



DATA STATEMENT
Property boundaries
Landed information R22
Landed information R22
Crown Copyright reserved
Accuracy in plan scale: 40:1
Accuracy in vertical scale: 40:100m

Other data has been
compiled from a
variety of sources and
is accurate only to
the extent shown.

Any contours displayed
are only approximate
and must not be used for
detailed engineering design.

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**Cog Park Dog Exercise Area (Existing)
Appendix 1**

1:750





**Relocated
Dog Exercise Area
(Kainui Reserve)**

Evans Bay Parade

Cog Park

DATA STATEMENT
 Property boundaries
 sourced from the NZ
 Land Information
 System (LINZ) data.
 Accuracy of cadastral data is
 as per the LINZ data.
 Other data has been
 completed from a
 variety of sources and
 its accuracy may vary.
 Any construction
 and/or site use should
 be undertaken in
 accordance with the
 relevant engineering design.
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**Dog Exercise Area (Relocated)
Appendix 2**

1:500
**Absolutely
POSITIVELY
Wellington**

EARTHQUAKE-PRONE BUILDINGS POLICY

EARTHQUAKE- PRONE BUILDINGS POLICY

MAY 2006

CONTENTS

- 1. Introduction**
- 2. Policy objectives and principles**
- 3. Key Policy Components**
 - Assessing earthquake-prone buildings
 - Standard of strengthening required
 - Prioritisation to strengthen earthquake-prone buildings
 - Maximum timeframe to strengthen a building
 - Demolition of earthquake-prone building
 - Change of use
 - Heritage buildings
 - Council infrastructure
- 4. Identification of Earthquake-Prone Buildings**
- 5. Availability of Earthquake-Prone Building Information**

ATTACHMENT 1: Importance Levels for Building types

ATTACHMENT 2: Specific matters to be considered in a hearings process

ATTACHMENT 3: Definition of Heritage Building

Introduction

Wellington City is located in one of the most seismically active parts of New Zealand. Earthquakes are unpredictable events that occur infrequently and they can have significant consequences.

Earthquakes cannot be prevented, but their impacts can be mitigated. The Building Act 2004 (the 'Act') expresses the government's objective for earthquake-prone buildings to be strengthened to the appropriate seismic standards, or be demolished. It has an underlying objective to reduce the risk of injury, death or damage to other property that may result from the effects of an earthquake on buildings.

This Policy has been developed under the requirements set out in the Act. It outlines the Wellington City Council's approach to ensure earthquake-prone buildings are strengthened to the level required by the Act, or be demolished. This Policy replaces the Council's Building Safety Policy 1998.

Policy Objectives and Principles

POLICY OBJECTIVES

The objective of this Policy is to discharge the Council's responsibilities and obligations under the Building Act with respect to earthquake-prone buildings.

In doing so, strengthening work undertaken to comply with the Policy will reduce the potential for injury, loss of life and damage to other property in an earthquake. It will also reduce the potential social disruption and loss of productivity that may result from an earthquake.

It is the responsibility of building owners to ensure that buildings comply with the requirements of the Act. The Council can give no assurance or guarantee that any building is not earthquake-prone at any time, until approved strengthening work has been completed.

POLICY PRINCIPLES

This Policy has been developed considering the purpose and principles of the Act which seek to ensure that:

- people who use buildings can do so safely and without endangering their health
- buildings have attributes that contribute appropriately to the health, physical independence, and well-being of the people who use them
- buildings are designed, constructed, and able to be used in ways that promote sustainable development.

Key Policy components

ASSESSING EARTHQUAKE-PRONE BUILDINGS

Under Section 122 of the Building Act, the meaning of earthquake-prone building is

- (1) A building is earthquake-prone for the purposes of this Act if, having regard to its condition and to the ground on which it is built, and because of its construction, the building -
 - (a) will have its ultimate capacity exceeded in a moderate earthquake (as defined in the regulations); and
 - (b) would be likely to collapse causing –
 - (i) injury or death to persons in the building or to persons on any other property; or
 - (ii) damage to any other property.
- (2) Subsection (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building –
 - (a) comprises 2 or more storeys; and
 - (b) contains 3 or more household units.

