



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

Date: Thursday, 11 June 2020
Time: 9am
Meeting Room: Council Chamber
Venue: 15 Forth Street, Invercargill

Regulatory and Consents Committee Agenda OPEN

MEMBERSHIP

| | |
|--------------------|--|
| Chairperson | Paul Duffy Mayor Gary Tong |
| Councillors | Darren Frazer Julie Keast Christine Menzies Margie Ruddenklau |

IN ATTENDANCE

| | |
|---|-----------------|
| Group Manager - Environmental Services | Fran Mikulicic |
| Committee Advisor | Alyson Hamilton |

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Website: www.southlanddc.govt.nz

Full agendas are available on Council's Website
www.southlanddc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

Terms of Reference – Regulatory and Consents Committee

| | |
|------------------------------|--|
| TYPE OF COMMITTEE | Council committee |
| RESPONSIBLE TO | Council |
| SUBCOMMITTEES | None |
| LEGISLATIVE BASIS | Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002. Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002. |
| MEMBERSHIP | The Regulatory and Consents Committee will comprise of six members. |
| FREQUENCY OF MEETINGS | Six weekly or as required |
| QUORUM | Three |
| SCOPE OF ACTIVITIES | <p>The Regulatory and Consents Committee is responsible for overseeing the delivery of regulatory services and statutory functions that fall with the scope of, but limited to, the following legislation:</p> <ul style="list-style-type: none"> • 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 • Southland Land Drainage Act 1935 • Southland Land Drainage Amendment Act 1938. <p>The committee is responsible for hearing and determining regulatory matters including but not limited to:</p> <ul style="list-style-type: none"> • resource consents • public work requirements • objections against the construction of public works on private land • objections to decisions made by the committee and/or delegated staff • administration of Council bylaws • proposed variations to the District Plan. |

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| DELEGATIONS | <p>Council delegates to the Regulatory and Consents Committee the following functions:</p> <p>Power to Act</p> <ul style="list-style-type: none"> 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 ie - pursuant to the RMA) 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 resource management hearing commissioners (from whom a commissioner can be selected) at regular intervals and the chief executive be authorised to appoint individual commissioners for a particular hearing f) make decisions on applications required under Southland District Council's Development and Financial Contribution Policy for remissions, postponements, reconsiderations and objections i) receive and approve Council's Annual Reports on dog control and alcohol licensing j) hear and determine objections to officer decisions under the Dog Control Act 1996 k) hear objections and decide on matters under the Southland Land Drainage Act 1935 and Southland Land Drainage Amendment Act 1938. <p>The Regulatory and Consents Committee shall be accountable to Council for the exercising of these powers (Local Government Act 2002, Schedule 7, Clause 32).</p> <p>Power to Recommend</p> <p>The Regulatory and Consents Committee is responsible for considering and making recommendations to Council regarding:</p> <ul style="list-style-type: none"> 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. |
| FINANCIAL DELEGATIONS | <p>Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee's jurisdiction.</p> <p>Contract Acceptance:</p> <ul style="list-style-type: none"> • accept or decline any contract for the purchase of goods, services, capital works or other assets where the total value of the lump sum contract does not exceed the sum allocated in the Long Term Plan/Annual Plan and the contract relates to an activity that is within the scope of activities relating to the work of the Finance and Assurance Committee |

| | |
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| | <ul style="list-style-type: none"> accept or decline any contract for the disposal of goods, plant or other assets other than property or land as provided for in the Long Term Plan <p>Budget Reallocation.</p> <p>The committee is authorised to reallocate funds from one existing budget item to another. Reallocation of this kind must not impact on current or future levels of service and must be:</p> <ul style="list-style-type: none"> funded by way of savings on existing budget items within the jurisdiction of the committee consistent with the Revenue and Financing Policy. |
| LIMITS TO DELEGATIONS | <p>Matters that must be processed by way of recommendation to Council include:</p> <ul style="list-style-type: none"> making operative District Plan changes decision to notify the reviewed District Plan and make operative amendments to fees and charges relating to all activities. <p>Powers that cannot be delegated to committees as per the Local Government Act 2002 and sections 2.4 and 2.5 of this manual.</p> <p>Delegated authority is within the financial limits in section 9 of this manual.</p> |
| STAKEHOLDER RELATIONSHIPS | <p>This committee shall maintain relationships including, but not limited to the following organisations:</p> <ul style="list-style-type: none"> Each of the nine community boards Southland Museum and Art Gallery Southland Heritage Building Preservation Trust Emergency Management Southland Southland Regional Heritage Committee Public Health South New Zealand Police Ministry of Business, Innovation and Employment Alcohol Regulatory and Licensing Authority. <p>The committee will also hear and receive updates to Council from these organisations, as required.</p> |
| CONTACT WITH MEDIA | <p>The committee chairperson is the authorised spokesperson for the committee in all matters where the committee has authority or a particular interest.</p> <p>Committee members, including the chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the committee's delegations.</p> <p>The group manager, environmental services will manage the formal communications between the committee and its constituents and for the committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of Southland District Council.</p> |

