 4) of potentially EPBs will be notified of this in writing by Council by December 2018. Council will follow up with all potentially EPB owners in high seismic risk area (Zones 3 and 4) by September 2019, to confirm the status of their building as assessed by their engineer. At this point Council in negotiations with the owner will either issue an EPB notice or allow the building owner an additional 12 months to have their building assessed by their engineer.
- 22 *By March 2020* Council will begin the process of identifying potentially EPBs in medium seismic risk areas (Zone 2). This will begin with priority buildings and then other buildings.
- 23 *In September 2020* all building owners in high risk seismic areas (Zone 3 and 4) who received an extension on their engineering assessment will need to have their assessment lodged with Council. Council will then need to issue any EPB Notices that are required.
- 24 *In March 2021* Council will need to follow up with the owners of Potentially EPBs in the medium risk areas, again Council may extend the time frame for the engineering assessment where required and issue EPB Notices where applicable.
- 25 *By March 2022* Council will need to have identified all potentially EPBs and to have issued all EPB notices where applicable in the high and medium risk areas (Zones 2, 3, and 4). Depending on the location of the building, the type of building and the use of the building, owners will have between 7.5 and 25 years from the receipt of the EPB Notice to carry out the required strengthening work.
- 26 *By May 2022* Council will identify and complete the initial (desktop) assessment of all potential EPBs in the low risk areas. The regulations indicate that there are no priority buildings in the low seismic risk area of Southland District, but this will need to be confirmed by further more detailed investigation.

### Factors to Consider

#### Legal and Statutory Requirements

- 27 The legislation requires the TA and the building owners to meet statutory time frames. If identified through this process as an EPB, then there are additional triggers for upgrading that Council as the Building Consent Authority will need to be mindful of.

### Community Views

- 28 Territorial authorities must undertake public consultation. The consultation will assist to identify thoroughfares with sufficient vehicular or pedestrian traffic to warrant prioritisation and transport routes of strategic importance. These thoroughfares and routes can be identified simultaneously in the same consultation process.

### Costs and Funding

- 29 There will be a direct financial impact to owners of buildings identified as “potentially EPBs”. It is possible that maintenance will be deferred so as not to trigger the requirement for a structural upgrade.
- 30 The initial assessment process to establish if buildings are potentially earthquake-prone will be funded by Council and this has been allowed for in the Building Control department’s current budget.
- 31 The cost of all engineering assessments and all upgrades of the building will be borne by the owner of the building, unless they are able to access some form of external funding assistance.

### Policy Implications

- 32 Council no longer has an Earthquake-Prone and Dangerous/Insanitary Building Policy, because the new regulations supersede all existing policy.

### Analysis

- 33 To date most of the potentially EPBs have been identified within the District through desktop process. While we have all three seismic risk areas (Zones 1 to 4), most of the buildings in the higher risk areas closer to the Alpine Fault are relatively new and by design are hence likely to be less susceptible to the effects of an earthquake. The older buildings are predominantly located in our medium earthquake zone. This will allow building owners more time to strengthen their buildings.

### Analysis of Options

- 34 There are no options as the procedure is defined in the Act and associated regulations. This report outlines an Action Plan for Southland District Council to meet its statutory obligations.

### Assessment of Significance

- 35 This matter is not considered significant in terms of Section 76 of the Local Government Act 2002. It outlines how Council will give effect to the provisions of the relevant legislation and associated regulations.

**Next Steps**

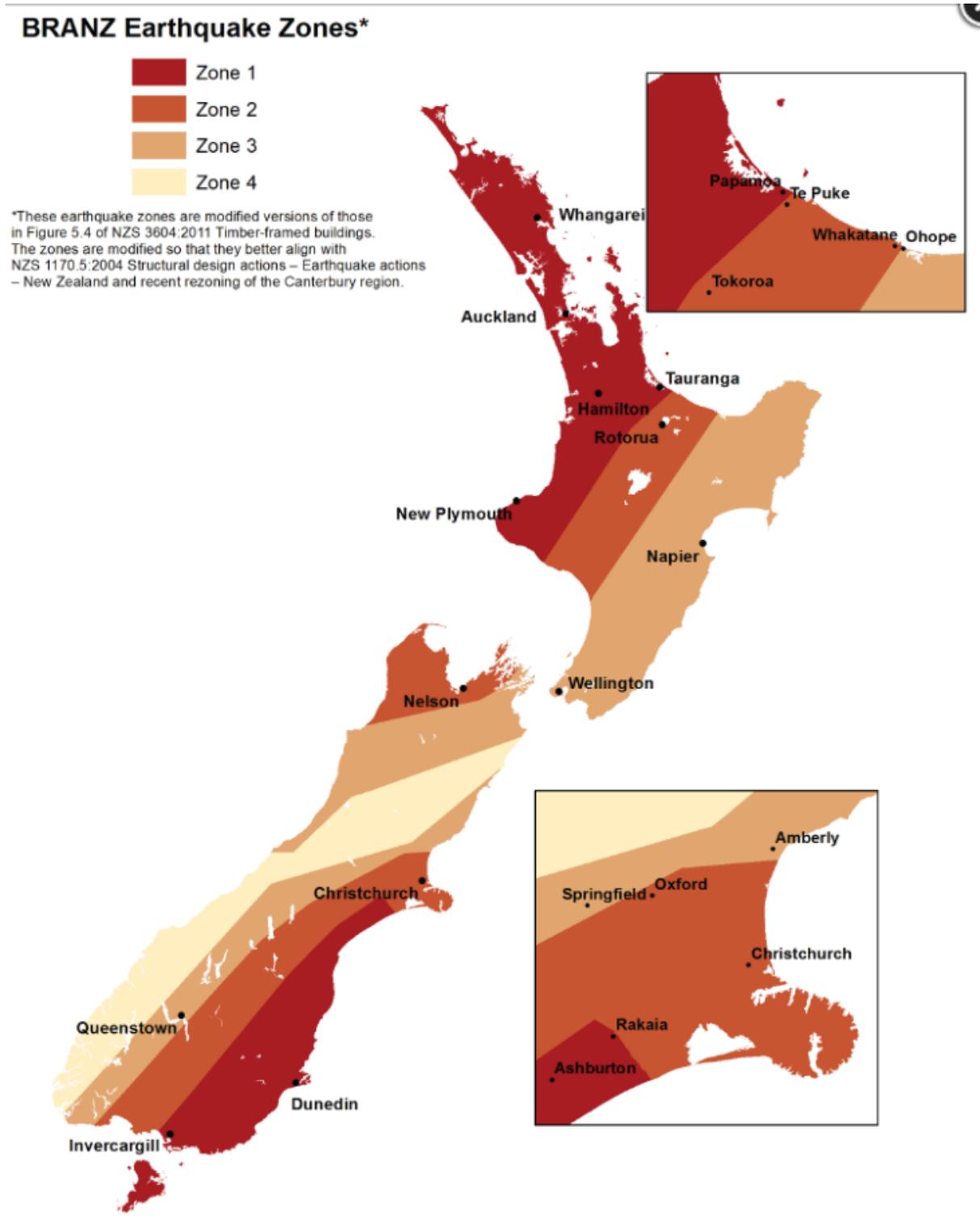
36 Time line to achieve compliance set out below:

<b>Timeframes for Action:</b>				
Seismic risk area	TAs must identify potentially EPBs by:		Owners of EPBs must carry out seismic work within (time from issue of EPB notice):	
	Priority	Other	Priority	Other
High	1 Jan 2020	1 July 2022	7.5 years	15 years
Medium	1 July 2022	1 July 2027	12.5 years	25 years
Low	N/A	1 July 2032	N/A	35 years

**Attachments**

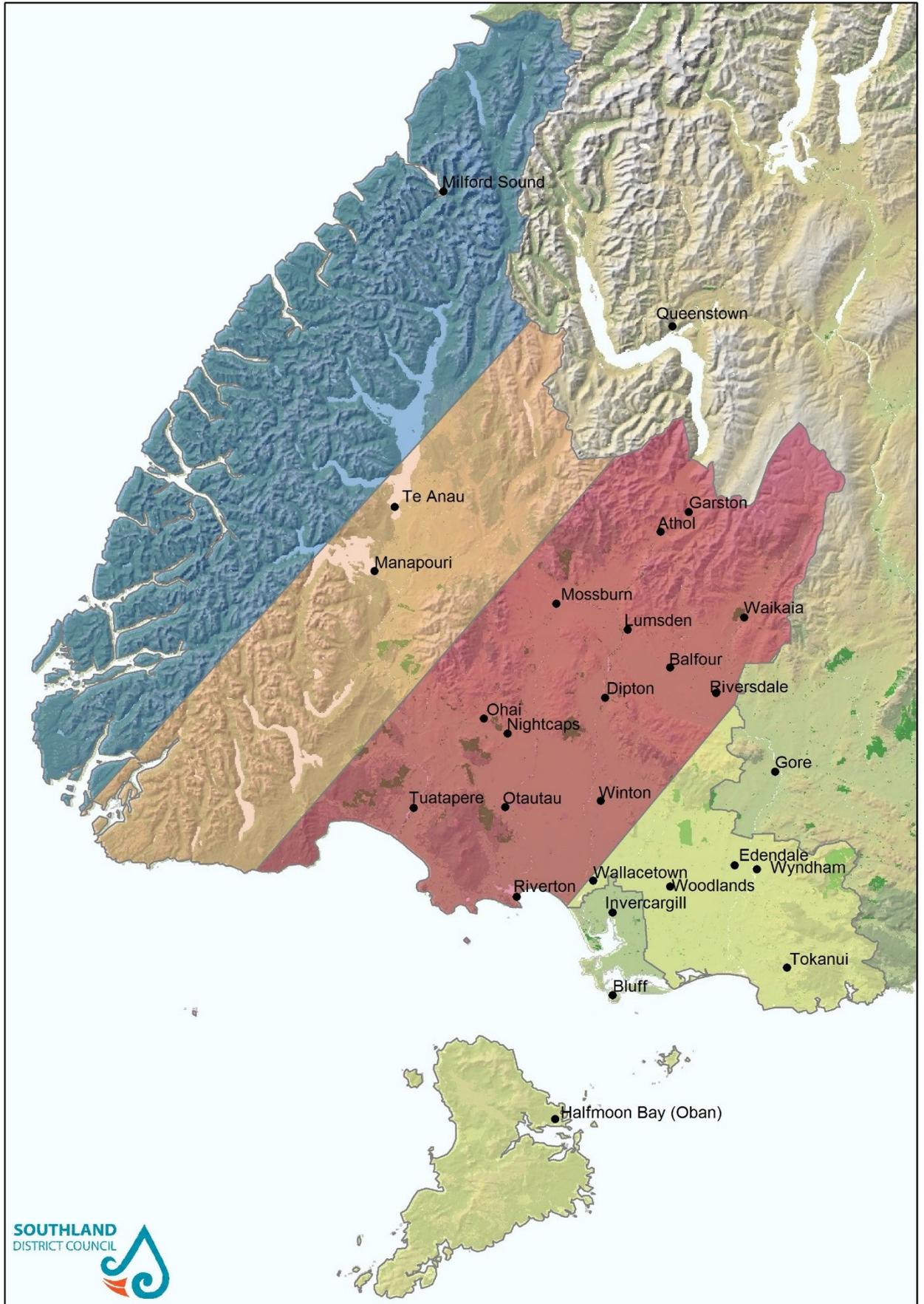
- A Report to Regulatory and Consents Committee - Attachment A - BRANZ Earthquake Zone for New Zealand [↓](#)
- B Report to Regulatory and Consents Committee Attachment B - Earthquake Zones - Southland District Council [↓](#)
- C Action Plan for the implementation of Earthquake-prone Building Regulations 2016 [↓](#)