Moderate earthquake has the same meaning as section 7 in the Building Regulations 2005 where –

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

Buildings will need to be assessed to determine whether they are earthquake-prone. As a general guidance, **an earthquake prone building will have strength that is 33% or less of the seismic loading standard NZS 1170.5: 2004.**

STANDARD OF STRENGTHENING REQUIRED

Once a building has been classified as earthquake prone, strengthening work to ensure the building is no longer earthquake prone will require a building consent. When a building consent is sought then the Council will assess whether the level of strengthening is to the minimum levels required by law and will also encourage, but cannot require, strengthening to the higher levels, particularly for buildings serving a specific post disaster function.

The benefits for the building owner of higher levels of strengthening include:

- improved levels of safety for occupants, tenants and the public
- allowance for a change of use to occur to potentially better meet owner or market demand and realise a better return
- insurance against future changes in either the legislation or structural codes which may require higher levels of strengthening to be achieved
- leverage for improved insurance
- reduced risk level of damage to the building, other properties in its proximity and lessen the impacts on business continuity.

APPENDIX 3

There is also an advantage to the city in reducing the impacts for our community following an earthquake event by:

- preserving the fabric of our city, particularly heritage buildings
- lessening the economic impacts
- lessening the disruption of service.

PRIORITISATION TO STRENGTHEN EARTHQUAKE-PRONE BUILDINGS

Table 1 prioritises the order in which the buildings will be assessed and, if necessary, strengthened. The prioritisation seeks to balance the public risk associated with earthquake-prone buildings, the private cost of strengthening a building and the availability of people to undertake the strengthening work.

The prioritisation in Table 1 is determined by:

Importance Level – whether a building has a post-disaster function, serves a specific community purpose and is likely to cause injury or damage to other property. The complete list of Importance Levels, which is based on NZS 1170.0:2002 as revised in 2003, is included in Attachment 1.





Building Age and Condition – the likely structural performance of a building based on the structural code to which the building was designed or strengthened.

APPENDIX 3

Table 1: Priority for assessing and strengthening earthquake-prone buildings

IMPORTANCE LEVEL	BUILDING AGE & CONDITION		
	A Pre NZS1900 Chapter 8: 1965 Standard	B NZS1900 Chapter 8: 1965 Standard	C Critical structural weakness ₁
1: Low degree of hazard E.g. Farm buildings and isolated structures, fences, walls	Passive	Passive	Passive
2: Not in other levels	Moderate	Low	Low
3: Contain crowds or high value to the community E.g. Some schools, universities, medical centres	High	Moderate	Moderate
4: Highest with post-disaster functions E.g. Hospitals, civil defence centres, emergency shelters	High	High	High

Ranking:

 High priority	 Moderate priority	 Low priority	 Passive
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Notes: 1. Critical structural weakness is defined as individual buildings built post 1976 (NZS 4203 structural design code) with an identified detailing deficiency that renders it earthquake prone.

MAXIMUM TIMEFRAME TO STRENGTHEN A BUILDING

Using the prioritisation established in Table 1, the maximum timeframes for undertaking strengthening work for a building that has been determined as earthquake-prone, are:

High priority	5 years
Moderate priority	10 years
Low priority	15 years
Passive	No maximum.

Buildings with earthquake-prone building notices issued under Section 66 of the Building Act 1991 will be reissued a notice under Section 124 of the Building Act 2004 requiring strengthening. Building work must begin within two years of the notice being issued.

When an application for building consent, or a series of building consent applications, relating to a building determined to be earthquake-prone is received from 1 June 2006 with a cumulative project value greater than one-third of the building's capital value (as defined in section 2(1) of the Rating Valuations Act 1998) for local government rating purposes the building owner will be required to undertake the structural design for strengthening and either include the:

- complete strengthening work in the building consent, or
- strengthening work to the area otherwise affected by the building work, and agree with Council on a programme to complete the strengthening works within the maximum timeframe set out above.