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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 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, 12 February 2020



Regulatory and Consents Committee

OPEN MINUTES

Minutes of a meeting of Regulatory and Consents Committee held in the Council Chamber, 15 Forth Street, Invercargill on Wednesday, 12 February 2020 at 9am.

PRESENT

| | |
|--------------------|--|
| Chairperson | Paul Duffy Mayor Gary Tong |
| Councillors | Darren Frazer Julie Keast Christine Menzies Margie Ruddenklau |

IN ATTENDANCE

| | |
|---|------------------|
| Group Manager Environmental Services | Fran Mikulicic |
| Committee Advisor | Alyson Hamilton |
| Team Leader - Resource Management | Marcus Roy |
| Environmental Health Manager | Michael Sarfaiti |
| Environmental Policy Lead, Resource Management | Rebecca Blyth |

1 Apologies

There were no 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

There were no minutes for confirmation.

Reports for Recommendation

7.1 Draft Keeping of Animals, Poultry and Bees Bylaw

Record No: R/19/12/30531

Environmental Health Manager - Michael Sarfaiti and Policy Analyst - Robyn Rout were in attendance for the item.

Ms Rout advised the purpose of the report is for the Regulatory and Consents Committee to provide feedback on the draft Keeping of Animals, Poultry and Bees Bylaw.

Members were advised that it is proposed the committee recommend to Council that it endorse the draft bylaw for public consultation.

Resolution

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

That the Regulatory and Consents Committee:

- a) Receives the report titled "Draft Keeping of Animals, Poultry and Bees Bylaw" dated 29 January 2020.**

- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Considers the draft Keeping of Animals, Poultry and Bees Bylaw and the formal dispensation for Ohai, and provides feedback.**
- e) **Recommends to Council that it determines pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing the perceived problems with keeping animals.**
- f) **Recommends to Council that it determines pursuant to section 155(2)(a) of the Local Government Act 2002, that the draft Keeping of Animals, Poultry and Bees Bylaw is the most appropriate form of bylaw.**
- g) **Recommends to Council that it determines pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Keeping of Animals, Poultry and Bees Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
- h) **Recommends to Council that it release the draft Keeping of Animals, Poultry and Bees Bylaw for public consultation in accordance with section 83 and 86 of the Local Government Act 2002 from 12 March 2020 to 13 April 2020.**

7.2 Combined Local Alcohol Policy

Record No: R/20/1/1139

Environmental Health Manager - Michael Sarfaiti and Policy Analyst - Jane Edwards were in attendance for the item.

Ms Edwards advised the purpose of the report is to seek recommendation from the Regulatory and Consents committee that Council brings the combined Local Alcohol Policy into force with an operative date of 31 March 2020 in conjunction with Invercargill City Council.

Resolution

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

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Combined Local Alcohol Policy" dated 22 January 2020.**

- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Recommends that Council brings the combined Local Alcohol Policy into force on 31 March 2020 in conjunction with Invercargill City Council.**

The meeting concluded at 9.18am.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE REGULATORY AND CONSENTS
COMMITTEE HELD ON 12 FEBRUARY 2020.

DATE:.....

CHAIRPERSON:.....

Earthquake Prone Building Consultation

Record No: R/20/3/5898

Author: Julie Conradi, Manager Building Solutions

Approved by: Fran Mikulicic, Group Manager Environmental Services

☐ Decision

☒ Recommendation

☐ Information

Purpose

- 1 The purpose of this report is to seek consensus from the Regulatory and Consents Committee (the committee) to recommend to Council public consultation on earthquake-prone buildings that may pose high risk to life and safety.
- 2 Seek the committee's decision that this consultation should **not** include transport routes of strategic importance that would be impeded if buildings collapsed onto them in an earthquake at the same time.
- 3 Request that the attached draft example Statement of Proposal be accepted in principle and be submitted to full Council for approval prior to consultation commencing.