BRANZ Earthquake Zone for New Zealand



Item 7.1 Attachment A

Item 7.1 Attachment B



G:\GIS\Geoworkspaces\

Prepared by the SDC Property & Spatial Department

## BACKGROUND

- THE SOUTHLAND DISTRICT COUNCIL IS THE ONLY COUNCIL WITH ALL THREE SEISMIC RISK AREAS, LOW, MEDIUM AND HIGH WITHIN ITS BOUNDARIES. IT CONTAINS 11% OF NEW ZEALAND'S LAND MASS WITH THE ALPINE FAULT RUNNING THROUGH THE WEST OF THE DISTRICT. RESEARCH PUBLISHED BY SCIENTISTS FROM GNS SCIENCE IN 2012 DOCUMENTED AN 8,000 YEAR-LONG RECORD OF 24 ALPINE FAULT EARTHQUAKES BASED ON DATA COLLECTED NEAR LAKE MCKERROW, NORTHEAST OF MILFORD SOUND. BASED ON THE DATES OF EACH EARTHQUAKE MEASURED USING RADIOCARBON ANALYSIS, THE RESEARCHERS CALCULATED AN AVERAGE TIME BETWEEN SUCCESSIVE LARGE EARTHQUAKES OF 330 YEARS. THIS SEQUENCE OF EARTHQUAKES IS REMARKABLY REGULAR BY THE STANDARDS OF OTHER LARGE FAULTS THAT HAVE BEEN STUDIED IN THIS WAY, BUT DOES NOT MEAN THAT THE ALPINE FAULT RUPTURES LIKE CLOCKWORK EVERY 330 YEARS. IN FACT, THE INTERVALS BETWEEN THE 24 SUCCESSIVE EARTHQUAKES MEASURED AT LAKE MCKERROW VARIED BETWEEN 140 YEARS AND 510 YEARS. EXPERTS ESTIMATE THAT THERE IS ABOUT A 30% LIKELIHOOD OF A MAGNITUDE 8 EARTHQUAKE ON THE ALPINE FAULT IN THE NEXT 50 YEARS.
- THE SOUTHLAND DISTRICT COUNCIL IS THE ONLY COUNCIL WITH ALL THREE SEISMIC RISK AREAS, LOW, MEDIUM AND HIGH WITHIN ITS BOUNDARIES. IT CONTAINS 11% OF NEW ZEALAND'S LAND MASS WITH THE ALPINE FAULT RUNNING THROUGH THE WEST OF THE DISTRICT. RESEARCH PUBLISHED BY SCIENTISTS FROM GNS SCIENCE IN 2012 DOCUMENTED AN 8,000 YEAR-LONG RECORD OF 24 ALPINE FAULT EARTHQUAKES BASED ON DATA COLLECTED NEAR LAKE MCKERROW, NORTHEAST OF MILFORD SOUND. BASED ON THE DATES OF EACH EARTHQUAKE MEASURED USING RADIOCARBON ANALYSIS, THE RESEARCHERS CALCULATED AN AVERAGE TIME BETWEEN SUCCESSIVE LARGE EARTHQUAKES OF 330 YEARS. THIS SEQUENCE OF EARTHQUAKES IS REMARKABLY REGULAR BY THE STANDARDS OF OTHER LARGE FAULTS THAT HAVE BEEN STUDIED IN THIS WAY, BUT DOES NOT MEAN THAT THE ALPINE FAULT RUPTURES LIKE CLOCKWORK EVERY 330 YEARS. IN FACT, THE INTERVALS BETWEEN THE 24 SUCCESSIVE EARTHQUAKES MEASURED AT LAKE MCKERROW VARIED BETWEEN 140 YEARS AND 510 YEARS. EXPERTS ESTIMATE THAT THERE IS ABOUT A 30% LIKELIHOOD OF A MAGNITUDE 8 EARTHQUAKE ON THE ALPINE FAULT IN THE NEXT 50 YEARS.

## GENERAL CONTEXT

- SOUTHLAND TOWNS DATE FROM THE EARLIEST SETTLEMENT BY EUROPEANS WITH NEW ZEALAND'S OLDEST TOWN BEING RIVERTON. THERE IS A REASONABLE NUMBER OF UNREINFORCED MASONRY BUILDINGS IN SOME COMMUNITIES SUCH AS WYNDHAM AND THE HERITAGE PRECINCT IN WINTON
- COUNCIL'S CURRENT EARTHQUAKE-PRONE BUILDING POLICY 2011, HAS PREVIOUSLY IDENTIFIED 103 BUILDINGS AS BEING POTENTIALLY EARTHQUAKE-PRONE BUILDINGS, THE OWNERS OF THESE BUILDING HAVE BEEN FORMALLY NOTIFIED OF THIS AND THIS INFORMATION IS CONTAINED IN ALL LIM NOTICES ISSUED BY COUNCIL

DATE	Task	Date Completed	Comment																																	
JULY 1 2017	New regulations effective																																			
NOV 15 2017	Review of Council's Earthquake-prone Building Policy (EPB). To be replaced with two separate policies for Unsafe and Insanitary Building Policy and Dangerous Buildings Policy. To be aligned with ICC and GDC where possible.	Oct 2017 Peter																																		
DECEMBER 2017	<p>Community consultation process to be advertised to hold meetings mid Jan to mid April 18 across all areas as per Section 133 AF of the Building Act 2004.</p> <p>This will be to establish primary routes. (FYI. Google Quakecore)</p> <p>Timeframes for action</p> <table border="1"> <thead> <tr> <th rowspan="2">Seismic risk area</th> <th colspan="2">TAs must identify potentially earthquake-prone buildings by:</th> <th colspan="2">Owners of earthquake-prone buildings must carry out seismic work within (time from issue of EPB notice):</th> </tr> <tr> <th>Priority</th> <th>Other</th> <th>Priority</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>High</td> <td>1 Jan 2020</td> <td>1 July 2022</td> <td>7.5 years</td> <td>15 years</td> </tr> <tr> <td>Medium</td> <td>1 July 2022</td> <td>1 July 2027</td> <td>12.5 years</td> <td>25 years</td> </tr> <tr> <td>Low</td> <td>N/A</td> <td>1 July 2032</td> <td>N/A</td> <td>35 years</td> </tr> </tbody> </table> <p><b>Table 2: Time frames for territorial authorities to identify potentially earthquake-prone buildings</b></p> <table border="1"> <thead> <tr> <th>Seismic risk area</th> <th>Priority buildings</th> <th>All other buildings</th> </tr> </thead> <tbody> <tr> <td>High</td> <td>2.5 years</td> <td>5 years</td> </tr> <tr> <td>Medium</td> <td>5 years</td> <td>10 years</td> </tr> </tbody> </table>	Seismic risk area	TAs must identify potentially earthquake-prone buildings by:		Owners of earthquake-prone buildings must carry out seismic work within (time from issue of EPB notice):		Priority	Other	Priority	Other	High	1 Jan 2020	1 July 2022	7.5 years	15 years	Medium	1 July 2022	1 July 2027	12.5 years	25 years	Low	N/A	1 July 2032	N/A	35 years	Seismic risk area	Priority buildings	All other buildings	High	2.5 years	5 years	Medium	5 years	10 years		
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Medium	5 years	10 years																																		
JUNE 2018	Identify potentially EPB that are priority buildings in high risk areas and write to all potential earthquake-prone building owners outlining the timeline to forward to TA the engineer's report on the building. (Trigger is method of construction and location in relation to access routes and people congregating to be established by consultation with communities). See page 2 and 11 of guidance of priority buildings July 2017 section 133 AH, AI and 133 AL of the Building Act.																																			
SEPTEMBER 2018	Carry out an initial (desktop) assessment on all primary category 1 buildings in the District.																																			

<b>DECEMBER 2018</b>	The TA will have written to all priority building owners as defined in Section 133 AE of the Building Act 2004.		
<b>SEPTEMBER 2019</b>	The TA will follow up on all letters issued June 2019.		
<b>SEPTEMBER 2019</b>	The TA will consider issuing notices or extending time to forward engineer's reports.		
<b>MARCH 2020</b>	The TA will identify potentially EPB that are priority buildings in medium risk areas and all other buildings in high risk areas. The TA will write to all potential earthquake-prone building owners outlining the timeline to forward to TA the engineer's report on the building. (Trigger is method of construction and location in relation to access routes and people conjugating to be established by consultation with communities). See pages 2 and 11 of guidance of priority buildings July 2017 Section 133 AH, AI and 133 AL of the Building Act.		
<b>SEPT 2020</b>	The TA will review status of all priority buildings in high risk areas the status of the engineer's reports and issue Section 124 notices where required.		
<b>MARCH 2021</b>	The TA will follow up on all letters sent to potentially EPB building owners on March 2020.		
<b>MARCH 2022</b>	Council will review status of all buildings in the District that are potentially EPB and issue Section 124 notices where required.		
<b>JULY 2032</b>	Identify all earthquake-prone buildings in low seismic risk areas and notify owners in writing.		