DEMOLITION OF EARTHQUAKE-PRONE BUILDINGS

Once a building is classified as earthquake-prone, the building owner may choose to strengthen it, or if appropriate, demolish all or part of the building. A demolition proposal may require a resource consent to be obtained from the Council.

CHANGE OF USE

The Building Act 2004 provisions regarding change of use are separate from the Act's provisions relating to earthquake-prone buildings.

When a change of use for a building occurs, then an upgrade of the structure of the building is required "as nearly as is reasonably practicable" with the Building Code. At this level of upgrade, a building will no longer be earthquake-prone.

The change of use provisions includes the establishment of a household unit where there was none before, and wherever there is a change in the classified use as defined in Schedule 2 of the Building (Specified systems, change of use, and earthquake-prone buildings) Regulations 2005.

HERITAGE BUILDINGS

A heritage building includes all buildings listed as a heritage building in the Wellington City District Plan and/or those registered by the New Zealand Historic Places Trust as detailed in Attachment 3.

The Building Act requires that Council *must* ensure all earthquake-prone buildings are strengthened to at least meet the minimum prescribed standard (or be demolished) to reduce the potential of injury, loss of life or damage to other property in the event of a moderate earthquake. This Policy's approach to heritage buildings is to reduce the impact of any strengthening work required on the heritage fabric of the building so that for earthquake-prone heritage buildings:

- strengthening is required so that it is no longer earthquake-prone
- the maximum timeframes will apply, just as it does to all buildings
- a management plan outlining how strengthening will preserve the heritage fabric of buildings is to be provided by the owner as part of any building consent application for strengthening work
- demolition is not encouraged.

In addition, a new heritage incentive fund of \$250,000 in year one and \$350,000 a year thereafter is proposed as part of the Council's 2006/07 Long Term Council Community Plan for a range of heritage-related projects, including those that are required as a result of the adoption of the proposed Policy.

INFRASTRUCTURE

The management of Council's infrastructure, including roads, tunnels and water reservoirs, is also relevant to this Policy. Currently, Asset Management Plans set out how Council will meet its obligations under the Civil Defence and Emergency Management Act 2002, which places a duty on a local authority to plan and provide for civil defence emergency management within its district. It must also ensure that it is able to function, even at a reduced level, after an emergency such as an earthquake.

In addition, all works carried on infrastructure comply with the risk analysis, best practice and relevant standards as set out in the Asset Management Plan.

Other network utility operators are similarly covered by asset management plans which include provision for upgrading.

IDENTIFICATION OF EARTHQUAKE-PRONE BUILDINGS

The following sets out the procedure Council will use to establish the earthquake-prone status of all buildings.

Step 1. Desk top review

A desk top review of Council files will be undertaken by Council to assess which buildings could be earthquake-prone. Buildings that will *not* require further assessment include those:

- designed or strengthened to the 1976 NZS 4203 and subsequent codes, unless they have a critical structural weakness
- isolated structures unlikely to collapse causing injury, death or damage to other property (refer Section 122 (1)(b) of the Building Act 2004)
- used wholly or mainly for residential purposes, unless the building comprises 2 or more storeys and contains 3 or more household units (refer Section 122(2) of the Building Act 2004)
- Council and other network utility operator infrastructure covered by an Asset Management Plan.

From the information gathered in this review, a database of potentially earthquake prone buildings will be established.

Step 2. Initial evaluation process

The Council will use the Initial Evaluation Process (IEP) set out in the New Zealand Society for Earthquake Engineering *Recommendations for the Assessment and Improvement of the Structural Performance of Buildings in an Earthquake* to determine the structural performance score of potentially earthquake prone buildings in relation to NZS 1170.5: 2004. Buildings with a score of less than 34 are considered to fall within the definition of an earthquake-prone building.

Buildings classified as High Priority after Step 1 above will be evaluated first, followed by those classified as Moderate and then Low Priority.

Council will, at its own cost, use appropriately qualified engineers, to undertake the evaluations proposed over a three year period.

