Notice is hereby given that a meeting of the Resource Planning and Regulation Committee will be held in the Council Chamber, District Council Building, 2 King George Place, Timaru on Tuesday 5 March 2013 commencing at the conclusion of the Community Development Committee meeting.

Committee members:

Cllrs Mulvey (Chairman), Earnshaw (Deputy Chairman), Coughlan, Tierney, Odey, Kennedy, Fraser, Lyon, Stevens, Taylor and the Mayor and a representative of Tangata Whenua.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Committee members are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Peter Nixon
CHIEF EXECUTIVE
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CONFIRMATION OF MINUTES

Minutes of the meeting of the Resource Planning and Regulation Committee held on 5 February 2013.

RECOMMENDATION

That the minutes of the Resource Planning and Regulation Committee meeting held on 5 February 2013 be confirmed as a true and correct record.
1 CHAIRMAN’S REPORT
The Chairman reported on various duties he had undertaken and meetings he had attended on behalf of the Committee since the last meeting including meeting at Pareora on the community’s action plan, SC Rural Fire District meeting, SC District Health Board forum, Council workshop on road maintenance and resource consent hearing.

2 CONFIRMATION OF MINUTES

Proposed Clr Tierney
Seconded Clr Earnshaw

“That the minutes of the Resource Planning and Regulation Committee meeting held on 27 November 2012 be confirmed as a true and correct record.”

MOTION CARRIED

3 INTRODUCTION TO THE SALE AND SUPPLY OF ALCOHOL (File H1/38)
The Committee considered a report by the Environmental Services Manager informing the Committee of the effects of the Sale and Supply of Alcohol Act 2012. With the transitional period in mind, Council has an opportunity to develop its own alcohol policy (to avoid the risk of the default positions in the Act). Council officers can begin to build on the existing policy, taking into account what is happening around the country, involving councillors at an early stage, then convening workshops before reporting back to the Committee. It is intended to work with neighbouring councils, as happens now, but possibly extending to Waitaki District Council.

The Mayor advised that some Councils are setting aside between $30,000 and $70,000 to develop their Local Alcohol Policy. Council has set aside $40,000 in the 2013/14 budget for this process which would be spent on training of District Licensing Committee members and the Special Consultation process.

A draft timetable is being worked on with a view to a March workshop, consultation occurring mid year, working towards notification of the final policy in mid January 2014.

Proposed Clr Earnshaw
Seconded Clr Lyon
“That the report be received and noted and the process of developing a local alcohol policy commence, including consultation as required by the Act, and in conjunction with neighbouring local authorities.”

MOTION CARRIED

4 TIMARU DISTRICT HERITAGE FUND TRUST (File P5/5/11)
The Committee considered a report by the Regulatory Services Manager presenting the Annual report for the Timaru District Heritage Fund Trust and a letter from the NZ Historic Places Trust advising of its withdrawal from the Trust.

It was suggested that with the changes to the Building Act, especially the heritage aspect, it is appropriate to keep the fund as is at this stage but possibly review the relevance of the Trust in the future.

Proposed Cllr Kennedy
Seconded Cllr Tierney

a “That Council receives the 2012 Annual Report, the 2012 Financial Accounts and the minutes of the 2012 AGM of the Timaru District Heritage Fund Trust.

b That Council notes the correspondence from the New Zealand Historic Places Trust to the Timaru District Heritage Fund Trust advising of its withdrawal as a representative on the Board and advises the Trust Chairman that as a result, the Trust Deed will need to be revised.”

MOTION CARRIED

The meeting concluded at 12noon.

______________________________
Chairman
Purpose of Report
The purpose of this report is to reinforce previous Officer and Committee recommendations to allocate $36k to install a Public Alerting Siren System in Pareora for use in the event of a tsunami or other emergency situation.

Background
The 2012-2022 Long Term Plan states that ‘equipment is maintained and upgraded as required to maintain emergency response’ and that we will deliver an ‘extension of Civil Defence siren network’. It is important that communities are encouraged to be as self-reliant as possible but that they are supported by appropriate public education, advice on resilience-building and systems that alert them before or when a disaster occurs, or in the instance of a tsunami before it arrives. This means installation of sirens should only be considered as part of community resilience-building rather than a sole response. This is in line with direction given by the Ministry of Civil Defence and Emergency Management in May 2012.