Executive Summary

- 4 The system for identifying and managing earthquake-prone buildings changed on 1 July 2017. The new system prioritises identification and remediation of earthquake-prone buildings that either pose a high risk to life, safety or are critical to recovery in an emergency.
- 5 Certain hospital, emergency, and education buildings that are earthquake prone will be 'priority buildings'. Other earthquake-prone buildings may be priority buildings due to their location and the potential impact of their failure in an earthquake on people.
- 6 These buildings must be identified with community input and in accordance with section 133AF(2)(a) of the Building Act 2004, which requires Southland District Council to use the special consultative procedure in section 83 of the Local Government Act 2002. Council must identify potentially earthquake-prone buildings by 01 July 2022 in medium seismic risk areas. (See Attachment B)
- 7 To help determine which buildings may be priority buildings, Southland District Council have identified thoroughfares in five areas that may have sufficient vehicular or pedestrian traffic to warrant prioritisation, if parts of unreinforced masonry (URM) buildings were to fall onto them in an earthquake¹.
- 8 The five consultation areas are; Otautau, Riverton, Tuatapere, Wyndham and Winton.

¹ An unreinforced masonry (URM) building has masonry walls that do not contain steel, timber or fibre reinforcement. URM buildings are older buildings that often have parapets, as well as verandas, balconies, decorative ornaments, chimneys and signs attached to their facades (front walls that face onto a street or open space).

- 9 Priority buildings must be identified and remediated in half the usual time, (12.5 years) to reduce the risks to life safety more promptly. Earthquake-prone buildings in medium seismic risk areas that are not priority buildings have 25 years to carry out these works.
- 10 Council may also at its discretion undertake a special consultation procedure to identify buildings solely for the purpose of prioritising buildings or parts of buildings that could impede a strategic transport route in a moderate earthquake.
- 11 None of the streets in the five towns have been identified as priority routes as alternatives are available. We are seeking guidance from regulatory and consents committee regarding consultation on this.
- 12 Please refer to the attached Otautau example of a Draft Statement of Proposal which provides further background. The statement of proposal is still incomplete as the feedback from the regulatory and consents committee is necessary regarding not including strategic transport routes in this consultation process.

Recommendation

That the Regulatory and Consents Committee:

- a) **Receives the report titled “Earthquake Prone Building Consultation” dated 5 June 2020.**
- 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) **Accepts the draft statement of proposal in principle and recommends to Council the consultation on Earthquake Prone Building’s occurs and that transport routes of strategic importance are not required as alternative routes are available.**

Factors to Consider

Legal and Statutory Requirements

- 13 Council is required to perform this consultation.

Community Views

- 14 This consultation is intended to obtain community views on priority buildings.

Costs and Funding

- 15 The Building Solutions team will absorb the administrative cost of this consultation process. This includes minor costs associated with publicising the consultation.

Policy Implications

- 16 There are no anticipated policy implications.

Analysis

Options Considered

- 17 The options for consideration are to either consult on priority thoroughfares only or consult priority thoroughfares and strategic transport routes. Failing to meet section 133AF(2)(a) of the Building Act 2004 is not a viable option.

Analysis of Options

Option 1 – No Consultation

| <i>Advantages</i> | <i>Disadvantages</i> |
|--|--|
| <ul style="list-style-type: none">• There are no advantages. | <ul style="list-style-type: none">• Southland District Council would not fulfil its obligation to administer section 133AF(2)(a) of the Building Act 2004. |

Option 2 – Consult Priority Thoroughfares only

| <i>Advantages</i> | <i>Disadvantages</i> |
|---|--|
| <ul style="list-style-type: none">• Keeps consultation relevant• Engages the community• Southland District Council fulfils its obligation to administer section 133AF(2)(a) of the Building Act 2004. | <ul style="list-style-type: none">• There are no disadvantages as no Strategic Transport Routes have been identified by Council. |

Option 3 – Consult Priority Thoroughfares and Strategic Transport Routes

| <i>Advantages</i> | <i>Disadvantages</i> |
|---|--|
| <ul style="list-style-type: none">• N/A as no strategic transport routes have been identified by Council. | <ul style="list-style-type: none">• Confusing to the community and may draw focus away from the key topic of priority thoroughfares.• There will be more data to analyse and follow up with no tangible benefits. |

Assessment of Significance

- 18 Under Councils Significance and Engagement Policy, this is not considered to be significant.

Recommended Option

- 19 Option 2 – Consult Priority Thoroughfares only.