Step 3. Advise of IEP Outcome

As the IEP evaluations are completed, the Council will write to owners of buildings with an IEP score of less than 34 advising that their building is potentially earthquake prone. The letter will also note any heritage listing and the consequent need for a Management Plan to preserve the heritage fabric of the building. Owners will then have six months to consider this advice and provide any additional information about factors that may affect the strength of the building or a detailed assessment of the structure. Relevant information could include:

- construction materials and detailing
- regularity of the building in both plan and elevation
- the type of soil the building is founded on.

Council will use appropriately qualified engineers to review this information. Where the Council is satisfied that the building is not earthquake prone, the recorded status of the building will be changed and the owner will be advised of the Council's decision.

Step 4. Issue notice to strengthen building

Where, after consideration of any further information provided in Stage 3 above, the Council is satisfied that the building is earthquake prone it will advise the owner of the classification and issue a written notice under Section 124 of the Building Act 2004 requiring a building consent to be obtained and the structural strengthening work to be undertaken. As required by the Building Act, a copy of this notice for any building registered under the Historic Places Act 1993 will be forwarded to the NZ Historic Places Trust.

Step 5. Dispute of earthquake-prone classification of building

Should an owner dispute the classification of their building as earthquake prone, application for a 'Determination' may be made to the Chief Executive of the Department of Building and Housing. As set out in the Building Act 2004, the determination of the Chief Executive is binding on the Council.

Step 6. Request by building owner for extension in timeframe to complete work

The Council may consider individual submissions from owners through a hearing process requesting a longer timeframe (than set out in section 3.4) to complete the strengthening work. This may be appropriate in special circumstances where the building owner is unable to comply with the requirement to strengthen the building within the maximum Policy timeframes.

The hearing process will take the purpose and the relevant principles of the Building Act into consideration. It will consider the appeal of the building owner against the Council's requirement to reduce the risk to the public in the event of an earthquake. Specific matters that may be considered are set out in Attachment 2. The hearings will be established by Council and administrative costs to the building owner may apply.

Should the building owner be permitted to have a longer timeframe to strengthen the building, the Council may take action to ensure the public is aware of the earthquake-prone status of the building and the risk associated with occupying the building. This may include placing a notice on the building or putting up a hoarding or fence around the building. Any notice will be reissued to reflect amended agreed timeframes.

Step 7. Updates

As building consents for structural strengthening are received and the strengthening work completed, the database will be updated to reflect the status of the building as *not* earthquake prone.

Step 8. Enforcement action

If structural upgrading work has not been undertaken in accordance with the notice issued at Step 4, the Council will consider enforcement actions under the Building Act.

Availability of Earthquake-Prone Building Information

The database of potentially earthquake prone buildings is publicly available upon request and includes information that is already provided in Land Information Memoranda. The database will provide a summary of the data and also the current status of the building as potentially earthquake prone or earthquake prone. It will note whether this information is pending an outcome of an assessment to determine its correct status.

The information will continue to be included in property reports and Land Information Memoranda.

APPENDIX 3 Attachment 1

AMDT
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2003

Importance Levels for Building types – New Zealand Structures

TABLE 3.2
IMPORTANCE LEVELS FOR BUILDING TYPES – NEW ZEALAND STRUCTURES

Importance level	Comment	Examples
1	Structures presenting a low degree of hazard to life and other property	Structures with a total floor area of <math><30\text{ m}^2</math> Farm buildings, isolated structures, towers in rural situations Fences, masts, walls, in-ground swimming pools
2	Normal structures and structures not in other importance levels	Buildings not included in Importance Level 1, 3 or 4 Single family dwellings Car parking buildings
3	Structures that as a whole may contain people in crowds or contents of high value to the community or pose risks to people in crowds	Buildings and facilities as follows: (a) Where more than 300 people can congregate in one area (b) Day care facilities with a capacity greater than 150 (c) Primary school or secondary school facilities with a capacity greater than 250 (d) Colleges or adult education facilities with a capacity greater than 500 (e) Health care facilities with a capacity of 50 or more resident patients but not having surgery or emergency treatment facilities (f) Airport terminals, principal railway stations with a capacity greater than 250 (g) Correctional institutions (h) Multi-occupancy residential, commercial (including shops), industrial, office and retailing buildings designed to accommodate more than 5000 people and with a gross area greater than $10\,000\text{ m}^2$ (i) Public assembly buildings, theatres and cinemas of greater than 100 m^2 Emergency medical and other emergency facilities not designated as post-disaster Power-generating facilities, water treatment facilities and other public utilities not designated as post-disaster Buildings and facilities not designated as post-disaster containing hazardous materials capable of causing hazardous conditions that do not extend beyond the property boundaries