#### USEFUL WEBSITE ADDRESSES

##### MBIE GUIDANCE ON IMPLEMENTATION

[HTTPS://WWW.BUILDING.GOV.TZ/MANAGING-BUILDINGS/MANAGING-EARTHQUAKE-PRONE-BUILDINGS/HOW-THE-SYSTEM-WORKS/#JUMPTO-SEISMIC-RISK-AREAS-AND-TIME-FRAMES](https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/how-the-system-works/#JUMPTO-SEISMIC-RISK-AREAS-AND-TIME-FRAMES)

[HTTP://WWW.MBIE.GOV.TZ/INFO-SERVICES/BUILDING-CONSTRUCTION/SAFETY-QUALITY/EARTHQUAKE-PRONE-BUILDINGS/HOW-THE-NEW-SYSTEM-WILL-WORK](http://www.mbie.govt.nz/info-services/building-construction/safety-quality/earthquake-prone-buildings/how-the-new-system-will-work)



## Winton Air Quality

**Record No:** R/17/10/25349

**Author:** Michael Sarfaiti, Environmental Health Manager

**Approved by:** Bruce Halligan, Group Manager Environmental Services

Decision

Recommendation

Information

### Purpose

- 1 To consider the recommendations from the Winton Community Board, concerning air quality.

### Executive Summary

- 2 The Board at its meeting on 9 October 2017, resolved to make recommendations to both Environment Southland (ES) and Southland District Council (SDC) for the purpose of improving air quality in the town. The Committee may consider these recommendations.

### Recommendation

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled “Winton Air Quality” dated 6 November 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) **Requests the Manager of Environmental Health to work with Environment Southland to increase awareness of subsidies available, promote the free home health checks, and complete educational initiatives.**
- e) **Recommend to Council that it approves the extension of the Southland District Council wood burner free building consent incentives scheme until 31 December 2020.**

**Background**

3 The Board considered the Winton Air Quality report presented at its meeting dated 7 August 2017 and requested a survey be conducted. 211 responses were received by the close off date of 25 September 2017.

4 The results of the survey are in Attachment 1.

**Key learnings arising from the survey**

5 The survey margin of error is about +/- 6%, with a confidence level of 95%.

6 About 72% of respondents were over 60 years of age, showing that air quality may be of particular concern to this age group. I do not have information about the percentage of people aged over 60 in Winton.

7 It is encouraging that only about 4% of surveyed homes have coal burners. The 20% with multi-fuel burners are able to burn wood if they choose to do so.

8 There is a lot of potential to make homes warmer by fitting underfloor insulation, and also a polythene sheet on the subfloor soil. Not to mention the 6% of surveyed homes that do not have ceiling insulation. This is interesting, bearing in mind that a range of subsidies have been available for some time for such works, albeit that some of these have been scaled back more recently.

9 Similarly there is a lot of potential to upgrade existing older insulation that may have reduced effectiveness.

10 73% of the population support action to reduce smoke pollution.

11 Over 50% support for:

- a) Good Wood scheme in Winton (74%)
- b) Increase awareness of subsidies available (72%)
- c) Promote the free home health checks (68%)
- d) A clean air loan scheme (62%)
- e) Extending the SDC wood burner incentives scheme (59%)
- f) Compliance measures for irresponsible polluters (56%)
- g) Intelligence about the burners causing problems (55%)
- h) Education (54%)

12 Reasons for support for action - clean air, good health, dislike of the odour/effects of smoke pollution, loss of enjoyment of property, image, being adversely affected by smoke.

13 Reasons for opposition - not being affected, cost, adverse effect on people if they cannot afford to heat their homes, not a problem in Winton, doubts about health effects of smoke, nonsense.

14 Some residents are being severely affected by the nuisance effects of smoke.

15 Recurring concerns about people burning inappropriate material. A misconception that some coals are clean burning.

**The top three matters of importance**

- 16 The following are the most important issues arising from this survey:
- a) The burning of only dry wood (burner permitting) would have a significant effect on smoke pollution in the town.
  - b) Upgrading insulation, or installing new insulation, has the potential to make many homes significantly warmer (and more energy efficient = less smoke).
  - c) There are hot spots that require attention.

**Resolution of the Board**

- 17 The minutes of the meeting recorded that the Winton Community Board:
- a) Receives the report titled “Winton Air Quality” dated 2 October 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) Requests ES to promote the Good Wood scheme in Winton.
  - e) Requests ES and SDC to increase awareness of subsidies available, promote the free home health checks, and complete educational initiatives.
  - f) Requests ES to consider allocating resourcing for compliance activity in regard to irresponsible polluters who fail to abate excessive smoke emissions.
  - g) Endorses the extension of the SDC wood burner free building consent incentives scheme.
  - h) Request the SDC investigate implementing a clean air loan scheme in Winton.

**Issues**

**Recommendations for ES**

- 18 Staff have advised ES of these requests.

**Clean air loan scheme**

- 19 The staff report did not recommend that Council implements a clean air loan scheme; however the Board resolved to request Council to investigate implementing a clean air loan scheme in Winton.

## Regulatory and Consents Committee

16 November 2017

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### Item 7.2

- 20 The staff report to the Board advised that it is unlikely that SDC will implement a clean air loan scheme at this time. Reasons for this include:
- The Council is already funding the Winton burner incentive programme and Warm Homes;
  - Other funding sources for energy efficiency upgrades;
  - No budgeted funding for a loan scheme;
  - A significant staff allocation would be required to develop a loan scheme project, and this has not been factored into staff budgets.

### Factors to Consider

#### Legal and Statutory Requirements

- 21 ES is required to administer The Resource Management (National Environmental Standards for Air Quality) Regulations 2004.
- 22 SDC has a duty under the Health Act 1956 to improve, promote, and protect public health under the Health Act 1956.

#### Community Views

- 23 The survey accurately represents the views of the community, as does the views of the Community Board.

#### Costs and Funding

- 24 The Council will have to continue to provide funding for the incentives programme. Educational activities may be funded by existing SDC budgets. A clean air loan scheme would require funding and this would need to be considered also by the Finance team, as the administration of a loan scheme would require some additional staff time.
- 25 The SDC wood burner incentive scheme has been funded by Council as follows (figures excl. GST), to August 2017:

2014/2015	\$701.14	
2015/2016	\$1,977.81	
2016/2017	\$3,784.17	
<b>Total</b>	<b>\$6,702.08</b>	<b>(25 consents varying from \$238 to \$440 each)</b>

#### Policy Implications

- 26 There are no policy implications.

**Analysis**

**Options Considered**

**Option 1 – Do nothing**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li>Winton is compliant with the ambient PM<sub>10</sub> air quality standard.</li> <li>The likelihood of the town becoming a gazetted airshed is unknown.</li> <li>There is some community support for this option.</li> </ul>	<ul style="list-style-type: none"> <li>A missed opportunity to improve public health.</li> <li>A successful drive to reduce air pollution would be very positive for the town in a number of ways.</li> <li>The majority of residents do not support this option.</li> </ul>

**Option 2 – Either or both of the following:**

- a) Requests the Manager of Environmental Health to work with ES to increase awareness of subsidies available, promote the free home health checks, and complete educational initiatives.
- b) Recommends to Council that it approves the extension of the SDC wood burner free building consent incentives scheme until 31 December 2020.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li>Consistent with the views of residents.</li> <li>Clean air, improved health.</li> <li>Reduced pollution.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance measures may add costs to some residents.</li> <li>A minority of residents oppose this option.</li> </ul>

**Assessment of Significance**

27 Not significant.

**Recommended Option**

28 Option 2. Based on the results of this survey, there appears to be strong community mandate for this option.

**Next Steps**

29 Staff will work with ES concerning the matters, and advise the Finance team of the extension to the incentives scheme.

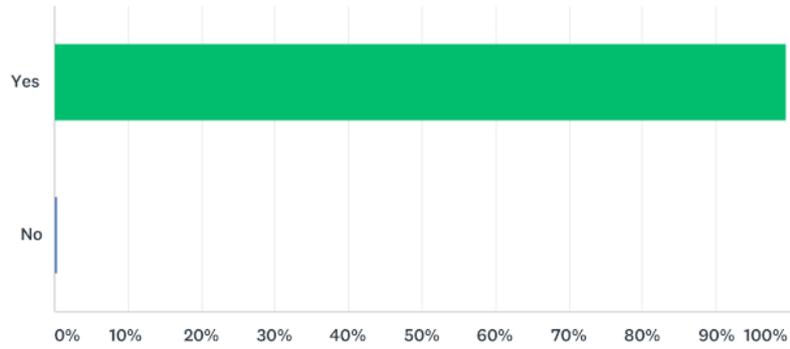
**Attachments**

A FINAL Winton Air Quality Survey Redacted [↓](#)

Winton Air Quality Survey

Q1 Do you live in Winton?