Attachments

- A DRAFT Earthquake-prone building Statement of Proposal for Consultation Priority buildings - Otautau March 2020 [↓](#)
- B Earthquake Prone Buildings Consultation Report to Regulatory & Consents Committee - Attachment B [↓](#)



Statement of Proposal

Consultation on vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation - Otautau

1. Introduction

The system for identifying and managing earthquake-prone buildings changed on 1 July 2017, when the Building (Earthquake-Prone Buildings) Amendment Act 2016 came into force to create Subpart 6A of Part 2 of the Building Act 2004. The new system ensures the way our buildings are managed for future earthquakes is consistent across the country, and provides more information for people using buildings. There are new requirements, powers and time frames to address Earthquake-Prone buildings.

The new system prioritises identification and remediation of Earthquake-Prone Buildings that either pose a high risk to life safety or are critical to recovery in an emergency. Certain hospital, emergency, and education buildings that are earthquake prone will be 'priority buildings'. Other Earthquake-Prone Buildings may be priority buildings due to their location and the potential impact of their failure in an earthquake on people. These buildings must be identified with community input. Priority buildings must be identified and remediated in half the usual time to reduce the risks to life safety more promptly.

Southland District Council seeks your feedback on proposals for roads, footpaths and other thoroughfares that should be prioritised. Southland District Council also seeks your views on whether there are any other thoroughfares that should be included.

This consultation is undertaken in accordance with section 133AF(2)(a) of the Building Act 2004, which requires Southland District Council to use the special consultative procedure in Section 83 of the Local Government Act 2002 to identify priority buildings.

2. New system for managing Earthquake-Prone Buildings

The Building (Earthquake-Prone Buildings) Amendment Act 2016 came into force on 1 July 2017. It changes the current system for identifying and remediating Earthquake-Prone Buildings.

The new system ensures the way our buildings are managed for future earthquakes is consistent across the country and provides more information for people using buildings, such as notices on earthquake-prone buildings and a public register. Owners of Earthquake-Prone Buildings will be required to take action within certain time frames depending on the seismic risk area their building is located in. Affected owners will be contacted by Southland District Council.

The seismic hazard factor (or 'z' factor) has located Otautau within a medium seismic risk area. This means Southland District Council must identify potentially earthquake-prone buildings in this area within 10 years, and building owners must strengthen or demolish earthquake-prone buildings within 25 years¹ unless categorised as a 'priority building'.

More information about the new system can be found at:

<https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/>.

¹ from the date the earthquake-prone building notice is issued.



'Priority buildings' pose a high risk to life safety, or are critical to recovery in an emergency

The new system prioritises identification and remediation to Earthquake-Prone Buildings that either pose a *high risk to life safety, or are critical to recovery in an emergency. These buildings are called 'priority buildings'*. Priority buildings must be identified and remediated in half the time frame allowed for other Earthquake-Prone Buildings to reduce the risks to life safety more promptly.

This means Southland District Council must identify potentially Earthquake-Prone 'priority' Buildings in Otautau within 5 years, and building owners must strengthen or demolish earthquake-prone buildings within 12.5 years².

Certain hospital, emergency, and education buildings that are earthquake-prone are likely to be priority buildings. Some other buildings may also be priority buildings due to their location and the potential impact of their failure in an earthquake on people.

Further guidance on priority buildings is available at: <https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/resources>.

3. Why we're consulting - Your input is required to identify priority buildings

To determine which other buildings may be priority buildings, Southland District Council must identify thoroughfares that have sufficient vehicular or pedestrian traffic to warrant prioritisation if parts of unreinforced masonry (URM) buildings were to fall onto them in an earthquake³.

Your views on the acceptable level of risk for these buildings when considering their uses will inform Council's decision on which thoroughfares (if any) to prioritise.

This consultation is in accordance with section 133AF(2)(a) of the Building Act 2004, which requires Council to use the special consultative procedure in section 83 of the Local Government Act 2002 to identify these priority buildings.

4. Have your say - Submissions

The Southland District Council encourages any person, group or business that has an interest and would like to make a submission on proposed thoroughfares for prioritisation to provide feedback.

The consultation is open from 8:30am DD month YYYY and closes 5:00pm DD month YYYY. You can choose to complete the submission form at end of this document, or respond on line by selecting the on line survey link www.southlanddc.govt.nz/prioritybuilding.