APPENDIX 3 Attachment 1

4	Structures with special post-disaster functions	<p>Buildings and facilities designated as essential facilities</p> <p>Buildings and facilities with special post-disaster function</p> <p>Medical emergency or surgical facilities</p> <p>Emergency service facilities such as fire, police stations and emergency vehicles garages</p> <p>Utilities or emergency supplies or installations required as backup for buildings and facilities of Importance Level 4</p> <p>Designated emergency shelters, designated emergency centres and ancillary facilities</p> <p>Buildings and facilities containing hazardous materials capable of causing hazardous conditions that extend beyond the property boundaries</p>
5	Special structures (outside the scope of this Standard – acceptable probability of failure to be determined by special study)	<p>Structures that have special functions or whose failure poses catastrophic risk to a large area (e.g. 100 km²) or a large number of people (e.g. 100 000)</p> <p>Major dams, extreme hazard facilities</p>

Source: Standards NZ, Structural design actions Part 0: General principles, AS/NZS 1170.0:2002, Table 3.2

Note: There are no importance Level 5 buildings in the Wellington City area.

APPENDIX 3 Attachment 2

Hearings Process

Specific matters that may be considered for an extension in timeframe to complete strengthening work

- whether people who use the building can do so safely
- importance of ensuring that each building is durable for its intended use
- importance of recognising any special traditional and cultural aspects of the intended use of the building
- costs of the building (including maintenance) over its whole life
- importance of standards of building design and construction in compliance with the building code
- need to provide for the protection of other property from the risk of physical damage
- need to facilitate the preservation of buildings of significant cultural, historical , or heritage value
- importance level of the building
- building structure and strength i.e. the code that was used to design and construct the building
- special characteristics of the building e.g. heritage or historic
- whether the building has already been strengthened along with the level it was strengthened to and when the work was done
- financial implications e.g. viability
- ramifications if the building were to be demolished rather than strengthened e.g. loss of heritage for future generations
- availability of the appropriate people to do the work.

APPENDIX 3

Attachment 3

Definition of Heritage Building

- Any building listed as a historic heritage item, is part of a heritage area or identified as a cultural site of significance to tangata whenua in any district or regional plan prepared under the Resource Management Act 1991.
- Any building within any registered historic place, historic area, wahi tapu, or wahi tapu area under the Historic Places Act 1993.
- Any building that is an archaeological site within the meaning of the Historic Places Act 1993.
- Any historic building or Actively Managed Historic Place listed in a Historic Resources Strategy or Conservation Management Strategy and Conservation Management Plan prepared under the Conservation Act 1987.
- Any historic building listed in a reserve management plan prepared under the Reserves Act 1977.
- Any building within a reserve established by the Maori Land Court under the Te Turi Whenua Maori Land Act 1993 for historic and cultural purposes
- Any building of importance to tangata whenua that has listed in an iwi management plan.
- Any structures or buildings associated with a historic cemetery or memorial.
- Any building managed for heritage purposes by agencies such NZHPT, Ministry of Culture and Heritage, Department of Conservation, and local authorities
- Any building or structure that is subject to a heritage order, heritage covenant or other protective covenant.

POLICY FOR DANGEROUS AND INSANITARY BUILDINGS

1. INTRODUCTION

This policy has been developed in response to requirements set out in the Building Act 2004 (BA04). Although Council already manages dangerous and insanitary buildings when they are detected or reported, the requirement to have a formal policy is entirely new.