Answered: 207 Skipped: 4

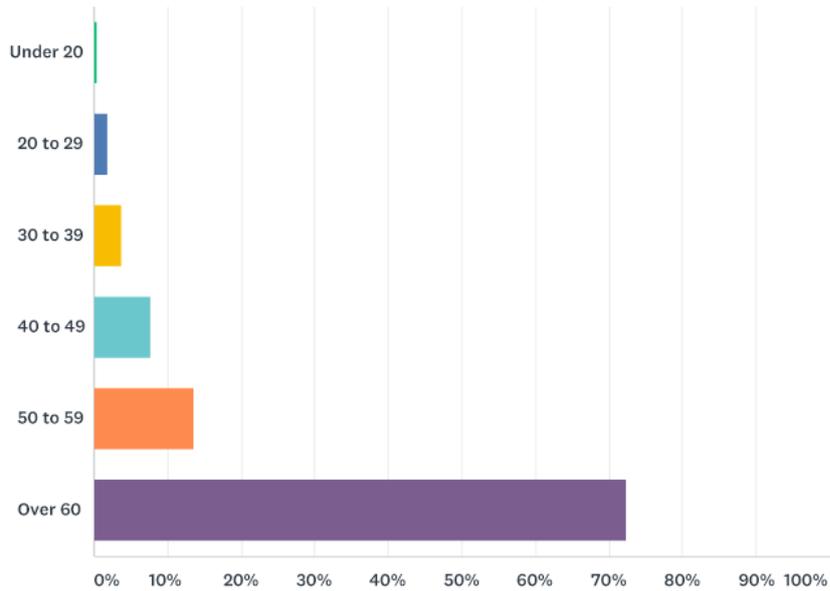


ANSWER CHOICES	RESPONSES	
Yes	99.52%	206
No	0.48%	1
TOTAL		207

Winton Air Quality Survey

Q2 What is your age?

Answered: 207 Skipped: 4



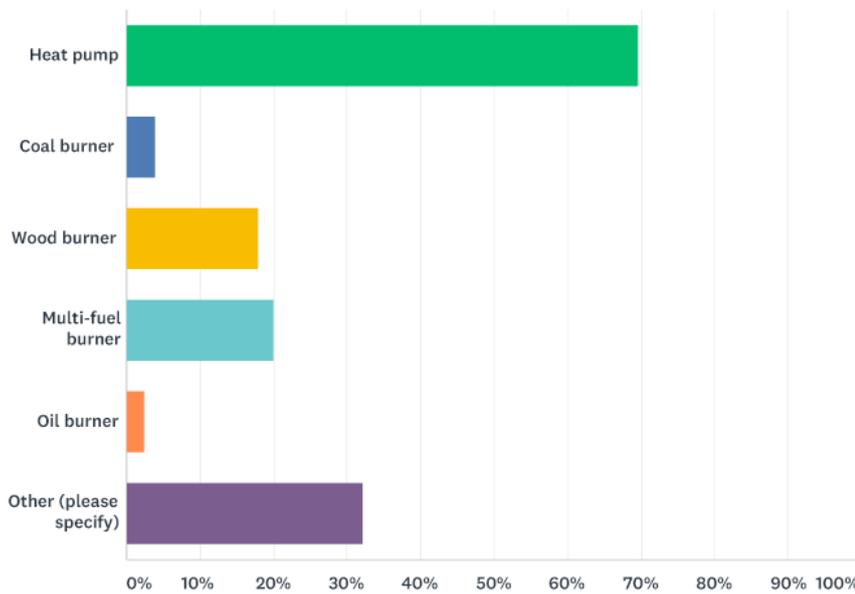
ANSWER CHOICES	RESPONSES	
Under 20	0.48%	1
20 to 29	1.93%	4
30 to 39	3.86%	8
40 to 49	7.73%	16
50 to 59	13.53%	28
Over 60	72.46%	150
TOTAL		207

Item 7.2 Attachment A

Winton Air Quality Survey

Q3 What is the source(s) of heating in your house? (You can tick more than one)

Answered: 205 Skipped: 6



ANSWER CHOICES	RESPONSES
Heat pump	69.76% 143
Coal burner	3.90% 8
Wood burner	18.05% 37
Multi-fuel burner	20.00% 41
Oil burner	2.44% 5
Other (please specify)	32.20% 66
Total Respondents: 205	

#	OTHER (PLEASE SPECIFY)	DATE
1	diesel central heating	9/25/2017 12:10 PM
2	only use heatpump	9/25/2017 12:08 PM
3	moisture master - air transfer	9/25/2017 11:54 AM
4	for about the last 4 years, I have just been using wood & no coal	9/25/2017 11:52 AM
5	night store heater	9/25/2017 11:51 AM
6	gas fire	9/25/2017 11:25 AM
7	open fire	9/25/2017 11:11 AM
8	LPG, condensing HW boiler, central radiator heating.	9/25/2017 11:08 AM

## Winton Air Quality Survey

9	nightstore only use a short time in winter	9/14/2017 4:50 PM
10	gas	9/14/2017 4:46 PM
11	electric heater, bathroom heater	9/14/2017 4:44 PM
12	underfloor heating	9/14/2017 4:42 PM
13	pellet fire	9/14/2017 4:38 PM
14	fireplace	9/14/2017 4:33 PM
15	gas, electric	9/14/2017 4:29 PM
16	underfloor heating	9/14/2017 4:28 PM
17	electric nightstor heater = 800w-1200w Heat zone	9/14/2017 4:26 PM
18	new home plans should be encouraged to comply non emissions	9/14/2017 4:12 PM
19	gas heat pump	9/14/2017 3:57 PM
20	night store heater	9/14/2017 3:54 PM
21	gas fire	9/14/2017 3:52 PM
22	gas fire	9/14/2017 3:41 PM
23	electric	9/14/2017 3:36 PM
24	night store heater	9/14/2017 3:34 PM
25	I have not used the wood burner for the last 5 years	9/14/2017 3:33 PM
26	diesel heater when needed	9/14/2017 3:30 PM
27	diesel radiators	9/14/2017 3:27 PM
28	electric heaters	9/14/2017 3:17 PM
29	wood barrier clean air burner	9/14/2017 3:12 PM
30	gas fire, electric heater	9/14/2017 3:06 PM
31	diesel fired thermostat controlled heating	9/14/2017 3:02 PM
32	night store heater	9/14/2017 2:56 PM
33	gas	9/14/2017 2:49 PM
34	fan heater/ water filled column heater	9/14/2017 2:36 PM
35	diesel radiators	9/12/2017 1:05 PM
36	gas fire	9/12/2017 12:54 PM
37	night store heater	9/12/2017 12:44 PM
38	gas	9/12/2017 12:32 PM
39	destructor (coal) to heat water over winter	9/12/2017 12:23 PM
40	electric heater	9/12/2017 12:13 PM
41	electric, oil heaters	9/12/2017 12:12 PM
42	nightstore heater	9/12/2017 12:08 PM
43	electric	9/12/2017 12:07 PM
44	I dont use wood burner	9/12/2017 11:58 AM
45	Electric heating at moment/Heat pump	9/12/2017 11:55 AM
46	gas fire	9/12/2017 11:48 AM
47	woodsman freestanding burner installed 2014. Free standing little destructor burner.	9/12/2017 11:46 AM
48	electricity & gas	9/6/2017 1:43 PM
49	wall heater	9/6/2017 1:39 PM

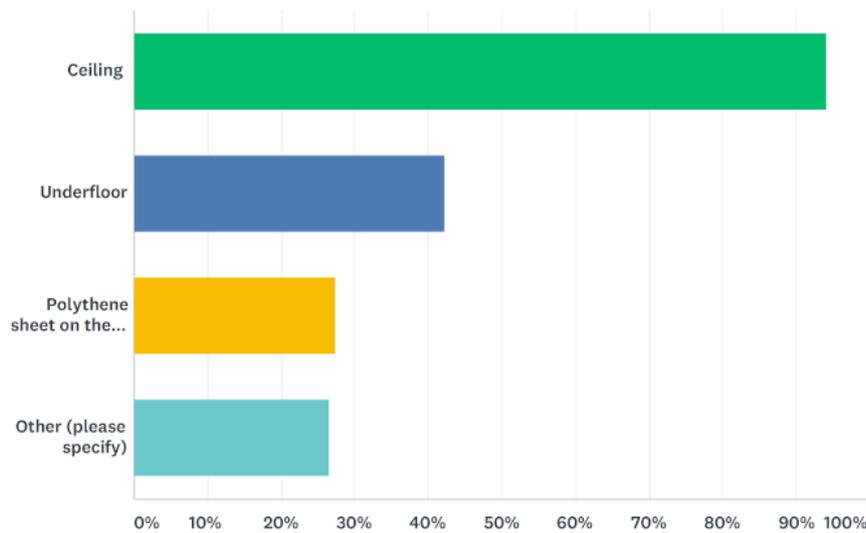
## Winton Air Quality Survey

50	diesel radiators	9/6/2017 1:34 PM
51	diesel	9/6/2017 1:32 PM
52	gas fire	9/6/2017 1:28 PM
53	just heater with silicon bricks electric, regulated. Goes 60 seconds & heat comes from silicon bricks for 60 seconds	9/6/2017 1:18 PM
54	pellet fire	9/6/2017 1:09 PM
55	underfloor heating	9/6/2017 1:05 PM
56	gas fire	9/6/2017 1:02 PM
57	electric radiators - open fire of which wood is only used	9/6/2017 1:01 PM
58	gas	9/6/2017 12:54 PM
59	underfloor heating & diesel burner	9/6/2017 12:42 PM
60	electric	9/6/2017 12:30 PM
61	nightstor electric storage heating	9/6/2017 12:16 PM
62	electric heater	9/6/2017 12:08 PM
63	open fire, burn DRY wood & 1 bucket coal a night. We have an electric heaters for mornings. Also have HRV, solar heating- the house is warm by warm air in roof cavity. We light our fire a month later & finish a month earlier.	9/6/2017 12:07 PM
64	gas fire	9/6/2017 11:26 AM
65	radiators Ecomax boiler - coal fired	9/6/2017 11:07 AM
66	electric blanket	9/6/2017 11:03 AM

Winton Air Quality Survey

Q4 What type of insulation do you have in your house? (You can tick more than one)

Answered: 204 Skipped: 7



ANSWER CHOICES	RESPONSES
Ceiling	94.12% 192
Underfloor	42.16% 86
Polythene sheet on the soil underneath the floor	27.45% 56
Other (please specify)	26.47% 54
Total Respondents: 204	

#	OTHER (PLEASE SPECIFY)	DATE
1	Batts	9/25/2017 12:05 PM
2	HRV	9/25/2017 12:01 PM
3	dble glazed windows	9/25/2017 11:57 AM
4	walls	9/25/2017 11:32 AM
5	pink batts	9/25/2017 10:59 AM
6	walls	9/14/2017 4:42 PM
7	wall batts	9/14/2017 4:38 PM
8	HRV	9/14/2017 4:32 PM
9	walls	9/14/2017 4:29 PM
10	batts in walls	9/14/2017 4:28 PM
11	concrete floor/ground level	9/14/2017 4:26 PM
12	built 2012 has compliance certificate.	9/14/2017 4:12 PM