Completed submission forms can be dropped off at Southland District Council, 15 Forth Street, Invercargill, Otautau Area Office, 176 Main Street Otautau, posted to PO Box 903, Invercargill 9840 or emailed to building-cs@southlanddc.govt.nz.

² from the date the earthquake-prone building notice is issued.

³ An unreinforced masonry (URM) building has masonry walls that do not contain steel, timber or fibre reinforcement. URM buildings are older buildings that often have parapets, as well as verandas, balconies, decorative ornaments, chimneys and signs attached to their facades (front walls that face onto a street or open space).



This statement of proposal can also be viewed at <https://www.southlanddc.govt.nz/my-council/-/have-your-say/> or in hard copy at any of the Southland District Council Offices.

An opportunity to speak to your submission is available at the consultation meeting for the Otautau area. Details available on the submission form.

All submissions must state the submitter's name and their contact details. If you require any support with your submission please contact Council on 0800 732 732.

5. Criteria used to Support Proposal

5.1 Vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation

Southland District Council has applied the following criteria to identify roads, footpaths or other thoroughfares that may be priorities:

High pedestrian areas (people not in vehicles)

| Description of use | Description of area | Example of application to small town or rural area |
|--|--|--|
| Areas relating to social or utility activities | Areas where shops, or other services are located | Areas such as the shopping area on the main street, the local pub, community centre |
| Areas relating to work | Areas where concentrations of people work or move around | Areas around businesses in small towns and rural areas where there is a concentration of workers in numbers larger than small shops or cafes |
| Areas relating to transport | Areas where concentrations of people access transport | Areas around bus stops, train stations, tourist centres |
| Key walking routes | Key walking routes that link areas where people are concentrated | Routes from bus stops or other areas relating to transport to areas where shops, other services or areas people work are located |

and/or

Areas with high vehicular traffic (people in motor vehicles/on bikes)

| Description of use | Description of area | Example of application to small town or rural area |
|---------------------------------------|--|---|
| Key traffic routes | Key traffic routes regularly used by vehicles including public transport | Well trafficked main streets or sections of state highways, arterial routes |
| Areas with concentrations of vehicles | Areas where high concentrations of vehicles build up | Busy intersections |

and

EPB Consultation on vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation
Enter publish date Enter publish date

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Potential for part of an unreinforced masonry building to fall onto the identified thoroughfare⁴.
Roads, footpaths or other thoroughfares identified with the prerequisites for priority buildings described in the Act i.e. busy thoroughfares combined with URM building.

6. Proposal

Southland District Council seek your views on whether the roads, footpaths and other thoroughfares identified below have sufficient traffic to warrant prioritisation. It also seeks your views on whether there are any other thoroughfares that should be included.

Otautau Main Thoroughfares: 126 – 176 Main Street from the Alderly Street Intersection to the Chester Street Intersection.



7. What happens next?

Once priority thoroughfares have been finalised, Southland District Council will look at buildings on those thoroughfares to determine whether they are potentially earthquake prone in accordance with the EPB methodology⁵.

Affected building owners will be notified. Owners of potentially Earthquake-Prone Buildings, whether priority or not, have 12 months to provide an engineering assessment. Southland District Council will then

⁴ An unreinforced masonry (URM) building has masonry walls that do not contain steel, timber or fibre reinforcement. URM buildings are older buildings that often have parapets, as well as verandas, balconies, decorative ornaments, chimneys and signs attached to their facades (front walls that face onto a street or open space).

⁵ The EPB methodology is a regulatory tool that sets out the types of buildings that Council must identify as potentially earthquake prone.



determine whether the building is earthquake prone and notify the building owner of remediation requirements.

8. Further information

Further information on the new system for managing earthquake-prone buildings can be found at <https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/>.



Submission

Consultation on vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation

Please note that your submission (including any personal information supplied) will be made available to Councillors and the public.

Submissions open on DD Month YYYY and close on Friday DD Month YYYY. The consultation meeting for the Otautau area will be held on DD Month YYYY.

If you are making a submission on more than one area please complete 1 submission per area. Submission can be completed online at: www.southlanddc.govt.nz/prioritybuilding.

| | |
|----------------------|---------|
| Area of Consultation | Otautau |
| Your Name: | |
| Postal Address: | |
| Phone Number: | |

Do you want to present your submission at a Consultation Meeting? ☐ YES ☐ NO

Q1) Do you believe that any buildings within the above identified thoroughfares may be 'priority buildings'? ☐ YES ☐ NO

Q1a) If yes, please specify which buildings?