A holistic approach to emergency response is taken in Pareora as response agencies are not present in that community. This response includes:

- public meetings to inform the community on the levels of risk from tsunami;
- extension of the Pareora Action Group to include the development of a Community Response Plan;
- discussion and guidance on the realities of existing local response mechanisms;
- installation of tsunami education boards (MCDEM Resilience Fund);
- further discussion regarding a local call switch for the sirens (rejected by the community 18/02/13); and
- completion of the Pareora Community Response Plan (January 2013).

Discussion
An analysis of tsunami risk and a consulting report for system cost and site installation recommendations were completed 2011/12. The results were presented to Committee which resulted in $36k being added to the white pages as an asterisked amount for the 2013/14 FY. Note that a reduction of cost for the Caroline Bay siren array had resulted in savings in the 2010/11 FY resulting in a roll-over of $17k in the 2011/12 FY, however, this was insufficient for a siren array install.

The Ministry of Civil Defence and Emergency Management has commissioned a number of reports over the past two decades to address the best way of notifying the
public of hazard events either far field or near field events, much of it summarised in IS10/09 which concludes that effective warning systems should:

- Be focused on the people at risk
- Be able to be understood by all in the same way
- Be capable of reaching people irrespective of what they are doing
- Be easy to access and use
- Not create additional risk
- Be reliable
- Provide appropriate lead time so people can have a chance to protect themselves
- Generate authenticated messages

The proposed system fulfils all of those requirements.

Further direction given by MCDEM (Directors letter dated May 2012) focuses on the down-side of using sirens in isolation, it should be noted that they are successfully used in conjunction with other methods of reduction, readiness and response. It should also be noted that the report (IS10/09) the MCDEM Director alludes to in this letter does not define individual solutions but ranks them in a matrix that is based on demographics and other community descriptors. This matrix was developed to guide emergency managers in deciding which options (plural) best fit their needs, not which option (singular). As such, the reference to that matrix is not relevant in this context, as Timaru uses a variety of methods for public alerting and response and the alerting system currently in place is used for a variety of hazard types and mechanisms, not just tsunami.

Huranui District Council have installed tsunami sirens in their coastal communities in the last two years, as have Christchurch City Council, who are currently in the process of extending that network further in areas facing Pegasus Bay despite the Directors letter, as is Tauranga City Council. Public Alerting Siren Systems are used throughout New Zealand to warn communities to either turn their radio station on or evacuate their community in the event of a variety of hazards. Here in the Timaru District the message is always ‘turn on your radio and listen to the local channel, Port FM’.

Elsewhere in New Zealand Civil Defence sirens are in place at Wanganui, Lower Hutt, Napier, Wanganui and the former Waitakere City area of Auckland (C. Raine, Waitaki DC). Each has a network of Civil Defence sirens. In the Western Bay of Plenty several fire sirens are used as civil defence sirens and there is a dedicated Civil Defence siren in Mount Maunganui. In the South Waikato the Tokoroa, Putaruru and Tirau fire sirens are also Civil Defence sirens and Tokoroa also has a dedicated Civil Defence siren. Whangamata has two dedicated Civil Defence sirens and the Whangamata fire siren is also a Civil Defence siren. Overseas Civil Defence sirens are used throughout Europe and the Middle East either to advise of dam failure, landslides, floods, air raids and other hazards. Sirens are also used in the United States and Canada for events such as tornadoes, volcanic activity, tsunami and flooding.

Previous reports indicate there is a low level of risk from source distant tsunami, however the modelling undertaken does not take into account the changes in coastal morphology in response to incoming and outgoing tsunami surge waves (i.e. the reduction in protective beach sediments following tsunami wave scour). Pareora Community has shown its willingness to create a response led by them, acknowledging that in a large-scale disaster they are likely to be on their own. Their Response Plan has been completed, recommendations made have been acknowledged and additional billboards for tsunami education have been installed in
Pareora, with additional billboards being requested. The Pareora Response Committee also uses a telephone tree, car horns, door knocking and verbal contact. The current resident population of Pareora is 432, with minimal (unknown) holiday residents. In addition there are 60 children and staff at the South School (Pareora) Campus, additional staff and stock at the Silver Fern Pareora Works. At times there are visiting sports teams, visitors to the Country Club and discussions are currently underway for the creation of a pre-school facility. This increases the level of risk to the community from incidents like tsunami, coastal inundation, flooding ad chemical release from the Pareora Works.