## Winton Air Quality Survey

13	polystyrene pad, solid walls	9/14/2017 3:52 PM
14	walls	9/14/2017 3:45 PM
15	house is 4 yrs old	9/14/2017 3:41 PM
16	house is 10 months old	9/14/2017 3:30 PM
17	walls	9/14/2017 3:27 PM
18	part double glazed windows	9/14/2017 3:21 PM
19	4 yrs old	9/14/2017 3:20 PM
20	house under 10 years old	9/14/2017 3:18 PM
21	double glazing windows	9/14/2017 3:12 PM
22	dont know, but its 4 years old	9/14/2017 2:55 PM
23	insulation in walls	9/14/2017 2:50 PM
24	Insul fluff wool ceiling, fibre glass some walls	9/14/2017 2:49 PM
25	insulmax in walls	9/14/2017 2:44 PM
26	polystyrene pad	9/12/2017 1:01 PM
27	wall insulation double glazing	9/12/2017 12:59 PM
28	outer walls	9/12/2017 12:46 PM
29	dont know, only lived here 5 years	9/12/2017 12:35 PM
30	wall	9/12/2017 12:29 PM
31	Batts	9/12/2017 12:15 PM
32	concrete floor, log walls	9/12/2017 12:12 PM
33	walls, double glazing	9/12/2017 12:10 PM
34	solid floor	9/12/2017 12:08 PM
35	ask SDC	9/12/2017 12:07 PM
36	concrete floor	9/12/2017 11:58 AM
37	walls	9/12/2017 11:52 AM
38	walls	9/6/2017 1:44 PM
39	not sure, maybe ceiling	9/6/2017 1:39 PM
40	Double glazing	9/6/2017 1:28 PM
41	concrete floor batts in ceiling & walls	9/6/2017 1:18 PM
42	concrete floor	9/6/2017 1:05 PM
43	walls	9/6/2017 1:02 PM
44	walls	9/6/2017 12:59 PM
45	walls (exterior)	9/6/2017 12:57 PM
46	not sure	9/6/2017 12:53 PM
47	concrete floor, walls insulated, double glazed	9/6/2017 12:35 PM
48	walls are also insulated. Cannot afford underfloor at the moment.	9/6/2017 11:48 AM
49	wall batts insulated	9/6/2017 11:40 AM
50	walls	9/6/2017 11:36 AM
51	and walls	9/6/2017 11:33 AM
52	Double glazing	9/6/2017 11:28 AM
53	No ceiling space (exposed beam) Concrete floor	9/6/2017 11:22 AM

Winton Air Quality Survey

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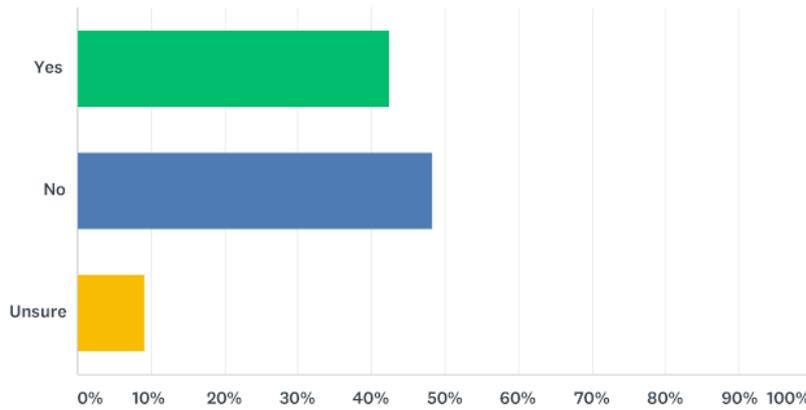
54	none?	9/6/2017 11:03 AM
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Winton Air Quality Survey

Q5 Have you upgraded your ceiling and underfloor insulation in the past 10 years?

Answered: 205 Skipped: 6

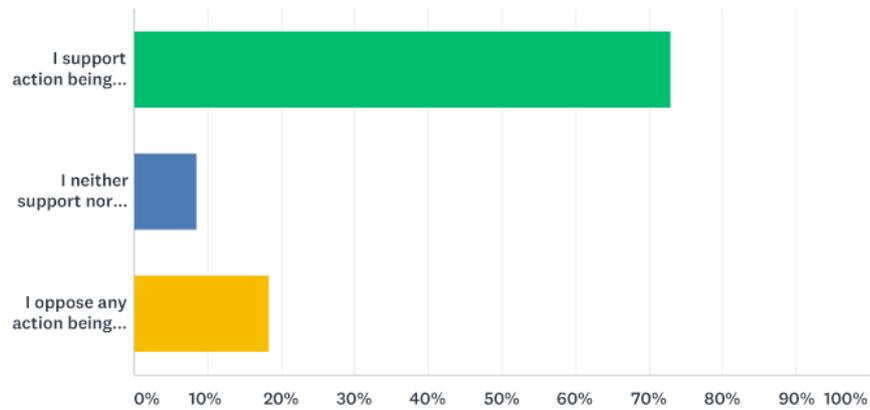


ANSWER CHOICES	RESPONSES	
Yes	42.44%	87
No	48.29%	99
Unsure	9.27%	19
TOTAL		205

Winton Air Quality Survey

Q6 Do you support or oppose action to reduce smoke pollution in the town?

Answered: 200 Skipped: 11



ANSWER CHOICES	RESPONSES	
I support action being taken (tick options in Q7 below)	73.00%	146
I neither support nor oppose	8.50%	17
I oppose any action being taken	18.50%	37
TOTAL		200

## Winton Air Quality Survey

## Q7 Please state why you support/oppose action being taken.

Answered: 107 Skipped: 104

#	RESPONSES	DATE
1	doesnt really affect me	9/25/2017 12:10 PM
2	clean air for everyone	9/25/2017 12:07 PM
3	sick of neighbors smoke blowing my way & making my washing smell	9/25/2017 12:05 PM
4	not that bad, we are on west edge of winton	9/25/2017 11:55 AM
5	asthmatics in family	9/25/2017 11:54 AM
6	to ensure a safe atmosphere for residents	9/25/2017 11:51 AM
7	to me not a problem	9/25/2017 11:49 AM
8	this is an effective way of heating and with such a small population, will not change the air pollution in Southland	9/25/2017 11:42 AM
9	I support but have sympathy for older folk. I deliver meals on wheels to who wouldnt have the money to install alternate heating.	9/25/2017 11:36 AM
10	better for health and environment	9/25/2017 11:28 AM
11	notice it occasionally in winter	9/25/2017 11:25 AM
12	encouraging a healthy environment is good, everybody wants what is best for their homes and families.	9/25/2017 11:22 AM
13	In the winter months the pollution is excessive for a town of 2000+ people. A secondary, but serious problem is dust clouds in central area with more transport into town with rural vehicles. The town is filthy!	9/25/2017 11:08 AM
14	What about the [REDACTED] How much does the effect our town, plus the [REDACTED]	9/25/2017 10:59 AM
15	in the winter im sick of going outside & all I can smell is smoke from coal from log burners	9/14/2017 4:49 PM
16	too costly	9/14/2017 4:42 PM
17	as long as it is sensible & people dont have to pull out existing fireplaces	9/14/2017 4:41 PM
18	we need clean air	9/14/2017 4:38 PM
19	Winton air is not a problem	9/14/2017 4:37 PM
20	cleaner air	9/14/2017 4:29 PM
21	The moon regulates the tides of the sea. The moon is coming closer to the earth for the next 140 yrs	9/14/2017 4:28 PM
22	clean air necessary for better health & good image for tourism advertising	9/14/2017 4:26 PM
23	non complying of home heating is costing all rate payers in winton as of now. This is unfair.	9/14/2017 4:12 PM
24	I knocked off smoking 40 yrs ago	9/14/2017 4:05 PM
25	house is less than 10 yrs old	9/14/2017 3:52 PM
26	multifuels are needed to keep houses warm during winter.	9/14/2017 3:44 PM
27	Because the smoke our neighbours chimney blows straight into our house. We often have to close the windows & doors to stop it entering the house. They have the fire going summer & winter - very frustrating	9/14/2017 3:41 PM
28	need clean air	9/14/2017 3:36 PM
29	I support a healthier atmosphere	9/14/2017 3:33 PM
30	It would be cleaner air for all concerned	9/14/2017 3:30 PM

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## Winton Air Quality Survey