Q2) Are there any other thoroughfares you believe meet the criteria but are not listed? ☐ YES ☐ NO

Q2a If yes, please identify any additional thoroughfares i.e. Churches, Pubs and Schools and the buildings within those thoroughfares you believe may be 'priority buildings'.

Thank you for taking the time to support your community and council.

BUILDING PERFORMANCE

Earthquake Prone Buildings Consultation Report to Regulatory & Consents Committee - Appendix A

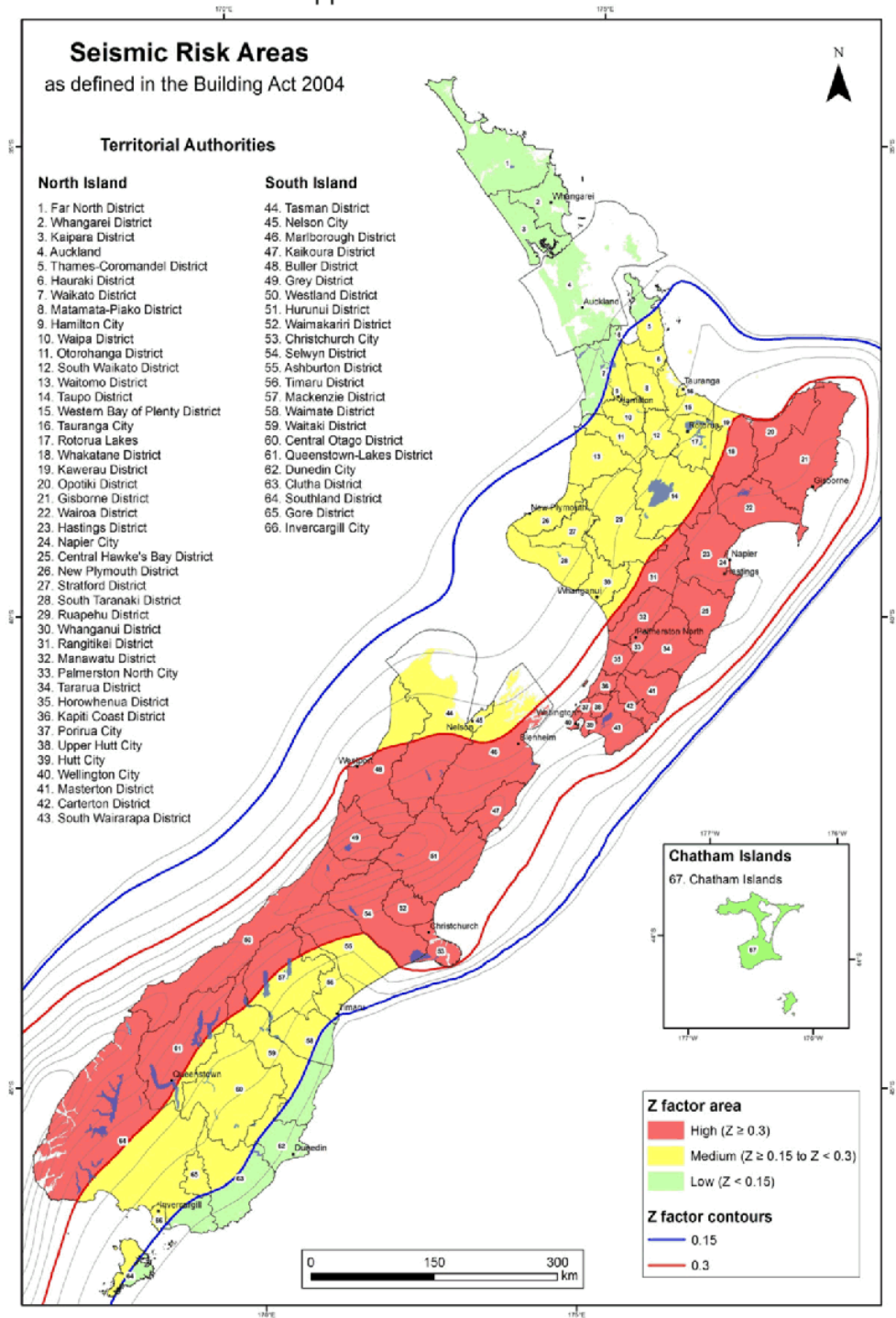


Figure 1. This figure is based on Figures 3.3 and 3.4 from NZS 1170.5:2004 and is used with permission from Standards New Zealand, on behalf of the New Zealand Standards Executive, under copyright licence LN001239.