**Identification of Relevant Legislation, Council Policy and Plans**
This direction is in line with the Guide to the National CDEM Group Plan (reduction of residual risk), the Canterbury CDEM Group Plan (improving community resilience) and the CDEM Local Arrangements (comprehensive communications system).

**Assessment of Significance**
This matter is not deemed significant under the Council’s Significance Policy.

**Consultation**
Consultation has included educational and discussion sessions:
- during CD volunteer training
- in Neighbourhood Support; and
- in three separate community meetings in Pareora over the last 2 years
- tsunami and other coastal inundation events in the areas where coastal hazard and community risk were identified

**Other Considerations**
N/A

**Funding Implications**
Use of asterisked $36k from the 2013/14 CDEM budget (CAPEX) as detailed in the current LTP.

**Conclusion**
The Committee should consider if they wish to release funding currently available for this project.

**Recommendation**
1. That the asterisked funding of $36,000 currently set aside for siren array installations in Pareora be utilised.
2. That the Pareora Response Committee be acknowledged for their contribution to the development of the Pareora Community Response Plan.
Please find attached a submission on the Building Seismic Performance “Proposals to improve the New Zealand earthquake-prone building system” Consultation Document.

The submission has been drafted incorporating the information provided by council’s infrastructure consultants Rationale, generic information provided by the Southern Territorial Authorities which are collaborating on this project and from feedback from Councillors at the workshop conducted two weeks ago.

The timeframe for the Ministry to receive the submission is 8 March so if changes need to be made they will need to be undertaken prior to this date.

Recommendation

That the Resource, Planning and Regulation Committee adopt the submission on The Ministry of Business, Innovation and Employment’s Building Seismic Performance “proposals to improve the New Zealand earthquake-prone building system” Consultation Document.
26 February 2013

Earthquake-Prone Building Review
Infrastructure and Resource Market Group
Ministry of Business, Innovation and Employment
PO Box 10729
Wellington 6143

Submission from Timaru District Council on the Ministry of Business, Innovation and Employment’s ‘Building Seismic Performance: Proposals to Improve the New Zealand Earthquake-prone Building System’

Proposal 1 and 2

Question 1: Should local authorities be required to assess the seismic capacity of all buildings covered by the earthquake prone building system in their areas, and to issue seismic capacity ratings to owners?

Response:
Timaru District Council does not support local authorities being required to assess all buildings covered by the earthquake prone building system within its territorial boundaries. Council’s infrastructure consultants, through analysis of Timaru District Council’s Quotable Value data, have advised the number of assessments required to be undertaken under the proposal would be 2,770 and includes 1,140 rural structures and cost the Timaru District community $3.6m. Council strongly believes rural structures should be exempt from the assessment programme due to their low utilization, low occupancy and inherent low risk profile.

Question 2: Do you think five years is a reasonable and practical time to require local authorities to carry out assessments in their Districts?

Response:
While the five years may appear a reasonable timeframe, Timaru District Councils advice is that the costs of implementation are likely to represent a significant cost to the Timaru District community. As a result of this advice and analysis and the cost/benefit analysis prepared by the Ministry of Business, Innovation and Employment, Timaru District Council believes that regional New Zealand will feel the impact of this proposal more so than metropolitan New Zealand. Not only will regional towns and cities find it more difficult to attract qualified personnel to undertake the assessments than large urban areas but towns such as Timaru will disproportionately bear the financial burden of the proposals due to the higher proportion of older more earthquake susceptible commercial and retail building stock (an estimated 810 earthquake prone buildings in the District) than larger urban centres.

Timaru District Council strongly favours the adoption of a “principles” rather than “prescriptive” based approach in determining assessment criteria and the foundation of these principles would be the retention of local flexibility and decision making.