This policy has a tenure of five years from the time it is adopted to when it must be reviewed.

This policy has been developed using the special consultative procedure under the Local Government Act 2002 including discussion with principal Council stakeholders, principal external stakeholders, adjacent territorial authorities, the Greater Wellington Regional Council, and the public.

2. POLICY OBJECTIVES

The objective of this policy is to discharge BA04 responsibilities with respect to the dangerous and insanitary buildings. The policy also includes Council's general approach, priorities and application to heritage buildings.

It is the responsibility of building owners to ensure that buildings comply with the requirements of the BA04. Council can give no assurance or guarantee that any building is safe or sanitary at any time. Council's responsibility is to ensure that when dangerous or insanitary conditions are found, that the danger is reduced or removed and that the building is prevented from remaining insanitary.

This policy applies to all buildings, even though a code compliance certificate may have been issued previously, as the current use and/or maintenance of the building can impact on the health and safety of occupants.

3. POLICY PRINCIPLES

This policy has been developed considering the purpose and principles of the BA04 which seek to ensure that:

- People who use buildings can do so safely and without endangering their health
- People who use a building can escape from the building if it is on fire.

4. PRIORITIES

Council will respond promptly to complaints and will inspect to assess the dangerous or insanitary status of a building. The assessment will determine if immediate or urgent action is necessary, if the building is confirmed as being dangerous or insanitary. If an immediate response is required, section 129 of the BA04 gives Council options to take action.

In general, 10 days is considered a minimum notice period for the danger to be removed or the insanitary conditions to be fixed, unless the situation requires immediate rectification.

5. HERITAGE BUILDINGS

Council's Built Heritage Policy 2005 and section 6(f) of the Resource Management Act 1991 (RMA) note that building work on a heritage building must be done in a way appropriate to its heritage values. No further special measures will apply. Except in emergencies, a heritage building cannot be demolished without resource consent and demolition is not an option to remove a danger or fix insanitary conditions. The BA04 requires that any notice regarding a building listed under the Historic Places Act 1993 be copied to the Historic Places Trust.

Sections 330 and 330A of the RMA do allow for the demolition of a heritage building. This is in the case that any sudden event (for example the collapse of a building) is likely to cause loss of life, injury or serious damage to property.

6. GENERAL APPLICATION

Council's general approach is outlined in the process below:

1. Detect

When a complaint is received or a Council officer observes a potential dangerous or insanitary condition:

- the event is recorded on Council's databases
- records related to the building are searched if the urgency of the situation allows
- an inspection is arranged.

2. Assess

An assessment of the building is undertaken using the checklist and the work instruction which is an agreed process common to Hutt City Council, Upper Hutt City Council, Porirua City Council, Kapiti Coast District Council, and Wellington City Council.

Among other things, the building is inspected to determine:

- illegal building work (possibly unauthorised change of use)
- maintenance of specified systems (for fire safety and water supply protection)
- the state of repair (structure, services, passive fire protection)
- the level of safety offered by the building compared to the "acceptable solution"¹

Credible scenarios are then considered and expert advice may be taken where appropriate. A decision as to whether the building is dangerous and/or insanitary is made by an authorised Council officer and options to reduce or remove the danger or fix the insanitary conditions are explored.

¹ An acceptable solution is a document issued by the Dept. of Building and Housing as one means of compliance with the Building Code.

3. Act

When a building is determined to be dangerous and/or insanitary, the building owner or their agent is contacted to discuss remedial options and actions when the urgency of the situation allows. The building owner can agree to complete the work within a specified time or otherwise the Council can issue a notice to require that work be done to reduce or remove the danger or fix the insanitary conditions.

If there is immediate danger to building users, Council can undertake work to remove the danger or fix the insanitary conditions and recover costs from the owner.

4. Monitor

The building will be re-inspected to confirm that the required actions have been completed or a written notice has been complied with.