31	so that Winton continues to be a healthy environment to live in.	9/14/2017 3:24 PM
32	Dont want too much air pollution	9/14/2017 3:21 PM
33	We need to keep air as good as possible	9/14/2017 3:20 PM
34	Winton has prevailing winds & very clean air compared to New York, Beijing	9/14/2017 3:17 PM
35	there is always a need to improve the current situation	9/14/2017 3:12 PM
36	Well at my time of life I like to be warm. I only use wood	9/14/2017 3:07 PM
37	to keep our air quality in check	9/14/2017 3:06 PM
38	no need to panic at present	9/14/2017 3:02 PM
39	Cleaner air is better for everyones health	9/14/2017 2:56 PM
40	I believe diesel fumes cause the worst pollution. 12,000 chimneys fell in Christchurch & mostly replaced by heat pumps. They still have a smog problem, so its not wood smoke.	9/14/2017 2:55 PM
41	But in a supportive & helpful way, not in a punitive way.	9/14/2017 2:52 PM
42	Want to live longer	9/14/2017 2:49 PM
43	there is plenty of fresh air where I live	9/14/2017 2:47 PM
44	Not enough to worry about	9/14/2017 2:44 PM
45	clean air for health	9/14/2017 2:43 PM
46	How many elderly are going to die because they cant afford to heat their home by other means or afford the insulation	9/14/2017 2:41 PM
47	There is obviously a need to improve	9/14/2017 2:37 PM
48	Have lung disease & foggy, smokey conditions make being outside difficult.	9/14/2017 2:36 PM
49	clean air is necessary	9/12/2017 1:02 PM
50	cleaner air	9/12/2017 1:01 PM
51	Not really in a position to comment as any action would not affect me. We do need extra warmth in winter.	9/12/2017 12:59 PM
52	We are not affected by any smoke pollution	9/12/2017 12:55 PM
53	Maybe we need to check our [REDACTED] for smoke pollution. Really bad during the early hours of morning	9/12/2017 12:50 PM
54	Let the people decide for themselves if they want to change their heat source.	9/12/2017 12:46 PM
55	Health of the community over all ages.	9/12/2017 12:44 PM
56	Because are the figure rigged. There are less fires now, than ever before. Fires are going out its PC over the top in my view.	9/12/2017 12:43 PM
57	got to use dry wood - I mean everybody	9/12/2017 12:34 PM
58	On still mornings there is a lot of smoke in the air	9/12/2017 12:30 PM
59	we have a lossnay ventilation system which we cannot use at night because it drags outside air that is smoke laden!	9/12/2017 12:29 PM
60	Expensive enough for bloody everything. Just trying to keep our family warm efficiently	9/12/2017 12:25 PM
61	Because I heat water cheaper than electricity	9/12/2017 12:23 PM
62	For everyones health	9/12/2017 12:15 PM
63	I support if smoke actually causes health problems	9/12/2017 12:12 PM
64	Because the smell of the smoke in the morning when out for a walk is terrible	9/12/2017 12:10 PM
65	B-S	9/12/2017 12:07 PM
66	Because it isnt a big problem in Winton	9/12/2017 12:05 PM
67	as evening walkers, we fear that its then that the air quality is at its worst.	9/12/2017 12:02 PM

## Winton Air Quality Survey

68	Very little smoke in Hamilton Ave	9/12/2017 11:58 AM
69	Cost (Rates charged at moment can afford this) No subsidy on dry firewood	9/12/2017 11:52 AM
70	You stop the sawmill burning their wood & we would not have this trouble.	9/12/2017 11:49 AM
71	wet wood. People burning rubbish other than burning wood & coal.	9/12/2017 11:48 AM
72	if it aint broke, why fix it.	9/12/2017 11:27 AM
73	this person wrote a 3 page letter, basically telling SDC what he thought we should do with ourselves.	9/12/2017 11:24 AM
74	for cleaner air	9/6/2017 1:43 PM
75	Both our neighbours burn coal on open fires & it really smells! Kids find it hard to breathe	9/6/2017 1:41 PM
76	support	9/6/2017 1:39 PM
77	the smells of more than wood & coal	9/6/2017 1:38 PM
78	some people fires are over excessive with alot of smoke & are very smelly	9/6/2017 1:35 PM
79	Getting annoyed with my washing smelling of smoke when i hang it outside in winter	9/6/2017 1:34 PM
80	oppose so that people can heat their home cheaply	9/6/2017 1:32 PM
81	I see & smell smoke from wood & coal fires as I walk my dog at 6-6.30am	9/6/2017 1:28 PM
82	high power prices prevent most people staying warm & coldest winters in the country. Heat pump useless.	9/6/2017 1:18 PM
83	better health for everyone	9/6/2017 1:12 PM
84	Healthier	9/6/2017 1:09 PM
85	Some fuels have bad smells	9/6/2017 1:05 PM
86	want to have clean air	9/6/2017 1:04 PM
87	I would like full enjoyment of my property without the terrible coal burning smoke from my neighbours chimney, covering my property.	9/6/2017 1:01 PM
88	clean air is necessary	9/6/2017 12:55 PM
89	if it gets worse - price of wood	9/6/2017 12:53 PM
90	clean air for good health	9/6/2017 12:45 PM
91	Dont think there is a problem	9/6/2017 12:43 PM
92	In my area of Winton these is no smoke pollution to worry about?	9/6/2017 12:42 PM
93	Support for health reasons & environmental	9/6/2017 12:35 PM
94	other people suffer from these fires	9/6/2017 12:27 PM
95	*only back sheet received	9/6/2017 12:25 PM
96	*	9/6/2017 12:24 PM
97	Open fires are not efficient heating. We would like to take out chimney & replace with wood only	9/6/2017 12:07 PM
98	I feel we all need to help provide a clean healthy environment.	9/6/2017 11:48 AM
99	cant see being that bad to affect health.	9/6/2017 11:38 AM
100	To stop people burning lignite & dirty coal.	9/6/2017 11:29 AM
101	To ensure clean air for the people that live here	9/6/2017 11:26 AM
102	When an inversion layer occurs, coal/lignite smoke stops me going outside - I even hold my breath going into the car shed. Towels under outside doors. Yuck.	9/6/2017 11:22 AM
103	I oppose if it costs me money - eg having to replace my existing multi-fuel burner. Other than that, I support it.	9/6/2017 11:17 AM
104	I support the action because at night neighbors burner stinks my lounge & bedroom with smoke	9/6/2017 11:10 AM

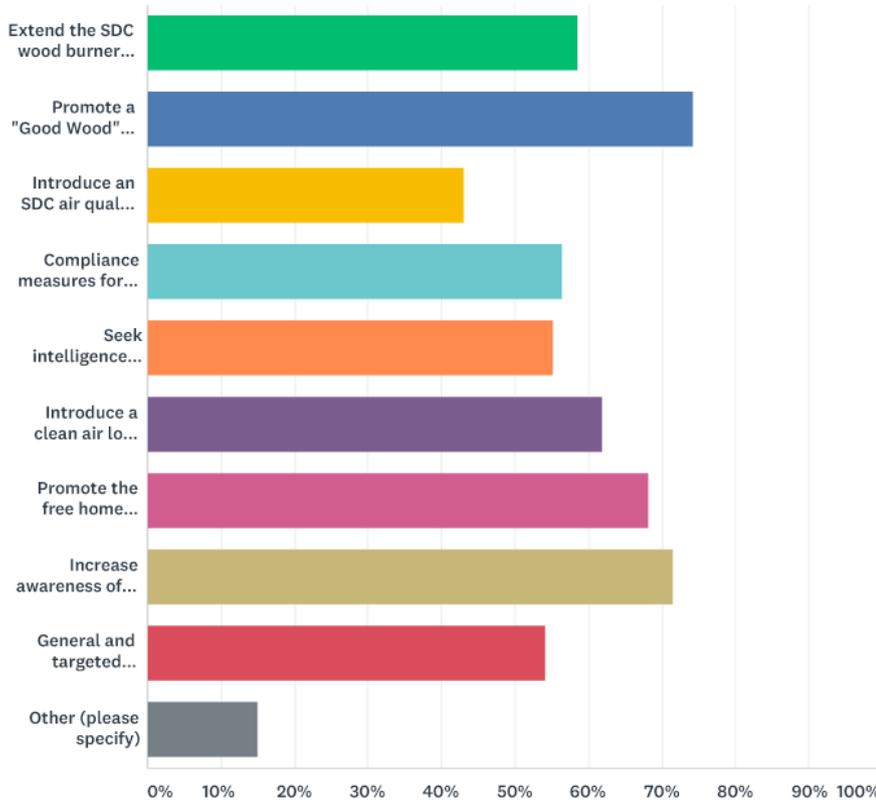
## Winton Air Quality Survey

105	people burning inappropriate things!	9/6/2017 11:07 AM
106	Centennial Park is not a suitable position for air monitoring station. The prevailing wind in Winton is from the South West. Therefore to monitor town air pollution, the station should be located somewhere between the Top Pub & the vet on Great North Road.	9/6/2017 11:03 AM
107	Education is still the best option at this time for Winton, IMHO the issue isnt as bad as other areas and a softer approach can handle it.	9/4/2017 3:44 PM

Winton Air Quality Survey

Q8 If you support action being taken, please tick the options below that you think the Board should advocate for (you can tick as many as you like):

Answered: 179 Skipped: 32



ANSWER CHOICES	RESPONSES	
Extend the SDC wood burner incentive programme by another three years.	58.66%	105
Promote a "Good Wood" scheme in Winton.	74.30%	133
Introduce an SDC air quality bylaw for Winton.	43.02%	77
Compliance measures for irresponsible polluters.	56.42%	101
Seek intelligence about what types of burners are causing the problems.	55.31%	99
Introduce a clean air loan scheme for Winton.	62.01%	111
Promote the free home energy health checks by Awarua Synergy.	68.16%	122
Increase awareness of subsidies already available	71.51%	128
General and targeted education (eg landlords or heavy polluters).	54.19%	97
Other (please specify)	15.08%	27

## Winton Air Quality Survey

Total Respondents: 179		
#	OTHER (PLEASE SPECIFY)	DATE
1	is Awarua Synergy the only contractor/provider?? Should have other providers, ensure fair assessments and competitive rates. They have the monopoly and no competition means they could make recommendations that may not be necessary (moderate their work) to check? who is doing this?	9/25/2017 11:46 AM
2	ban coal fires, but provide a subsidy to folk who are of lesser means to purchase dry wood	9/25/2017 11:36 AM
3	clean efficient burners in family homes should be encouraged with incentives, while tenanted dwellings should be made to upgrade with incentives, but not regulated.	9/25/2017 11:22 AM
4	Does it really matter in what we rate payers say as the boards & govt make these decisions. For us it is mainly the cost of other sources of heating that puts it beyond the average person to be able to afford change.	9/25/2017 10:59 AM
5	a rate reduction for those who have smokeless heating appliances	9/14/2017 4:43 PM
6	should be re above: done already by others so dont need to spend money on that	9/14/2017 4:41 PM
7	discourage all non compliant forms of heating strongly	9/14/2017 4:12 PM
8	it is not just homes causing the problem. You have industrial users(eg [REDACTED] and burn offs of rubbish cuttings doing the same	9/14/2017 4:03 PM
9	education	9/14/2017 3:54 PM
10	please worry about more important issues	9/14/2017 3:17 PM
11	Make sure firewood contractors sell only dry wood	9/14/2017 2:55 PM
12	please check our [REDACTED]	9/12/2017 12:50 PM
13	Southland is cold, fires are the best. Heatpumps arent warm enough. Electric heating cost is too high. The govt. have always promoted power, they are the winners, not us. Another type of heating needs to be.	9/12/2017 12:43 PM
14	offer incentives to install other non pollutant heating!i.e heat pumps	9/12/2017 12:29 PM
15	all ticked as B-S	9/12/2017 12:07 PM
16	Stop people from burning coal. Coal smoke is smelly & dirty	9/12/2017 11:56 AM
17	shut [REDACTED]	9/12/2017 11:27 AM
18	follow japan & their success of clean coal.	9/12/2017 11:24 AM
19	please investigate complaints!!!!!! Ive spent hours with cleaners & a hard broom trying to clean my concrete area & driveway	9/6/2017 1:28 PM
20	prevent the Govt from having us subsidise the north island & make them pay for a change, instead of us. [REDACTED]	9/6/2017 1:18 PM
21	if its not broken dont interfere too much	9/6/2017 12:53 PM
22	very little effect this end of town. Northview Ave	9/6/2017 12:25 PM
23	*only back sheet received	9/6/2017 12:24 PM
24	Has anyone measured whatever is in the air on the days that [REDACTED] it makes me feel sick some days. Thankfully I work out of town now! This should also be considered - pollutant	9/6/2017 12:07 PM
25	stop burning coal	9/6/2017 11:33 AM
26	(landlords was ringed in pen) I pity people with lung problems.	9/6/2017 11:22 AM
27	Should be extended to all homes up to present.	9/6/2017 11:03 AM