Question 3: Should unreinforced masonry buildings be assessed faster than other buildings?
Response:
Timaru District Council consider that building assessments should be risk based (and assessed by the building owner using an appropriate and standardised methodology) as opposed to prioritising by building type or construction method. As the consultation document notes, the greatest loss of life in Christchurch occurred in buildings that were not unreinforced masonry, this would suggest that any assessment prioritisation needs to be more comprehensive than just an assessment of building type.

Question 4: What costs and other implications do you see with these proposals to assess the seismic capacity of buildings?

Response:
A number of direct and indirect costs and implications for Timaru District Council are likely to result from the current proposals. Analysis conducted as part of this submission points to a high degree of compliance costs for affected property owners and ultimately the community due to the requirement to make assessments of all non residential and multi story, multi unit buildings within five years.

Proposal 3

Question 5: Do you agree that local authorities should be required to enter information on the seismic capacity or buildings into a publically accessible, central register to be managed by MBIE?

Response:
Timaru District Council supports the public having access to the seismic capacity of buildings within its district.

Question 5: Should information other than a buildings seismic capacity rating be entered into the register - for example, agreed strengthening actions or information from an agreed building rating system?

Response:
Timaru District Council does not believe sufficient information has been provided in the proposal to either support or not support the proposal.

Question 6: Rather than a central register, should local authorities be responsible for both collecting and publishing this information?

Response:
Timaru District Council supports public access to the seismic capacity rating information either through a central or local government portal. Timaru District Council is of the view that it is the property owners who should be responsible for the assessment of their properties and the consequent provision of information on their properties to the appropriate agency.

Question 8: Should there be any other information disclosure requirements - for example, should building owners be legally required to display information on the building itself about the buildings seismic capacity?

Response:
Timaru District Council has no objections to this being a possible requirement. 

Question 9: What costs and other implications do you see resulting from the proposal to put seismic capacity information in a register?
Response:
With the sheer number of buildings required to be assessed under this proposal there will be significant staff resource costs in developing and maintaining a public register, this cost will fall on either MBIE or the Territorial Authority depending on which agency is responsible for the register?

Proposal 4

Question 10: Does the current earthquake prone buildings threshold (33% of the requirement for new buildings) strike a reasonable balance between protecting people from harm and the cost of upgrading or removing the estimated 15,000 - 25,000 buildings likely to be below this line?

Response:
Timaru District Council strongly supports the Governments proposal to retain the 33% of New Building Standard believing it strikes the right balance between risk and cost.

Question 11: Should the requirement for earthquake prone buildings to be strengthened or demolished take precedence over all other legal, regulatory and planning requirements, such as those designed to protect buildings of heritage or local character?

Response:
Timaru District Council believes a balanced flexible approach to heritage and life risk is required and the most effective avenue for this to occur is through allowing local decision making on this issue.

Question 12: Should local authorities have the power to require higher levels of strengthening than the earthquake-prone building threshold, or strengthening within shorter timeframes than the legally defined period?

Response:
It is Timaru District Councils understanding through the successful legal challenge by the insurance industry against Christchurch City Council, which sought to increase the thresholds, that Councils will not have the ability to increase the strengthening thresholds.

Question 13: Should certain features of unreinforced masonry buildings, such as chimneys and parapets, be required to be strengthened to a higher level?

Response:
Timaru District Council agrees with the government’s proposed threshold of 33% of the building code for commercial, multi storey, multi tenanted residential buildings and building components such as chimneys, verandahs and parapets. Council’s however need to retain the flexibility of local decision making in areas such as requiring the strengthening of components within a shorter timeframe if it is appropriate, is stated in policy and is in consultation with the community.

Proposals 5, 6 and 7

Question 14: Is it reasonable and practical for owners of earthquake-prone buildings to meet the following timeframes:

- 12 moths to submit plans for either strengthening or demolishing the building
- 10 years from the date of the seismic capacity rating to strengthen or demolish
Response:
Timaru District Council disagrees with both the proposed timeframes. Council considers the 12 month period for property owners (particularly of marginally economic buildings, which Timaru District has a high proportion of) to submit plans for strengthening or demolition will be unachievable and unaffordable, especially given the lack of availability of qualified professionals to draft the plans; further exacerbated by Christchurch’s continuing needs for similarly qualified staff.