5. Enforce

Where danger or insanitary conditions continue, further notices to do the remedial work will be issued. Continued failure to comply with a notice can lead to prosecution. Another option is for Council to undertake the work and recover the costs from the building owner.

7. RECORD KEEPING

Information is included on Land Information Memoranda where dangerous and insanitary conditions are confirmed but not resolved. A copy of any outstanding written notice is also included along with explanatory information of the requirements of the BA04. Information is not included when dangerous or insanitary conditions have been resolved.

APPENDIX 5

Fees and Charges: Building Consents and Licensing Services

Activity	Current Fee	Proposed Fee
C480 - Building Control & Facilitation		
Building Permissions (incl. building inspection services)		
Code Compliance Certificate	56.25	75.00
Certificates of Acceptance (includes lodging fee and inspection deposit)		
• < \$ 5,000	388.00	398.00
• \$5001 - \$12,000	525.00	535.00
• \$12,001 - \$25,000	553.00	563.00
• \$25,001 - \$50,000	580.00	590.00
• \$50,001 - \$75,000	663.00	673.00
• \$75,001 - \$100,000	690.00	700.00
• \$100,001 - \$250,000	1,048.00	1,058.00
• \$250,001 - \$500,000	1,295.00	1,305.00
• \$500,001 - \$1,000,000	1,955.00	1,965.00
• \$1,000,000+	1,955.00+	1,965.00+
• for each \$500k or part there of over \$1,000,000	855.00	865.00
S77 Fees (buildings over two or more allotments)		
Processing time		110.00
Legal costs	Actual cost	Actual cost
LINZ lodgement	Actual cost	Actual cost
Marquee Licenses		
Consent	90.00	90.00
Inspection	115.00	120.00
Compliance schedule/ Building Warrant of Fitness		
New compliance schedule (linked with Building Consent)	110.00	110.00
Alterations to compliance schedule (linked to Building Consent)	82.50	82.50
Amendments to compliance schedule	190.00	195.00
Building Warrant of Fitness - Annual Certificate	115.00	120.00
Building Warrant of Fitness Inspection (per hour)	115.00	120.00
Fire Service reports	actual cost	actual cost
Consultants reports	actual cost	actual cost

APPENDIX 5

Activity	Current Fee	Proposed Fee
Structural Fee/ Producer Statements		
Structural fee for checking elements of specific design on projects comprising structural works, not supported by a producer statement, for:		
• single element	285.00	355.00
• several separate element	400.00	505.00
• major design aspects on project valued under \$250,000	772.50	982.50
• major design aspects on larger projects	1,232.50	1,582.50
Structural fee for checking elements of specific design on projects comprising structural works, supported by a producer statement for:		
• single element	130.00	167.50
• several separate element	157.50	242.50
• major design aspects on project valued under \$250,000	185.00	280.00
• major design aspects on larger projects	240.00	355.00
Building Inspections		
Standard Inspection Fee: 45 minute inspection	86.25	90.00
Standard Final Inspection: 1 hour inspection	115.00	120.00
Engineering inspections (not covered by a Producers Statement) , including fire engineering, structural engineering for unusual proposal, specific design	actual cost, plus 40.00	actual cost, plus 45.00
Swimming Pool		
Fencing Inspection: first standard inspection free	-	
Fencing Inspection: additional standard inspection - 45 minutes (first standard inspection free)	86.25	90.00
Exemptions: Base fees (including 5.5 hours of processing time)	632.50	660.00
Exemptions: processing costs after the initial 5.5 hours	115.00	120.00
Hearing costs	actual cost	Actual cost
LIM and Information Services		
LIMs: Residential	300.00	
LIMs: Commercial Base Fee	700.00	
LIMs: Commercial per hr after 10 hrs	70.00	
Property Reports: Building Consents	140.00	
Property Reports: Resource Management	140.00	
Property Reports: Public Drainage	140.00	
Building Consent printout (site specific)	-	25.00

APPENDIX 5

Activity	Current Fee	Proposed Fee
Customer Services		
Pre-application Meeting (per quarter hr)	27.50	
Monthly Report of Issued Building Consents	56.25	
Official Info Requests (property): Disbursements		
- 1 st 20 A4 sheets free,		
- 20 cents per additional sheet		