## Winton Air Quality Survey

### Q9 If you have any other comments please provide these in the space provided below

Answered: 64 Skipped: 147

#	RESPONSES	DATE
1	thank you for trying to improve our health	9/25/2017 11:59 AM
2	not well advertised - re subsidies to home owners	9/25/2017 11:48 AM
3	thank you	9/25/2017 11:46 AM
4	why is [REDACTED] is allowed to bum bark. this emits high amount of formaldehydes, tannins, & toxins. this smoke engulfs the town and should be cleaned up first.	9/25/2017 11:42 AM
5	Stay out of peoples lives, stop trying to control everything they do. Stick to roadng, water, sewerage. anything else is wasting rata payers money	9/25/2017 11:39 AM
6	Heat pumps are not always sufficient in our cold freezing temperature winters. I have a wood fire to supplement extra heat.	9/25/2017 11:36 AM
7	E/S recommend heat pumps as the desirable heating option - most new dwellings have them as only heating option. that leaves on totally reliant on power - cost of which continues to be more expensive every year and vulnerable whenever there is a power cut. no power, no water, no heat!! This is Southland, not Auckland, what other heating source is there?	9/25/2017 11:32 AM
8	now that we are retired to winton from the farm & leaving finance so that our son can continue farming - my reason to replace the multifuel burner being free wood from the farm and heat pumps are not always good for the eyes - dries them out.	9/25/2017 11:28 AM
9	do not support action where people feel they are being policed i.e people out looking for excessivne smoke. education is the key & financial support. eg low interest/zero interest loans	9/25/2017 11:25 AM
10	the reason for the above suggestion(which obviously wouldnt be as straight cut as that) is that every family wants or should want the best for their families, naturally a family would want clean air and more efficient heating, long term, it makes sense, but i dont think regulating a family home is a good thing. if they are helped and encouraged they will do what is right for their family. Tenanted dwellings with landlords on the other hand, need some regulation. the ideal landlord would have their tenants best interest at heart when providing a house, however these sorts of investments are money driven, which unfortunately comes at the expense of not looking after the house & tenants as they would their own family and homes. They don't have the same motivation to provide clean efficient heating as they naturally would to their own family which means unlikely upgrades & continually pollution of the air. however not all landlords are making or made a lot of money either so they also need a helping hand equally as the homes.	9/25/2017 11:22 AM
11	I strictly only bum wood (dry) and coal and all household rubbish is put into my wheelie bin. However, I have 2 neighbours with log burners who on a regular basis have dense black plastic smelling smoke coming from their chimneys	9/25/2017 11:11 AM
12	Winton is being degraded by rural users of the town - clothing racks covered by clouds of dust when vehicles pass by. God knows the germs being distributed as well as the soiling. Winton deserves better treatment than this. Raise your sights - give the town a fighting chance to improve its image.	9/25/2017 11:08 AM
13	Electricity prices are too expensive plus the cost of heat pumps etc. Why cant it be the choice of the people that live in the houses in their own homes as there are now so many law changes that cost families & older people. this is the cause of children & families having to have two jobs to make ends meet.	9/25/2017 10:59 AM
14	2 days over the limit in 2 years. Is there really a problem?. Continue to monitor	9/14/2017 4:52 PM
15	people who are burning coal need to like of everyone in Winton. I dont hang washing outside as Im sick of clothes smelling of smoke.	9/14/2017 4:49 PM
16	Are checks carried out on levels of industrial smoke emissons (by council) (eg: at night time)	9/14/2017 4:26 PM

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## Winton Air Quality Survey

17	there should be a question included into the age of the existing home	9/14/2017 4:12 PM
18	We are relatively happy with the air quality in Winton, but improvements are always a good idea, if possible	9/14/2017 4:07 PM
19	There are many people who, even with subsidies would not be able to afford upgrades. Also subsidies should apply to renewing the heating, not all people can afford to run heat pumps as some heating of a house	9/14/2017 4:03 PM
20	this is Southland. Mid winter, just waited 9 days for a part for a heatpump	9/14/2017 3:54 PM
21	Winter gets wind to blow the smoke away. It doesnt sit & annoy, we need the option to choose how we heat, stop telling us how to live & how we choose to heat our houses.	9/14/2017 3:44 PM
22	Is there any ability to complain about a neighbors fire? Surely it is a health hazard when the smoke blows straight into our living room.	9/14/2017 3:41 PM
23	I believe the main problem is with green wood & low quality coal - not the fire itself	9/14/2017 3:36 PM
24	as we own a relatively new home, we have covered the heating, insulation, problems. But as a retiree, would appreciate good clean air to breathe	9/14/2017 3:30 PM
25	Eg Water pollution & 1080 drops in national forests. Also please stop the contractor from using roundup glyphosate on roadsides & last year in ditches beside roads that have subsequently killed off flax bushes. Native bell birds & pigeons eat nectar & seeds to live.	9/14/2017 3:17 PM
26	One issue we see is rubbish being burned in the town. This should not be allowed	9/14/2017 3:12 PM
27	Dont agree with landlords being able to receive subsidies, they are able to claim for expenses anyway	9/14/2017 3:09 PM
28	we also worry about the air quality & pollutants being discharged out of [REDACTED]	9/14/2017 3:06 PM
29	good idea	9/14/2017 2:56 PM
30	Free burners for pensioners who'll have to knock their chimneys down	9/14/2017 2:47 PM
31	More elderly are going to die from the cold than from minor pollution. Who is going to take that responsibility or are you going to pass the buck to something else like everyone else. There is no one whose death has been blamed on this pollution, if there is who? To prove your point.	9/14/2017 2:41 PM
32	More measurements, should be taken in different parts of Winton as there could be a bad pollution/poor fire near Centennial Park.	9/14/2017 2:34 PM
33	Maybe this winter which seems to have less wind than usual to disperse the smoke emissions is partly causing higher readings than normal.	9/12/2017 12:59 PM
34	You cant beat the heat a fire gives off over winter, so it would be a shame to see harsh restrictions	9/12/2017 12:55 PM
35	Pollution - Business people burning rubbish in their back yards. Our [REDACTED] People using Kaltangata & Roxburgh coal, it is not clean burning. Ohai or West coal is best	9/12/2017 12:52 PM
36	Kai coal has a lot to answer for here in Winton	9/12/2017 12:50 PM
37	If you bring in a warrant (?) or a rental warrant, people will be poor & will have to sell up. More renting, less owning, more rates will go up, because less owning. Thats happening now. The council & govt will be the losers.	9/12/2017 12:43 PM
38	Be pro active - Phase out wood & coal burners totally	9/12/2017 12:29 PM
39	Stupid idea. Theres always been coal for fires. Stop trying to make a problem where there isnt one.	9/12/2017 12:25 PM
40	As far as we are concerned, it is a load of rubbish. Nobody has died from the smoke from chimneys. Its just some prick in Wellington justifying their position so they can collect a fat salary	9/12/2017 12:19 PM
41	the fact that many older folk live in Winton, air quality is very important for their health.	9/12/2017 12:15 PM
42	this is a load of crap	9/12/2017 12:07 PM
43	People have the right to keep warm however they can best afford. We only have our fires going for a short part of the year, the rest of the year isnt a problem. It is only on the occasional day that there is some smoke. Eg. foggy & no breeze - not that often.	9/12/2017 12:05 PM
44	We applaud your initiatives! Go Winton!	9/12/2017 12:02 PM