Update on Building Solutions Matters - March 2020

Record No: R/20/3/5913**Author:** Julie Conradi, Manager Building Solutions**Approved by:** Fran Mikulicic, Group Manager Environmental Services☐ Decision☐ Recommendation☒ Information

Purpose

- 1 The building solutions team are managing a number of key activities simultaneously to ensure they deliver all legislative requirements. Individually, these are significant pieces of work, collectively they are competing with each other for staff capacity. This summary is provided to ensure transparency and provide the opportunity for you to seek clarity regarding this.

Executive Summary

- 2 MBIE reporting. During March 2019, directly after the IANZ Accreditation auditors left, MBIE auditors arrived at Council to review our key territorial authority functions. Three specific functions were reviewed: Swimming pool safety audits, building warrant of fitness audits and amendments made to compliance schedules post 2012 legislative changes. All three areas were found to be lacking in volume of work completed resulting in a requirement for Council to increase volume of output and report back to MBIE on progress.
- 3 Swimming pool audits. A three month resource was recruited (January to March 2020) to collate swimming pool audit information, create a single register of pools known in the area and document pool audits completed. This resource was also engaged to define and document procedures and templates to commence audits in 2020. This work has been completed and pool audits have commenced in March 2020. A marketing campaign is soon to be released to advise the community that pool audits are to be undertaken in their area soon and to promote an 'amnesty' to be held from April to June 2020. During the amnesty Council will ask the community to advise them of any pool or spa that they have added to their property in the past and not notified Council of. During this period Council will withhold issuing instant fines of \$500 under Section 362D(4) for failing to provide prescribed disclosure information to Council. From July 2020, pools or spas identified by Council that have not been advised to us will incur this instant fine.
- 4 Building warrant of fitness (BWoF) audits. Council do not have sufficient capacity to fully resource BWoF audits at the prescribed volume, including performing amendments to compliance schedules. We are currently considering how we can resource these functions and the April 2020 reporting will highlight this immediate resource constraint to MBIE. One member of the team has undertaken training in March 2020 to enable Council to commence regular BWoF audits from April 2020 onwards. This will be at a lower capacity than required by MBIE and therefore remains a risk until a permanent solution is in place.
- 5 Earthquake prone buildings. The evaluation of buildings as 'potentially earthquake prone' has been progressing consistently and is ahead of legislated requirements. Council created their own target of completing an evaluation of both high and medium risk areas by March 2020 and have completed this evaluation. Council will now complete public consultation to identify priority buildings in the medium seismic risk area. MBIE will be on site Thursday 19 March 2020 to

perform an evaluation of Council progress specifically regarding this topic so it is comforting to know that the team are 'on track' in this area.

- 6 Processing timeframes. The building team fell behind on their compliance to statutory timeframes during February, dropping to 44.4% compliance. This is a direct result of difficulties to source contractor support and responding appropriately to the flooding event that occurred. Communication has been sent to the industry via the Council Build Better Newsletter that the team anticipate catching up on any backlog of processing work during the month of March 2020. While the current workload is now at 66% compliance, it should not be underestimated how significant a task it is to catch up in a single month. Ultimately the team prioritised inspections first, maintaining an inspection booking timeframe of 72 hours to ensure current building work stays on track. We have asked the industry for patience from those who are cleaning up a messy history in order to obtain their historic Code Compliance Certificate as these 'projects' will be a lower priority.
- 7 Electronic processing project. The Simpli portal (allowing customers to electronically submit their building consent application) was launched during the last week of January. Unfortunately, due to the flooding event the media release advising the community of this good news was delayed and will be released shortly. The user acceptance testing of the GoGet (electronic processing and inspections system) commenced as planned on Monday 16 March 2020 and will continue for one month. Although this project is a significant impact to team capacity, the building solutions team maintain high prioritisation of this project to ensure that the community reaps the benefits. The project is on track for GoGet to be 'launched' in Council no later than June 2020.
- 8 IANZ Audit. The building solutions team are preparing for their next IANZ Audit in February 2021. With the launching and embedding of two new systems in addition to standard preparation activities, the team will again invite staff across other Council functions the opportunity to participate in these preparations where capacity allows. While currently this audit is scheduled for February 2021, there is a minor risk that the implementation of the Simpli/GoGet systems could cause IANZ to perform their next accreditation audit sooner than planned. Notification of this implementation occurred in January 2020 and IANZ have given no indication to date that they intend to change the date of their next audit, enabling Council to consider an earlier audit as a 'low' risk.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled “Update on Building Solutions Matters - March 2020” dated 5 June 2020.**
- 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.**

Attachments

There are no attachments for this report.