More importantly however is the 10 year timeframe for building strengthening work to be completed. With 2,770 estimated assessments, and 810 estimated earthquake-prone buildings identified in Timaru District, the cost to the communities within the Timaru District to assess and strengthen those buildings is conservatively estimated at $215m. Figures that are clearly beyond the ability of the communities within the Timaru District to cope with and absorb.

Question 15: What additional powers would local authorities require to enforce the proposed requirements?

Response:
It will be essential that Councils will need the power to recover the actual costs of implementing the proposals from the building owners or central government or a combination of, including assessment, compliance, monitoring and enforcement costs.

Question 16: Should local authorities be able to require faster action on buildings of strategic importance, such as those:

- Located on transport routes identified as critical in an emergency
- With important public, social and economic functions such as schools and police stations
- With post-earthquake recovery functions such as civil defense centres and hospitals

Response:
Timaru District Council agrees that local authorities should retain the flexibility (based on local level decision making) for faster action on buildings of strategic importance.

Question 17: Should all unreinforced masonry buildings require strengthening more quickly than other earthquake-prone buildings.

Response:
Timaru District Council disagrees with the prescriptive non risk based approach that all masonry buildings require strengthening more quickly. To support this view, it is evidenced in the Christchurch earthquake for example that a far greater number of people died in buildings other than unreinforced masonry.

Again this is an example where flexibility and local decision making by Councils is required. Actions on unreinforced masonry should be risk based (utilisation and occupancy being two significant factors) and devolved to local authorities.

Proposal 8

Question 18: Should the owners of certain specified types of earthquake-prone buildings be able to apply to local authorities for exemptions or time extensions to the requirement to strengthen or demolish?
Response:
Timaru District Council supports councils having the ability to apply flexible and risk based methodology for allowing exemptions and time extensions to strengthen or demolish buildings.

Question 19 If yes to above what are your views on the proposed criteria?

Response:
The proposed exemptions are complex and constraining and it is difficult to understand how any building with the exception of the most isolated property could fall within the scope of the proposed exempt criteria.

Council believes the scope of the exemptions needs to take account of the marginally economic buildings with limited permitted use (storage for example), rural buildings, churches, halls etc.

Proposal 9

Question 20
Are the advice, information and education activities proposed for central and local government agencies sufficient to help ensure effective implementation of the new earthquake-prone building system?

Response:
Council agrees that the activities proposed are adequate to ensure effective implementation of the new earthquake-prone building system. Once the proposals are enacted however a highly effective education communication plan will need to be rolled out throughout the country so that affected stakeholders have all the information necessary to make informed decisions.

Summary

- Following the devastating Christchurch earthquakes and the resulting significant loss of life Timaru District Council understands the need for the government through the Ministry of Business, Innovation and Employment to implement changes to the way earthquake-prone buildings are identified and either strengthened to the appropriate level (33%) or demolished.

- There needs to be flexibility in the application of the proposed legislation so that any required actions are assessed on risk (with utilisation and occupancy being two significant criteria) and not entirely prescriptive.

- Territorial Authorities, which have a high degree of local knowledge, should have significant input into decisions made for their local communities as they are the agencies with the greatest institutional knowledge and are therefore in the best position to assess risk for their residents from earthquake-prone buildings.

- The outcome of any cost/benefit/risk analysis must be affordable for the communities affected. In Timaru District’s case the cost of assessing 2,770 buildings is approximately $3.6m, in addition the cost of strengthening the estimated 810 earthquake-prone buildings is conservatively estimated at $211m. A cost clearly unsustainable for the Timaru District communities.
• To lower this cost the Timaru District Council strongly submits that rural farm buildings with low occupancy and low utilisation be exempt from assessment.

• That consideration for communities with disproportionately high building stock of earthquake-prone buildings be given in the form of extending the timeframes for assessment, submission of plans for strengthening or demolition and strengthening work.

Timaru District Council thanks the Ministry of Business, Innovation and Employment for the opportunity to make submissions on the Building Seismic Performance Proposals.