## Winton Air Quality Survey

45	I find the heat pump very efficient	9/12/2017 11:58 AM
46	We subsidize Auckland home rentals at the moment. They can subsidize heating in Southland!	9/12/2017 11:52 AM
47	I have a little destructor burner with a wet back on it. The only time I would use this is when the power would go out or in a civil defense emergency. I would like a brochure to be put out, showing what type of wood is best in a wood burner. Make sure you keep your flue cleaned every year. I disagree with the Southland District to introduce an air quality by-law in Winton. Is there any way to measure different parts of Winton to find out what part of town could be causing a problem & work with people of this area. A website to be set up for the SDC which could help people with what type of wood burner would be best for air quality for all the district.	9/12/2017 11:46 AM
48	one day in a year marginally over guidelines doesn't constitute a problem I wouldn't have thought. Must be better things to do than shag about with surveys, discussions & paper wasting when there is no major problem - yet. If a problem arises [REDACTED]	9/12/2017 11:27 AM
49	dogs coming out & doing their business & owners watching & not cleaning up after them.	9/6/2017 1:38 PM
50	My footpath to my front door plus area under veranda with wind blown rain area is now black black black. I'm told by friends it's from a coal burn fire & as my neighbour has a fire chimney directly north of my veranda, it's the culprit. I know from my early walks, it's mainly the wind or breeze from the north that time of day.	9/6/2017 1:28 PM
51	most emissions blow away in a day. Other countries cause pollution with bigger populations. NZ is a puppet, follow the sheep people.	9/6/2017 1:18 PM
52	[REDACTED]	9/6/2017 1:09 PM
53	I have a multi fuel burner. I burn dry seasoned wood that's properly stored to keep dry. I also use Ohai Coal which I regard as clean burning. We have a neighbour that is quite the opposite; wood storage & length of flue. Flue length too short, smoke does not disperse. I think you have to work on bad polluters	9/6/2017 12:53 PM
54	As stated earlier in our area of Winton mid Park St, we feel that air pollution is a non issue	9/6/2017 12:42 PM
55	Support move away from coal burners but don't want a ban on solid fuel burners generally. Mainly a winter issue so good heating necessary.	9/6/2017 12:35 PM
56	*only back sheet received	9/6/2017 12:25 PM
57	*only back sheet received - Very high pine smell coming [REDACTED] (mornings) Kai coal worst offender	9/6/2017 12:24 PM
58	Could the results of the surveys be put up on the SDC website for us all to see? (and not limited to just those on facebook!)	9/6/2017 12:16 PM
59	I feel the air quality is good in Winton already as I have lived all over NZ, UK & Aus.	9/6/2017 12:12 PM
60	If enabling people to do the right thing. Cost is a factor for some.	9/6/2017 12:07 PM
61	Encourage healthier/better coal burning fires. It's mainly coal smoke we smell at our home.	9/6/2017 11:33 AM
62	People driving around checking smoke coming out of chimneys. Our neighbour often has smoke that smells wrong, so obviously burning wet wood or plastic on fire.	9/6/2017 11:26 AM
63	As a family of 5 we don't have the spare money to use upgrading our insulation & replacing our log burner. I would love to do all this but it costs too much. Heavy incentives need to be given to households to help them with reducing pollution & making our houses warmer.	9/6/2017 11:17 AM
64	What do the average PM10 results look like over the past 10 years? I believe there is a natural progression towards heat pump etc. & upgrading should not be mandatory. I like having the ability to have hot water, heat & cooking when there is no power. Wet wood, poor storage of wood & burning household rubbish are where we need to focus effort.	9/4/2017 3:44 PM

## Dog Control Amnesty

**Record No:** R/17/10/25389  
**Author:** Michael Sarfaiti, Environmental Health Manager  
**Approved by:** Bruce Halligan, Group Manager Environmental Services

Decision  Recommendation  Information

### Purpose

- 1 To consider recommending to Council that a dog control amnesty is conducted.

### Executive Summary

- 2 This is a follow-up report from the staff report *Dog Attacks - Research and Recommendations* dated 17 May 2017. Non-registration history is a significant factor in attacks. Other councils have completed amnesties successfully, and an amnesty may prove effective in lowering the dog control risk in the District by the registration of unregistered dogs.

### Recommendation

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Dog Control Amnesty" dated 2 November 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) **Makes a recommendation to Council to authorise staff to complete an amnesty for unregistered dogs, including offering free de-sexing for menacing dogs in early 2018.**

### Background

- 3 On 17 May 2017 the Committee considered my report on Dog Attacks - Research and Recommendations.
- 4 The main findings of the research were:
- a) Most bites occur near to where the dog lives. Typically a person, or a person with a dog, walks/runs/bikes past a house and the dog escapes the property and bites the person or dog.
  - b) Incidents that occur on the dog's property usually involve a meter reader, courier or postie, or another visitor to the property.
  - c) **Non-registration history was a significant factor, just over 50%.** Combined with other history such as wandering warnings or failure to control, the figure jumps to around two-thirds.
  - d) Most dogs were not neutered, however data is not clear enough to give a percentage.
  - e) The dogs being kept in rental properties was another factor of interest, with around two-thirds being on rental properties.
- 5 Paragraph c) above is of most relevance to this report.
- 6 The Committee resolved to request staff to provide a further report on amnesties for consideration.
- 7 Invercargill City Council has held two amnesties recently, the author will endeavour to have some information about the outcome of both on the day of this meeting.

### SDC offer to owners of existing menacing dogs

- 8 In September 2017, staff wrote to all owners of classified menacing dogs that had not been neutered (10 of them), and were not required to be as they were classified prior to the adoption of the Dog Control Bylaw 2015. The letter offered free de-sexing; and none of the recipients accepted the offer.

### Auckland example

- 9 In 2016, a brutal attack on a seven year old boy in Auckland, which resulted in the owner getting five months home detention, led Auckland Council to initiate a Menacing Dog Amnesty, a campaign aimed at de-sexing and registering menacing dogs. The amnesty led to 1,114 dog owners registering 1,225 previously unregistered dogs.
- 10 The amnesty is summarised as follows:

*On 21 April 2016, Auckland Council launched an amnesty for menacing dog owners, in particular targeting American Pit Bull Terrier types.*

*Since unregistered dogs are far more likely to cause harm, incentives are available to encourage registration of menacing dogs.*

*This includes waiving the 2016/2017 registration fee, and waiving the fine for not having a dog currently registered. It will also provide registration, de-sexing, micro-chipping and muzzles for a \$25 fee. This offer*

*is open to all owners of menacing dogs across the region, but the council will focus its efforts on communities that are most at risk.*

*The amnesty is available until 30 June 2016, after which time any unregistered menacing dogs will be seized and owners fined.*

*In the event of a dog attack, or to sign up to the amnesty programme, call 0800 462 685.*

## **Issues**

### **Type of amnesty**

- 11 There are two basic types of amnesty that Council could consider:
1. A focus on menacing dogs by breed, in particular American Pit Bull Terriers. This may also include cheap or free de-sexing.
  2. Unregistered dogs generally, that would also capture menacing breeds.
- 12 Both would involve low/no registration fees the first year, waiver of any fines or other compliance actions.
- 13 Council's Dog Control Officers are of the view that there are likely to be a large number of unregistered dogs in the District. They believe this from experience of finding unregistered dogs from cold calling visits, and also observation from visits for other reasons. Therefore an amnesty for unregistered dogs generally is favoured.
- 14 The recommendation of the report recommends free registration and de-sexing, recognising that there would a future revenue stream from registration from any dogs that are presented. This would maximise the incentivisation of the initiative and so also maximise the number of owners coming forward.

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 15 The Dog Control Act is silent on amnesties. Council is free to have an amnesty if it chooses.

#### **Community Views**

- 16 Views of the community have not been sought. Council is aware of a low tolerance of dog attacks, and this is one action that could be completed as a proactive preventative measure. The author is not aware of any community opposition of any significance when other councils have run amnesties.
- 17 In fact, Auckland Council's menacing dog amnesty won the government public relations award at the Public Relations Institute of New Zealand (PRINZ) awards, in 2017.

#### **Costs and Funding**

- 18 A possible outcome is an increase in dogs being registered, meaning an ongoing increase in income for the dog control business unit. There would be cost in funding the de-sexing of any menacing dogs, this can be covered by the business unit's current surplus of around \$100,000.

- 19 Staff do not expect that many, if any at all, owners of unregistered menacing dogs would take advantage of the amnesty. If say 20 dogs were presented, then the cost of de-sexing would be under \$5,000. Should the amnesty result in a large number of menacing dogs being presented, then this could be a significant cost. This potential cost must also be weighed against the significant community and social costs of serious dog attacks, which can in some cases result in hospitalisation, significant time off work and so on.

**Policy Implications**

- 20 There are no policy implications.

**Analysis**

**Analysis of Options**

**Option 1 - No amnesty**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li><input type="checkbox"/> There is no public demand to hold an amnesty.</li> <li><input type="checkbox"/> The issue of responsible dog owners being aggrieved will not arise.</li> <li><input type="checkbox"/> Time and cost involved in administration.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The only other option for a similar outcome is door to door monitoring; and funded by the issuing of infringements for non-registration. This is labour intensive and expensive (vehicle running etc) and can also involve health and safety risks.</li> </ul>

**Option 2 - Make a recommendation to Council to authorise staff to complete an amnesty for unregistered dogs, including offering free de-sexing for menacing dogs**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Benefits of an amnesty are a safer community due to a number of unknown higher risk dogs becoming compliant through the amnesty.</li> <li><input type="checkbox"/> An increase in income for the business unit, benefiting the whole group of dog owners in the District, that may prevent increases in fees.</li> <li><input type="checkbox"/> Leaving owners with unregistered dogs no excuse, should they receive a fine for keeping an unregistered dog post-amnesty</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Some responsible dog owners may feel aggrieved that this rewards bad behaviour, and the same result could be achieved through door to door monitoring; and funded by the issuing of infringements for non-registration.</li> </ul>

**Assessment of Significance**

- 21 Not significant.

**Recommended Option**

- 22 Option 2 – make a recommendation to Council to authorise staff to complete an amnesty, primarily as an attack-prevention measure.

**Next Steps**

- 23 If Option 2 is adopted, staff will prepare a report to Council advising of the Committee's recommendation.

**Attachments**

There are no attachments for this report.



## Presentation by Roving Museum Officer on recent work on Stewart Island/ Rakiura

Record No: R/17/10/24024

Author: Bruce Halligan, Group Manager Environmental Services

Approved by: Bruce Halligan, Group Manager Environmental Services

Decision

Recommendation

Information

- 1 Roving Museum Officer Johanna Massey has recently been involved in some important and interesting heritage preservation work on Stewart Island / Rakiura.
- 2 This work is likely to be of interest to Regulatory and Consents Committee members, and Ms Massey has prepared a Powerpoint presentation of approximately 20 minutes duration to outline this work, which she will present at the meeting on November 16<sup>th</sup>.
- 3 This presentation is for the Committee's information only, and no decision is required. It is considered that this presentation is timely with the Rakiura Heritage Centre project advancing and having recently received resource consent from the Environmental Services Group.

### Recommendation

**That the Regulatory and Consents Committee:**

- a) **Receives the report titled "Presentation by Roving Museum Officer on recent work on Stewart Island/ Rakiura " dated 6 November 2017.**

### Attachments

There are no attachments for this report.