Council's response to the February State of Emergency

Record No: R/20/3/6385

Author: Marcus Roy, Team Leader Resource Management

Approved by: Fran Mikulicic, Group Manager Environmental Services

☐ Decision

☐ Recommendation

☒ Information

Purpose

- 1 This report is to provide an overview of Council's response to the state of emergency declared in February.

Executive Summary

- 2 A state of emergency was declared for Milford Sound on 3 February 2020 and for the Southland Region on 4 February.
- 3 The regional response was coordinated by Emergency Management Southland and supported by Southland District Council and other agencies from around the country. A report was presented to Council on 4 March 2020 by Emergency Management Southland about the regional response.
- 4 This report discusses the Council's response supporting Emergency Management Southland.

Recommendation

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Council's response to the February State of Emergency" dated 5 June 2020.**
- 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) **Endorses teams to build resilience and document processes for other similar events in the future**

Background

- 5 Council supported the state of emergency as a significant amount of the northern and eastern portion of the district was impacted by the flood event.
- 6 A summary of the event is
- Declared state of emergency for 15 days (from 03/02/2020 to 18/02/2020)
 - 200 + staff have worked in the ECC since the response began
 - 30 + staff have been deployed from other regions to work in the ECC since the response began
 - 3 Emergency Mobile Alerts were sent
 - 600 + people were evacuated from Milford Sound and surrounding areas
 - 2400 + people were evacuated from Gore
 - 1500 + people were evacuated from Maitua
 - 500 + people were evacuated from Wyndham
 - 200 + people in transit, were evacuated from Southland roads
 - Flow reached 2400 + cumecs through Gore (stopbanks have a design capacity of 2400 cumecs)
 - Flow reached 2400 + cumecs through Maitua (stopbanks have a design capacity of 2400 cumecs)
 - 26 Community hubs were opened
 - 35 + media releases and 200 + Facebook posts since the response began, with approximately 3,000,000 people reached on social media
 - 900 farmers were contacted by the Rural Support Trust
 - 100 + farmers were helped by the Farmy Army

Issues

- 7 The response to this event had a large impact on teams within the organisation and it will continue to have an impact for some time.
- 8 There have been impacts on “business as usual”. Business as usual requires territorial authorities to respond to states of emergency.
- 9 It has been a significant amount of time since the last state of emergency in Southland.
- 10 There are opportunities to build resilience within teams and our response to future significant emergency events.
- 11 A power point presentation has been prepared outlining some of the key factors for the organisation coming out of this event.

Factors to Consider

Legal and Statutory Requirements

- 12 The Civil Defence Emergency Management Act 2002 is in place to improve and promote the sustainable management of hazards in a way that contributes to the social, economic, cultural and environmental wellbeing and safety of the public and the protection of property.
- 13 This act provides the framework for the management of emergencies.

- 14 Council is part of a shared service (Emergency Management Southland) who coordinates and delivers emergency functions when required. Council staff fill roles within the Emergency Operations Centre and also provide an on the ground response during emergencies.

Community Views

- 15 No Community Views have been sought.

Costs and Funding

- 16 Responding to the state of emergency has created a large amount of work which is not recoverable time but it provides confidence and support to the district and wider region when emergencies occur.

Policy Implications

- 17 Responding to the state of emergency redirected resources away from typical business as usual which has had a knock on effect for delivering KPIs as outlined in the Long Term Plan.

Analysis

Options Considered

- 18 Two option have been considered, receive the report and not receive the report.

Analysis of Options

Option 1 – Receive the report and power point presentation

| <i>Advantages</i> | <i>Disadvantages</i> |
|--|--|
| <ul style="list-style-type: none">Understand the wider implications on the organisation from the state of emergency. | <ul style="list-style-type: none">None |

Option 2 – Not receive the report and power point presentation

| <i>Advantages</i> | <i>Disadvantages</i> |
|--|--|
| <ul style="list-style-type: none">None | <ul style="list-style-type: none">Opportunities for improving processes and knowledge retention may be lost. |

Assessment of Significance

- 19 This decision is not deemed significant.

Recommended Option

- 20 Option 1 – receive the report

Attachments

There are no attachments for this report.

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

Recommendation

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

C8.1 Resource Management update including compliance matters

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 |
|---|--|--|
| Resource Management update including compliance matters | s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest. | 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. |