Activity	Current Fee	Proposed Fee
C478 - Public Health		
Environmental Health		
Health Licensing and Inspection		
New Food Premises (1st yr. set-up)	367.50	400.00
New Non Food Premises (1st yr. set-up)	210.00	210.00
Change of Occupiers Fee base fee	105.00	
Change of Occupiers Fee base fee - Charge over 1 hr (per hr)	105.00	
Inspections (per hr) for legal action	105.00	
Late payment +10%	-	
Annual licence for registered food premises :		
• Excellent Grade	150 – 500	150 – 500
• Good Grade	250 – 700	250 – 700
• Ungraded	300 – 900	305 - 920
• Ungraded – High risk	400 – 1500	410 – 1537.50
Animal Control		
Registration per animal:		
• Entire	145.00	145.00
• Neutered / Spayed (with proof)	105.00	105.00
• Working Dogs	40.00	40.00
• Approved Responsible Owner	50.00	50.00
• Charge for late payments	+50%	+50%
Application for RDO status or change of RDO address		50.00
Licence for 3 or more dogs	30.00	30.00
Licence for Guide or Hearing Dog	Free	Free
Impounding Fees:		

Southern Landfill Charges

Description	Charging Criteria	Current Charge	Proposed New Charges (GST Inclusive)			
			Proposed Charge	Base	Proposed Recycling Levy	Total
Car (General waste)	Per tonne	\$101.00	\$61.10		\$16.90	\$78.00
Minimum Charge		\$6.00	\$3.93		\$1.07	\$5.00
Lost Docket Charge		\$25.00				\$20.00
Vans and Utilities(General waste)	Per tonne	\$101.00	\$61.10		\$16.90	\$78.00
Minimum Charge		\$6.00	\$3.93		\$1.07	\$5.00
Lost Docket Charge		\$35.00				\$27.00
Trailers	Per tonne	\$101.00	\$61.10		\$16.90	\$78.00
Minimum Charge		\$6.00	\$3.93		\$1.07	\$5.00
Lost Docket Charge		\$45.00				\$30.00
Trailers – Commercial	Per Tonne	\$101.00	\$61.10		\$16.90	\$78.00
Minimum Charge		\$50.50	\$30.55		\$8.45	\$39.00
Tyres –Car	Per Tonne	\$301.50	\$261.60		\$16.90	\$278.50
Minimum Charge		\$150.75	\$130.80		\$8.45	\$139.25

APPENDIX 6

Tyres –Truck	Per Tonne	\$349.50	\$309.60	\$16.90	\$326.50
Minimum Charge		\$174.75	\$154.80	\$8.45	\$163.25
Tyres –Tractors	Per Tonne	\$349.50	\$309.60	\$16.90	\$326.50
Minimum Charge		\$349.50	\$309.60	\$16.90	\$326.50
Tyres –Earthmoving/Machine	Per Tonne	\$386.00	\$346.10	\$16.90	\$363.00
Minimum Charge		\$386.00	\$346.10	\$16.90	\$363.00
Fridge / Freezer degassing (Per appliance)	Per Appliance	\$25.00	N/A	N/A	\$25.00
General Waste	Per Tonne	\$101.00	\$61.10	\$16.90	\$78.00
Minimum Charge		\$50.50	\$30.55	\$8.45	\$39.00
Special Waste – (Type A) ⁽¹⁾ Sewage, Fish, Asbestos, etc ⁽²⁾	Per Tonne	\$126.50	\$86.60	\$16.90	\$103.50
Minimum Charge		\$126.50	\$86.60	\$16.90	\$103.50
Special Waste – (Type C) Abattoir Meat, etc ⁽²⁾	Per Tonne	\$111.50	\$71.60	\$16.90	\$88.50
Minimum Charge		\$111.50	\$71.60	\$16.90	\$88.50

APPENDIX 6

Clean fill (delivered by truck)	Per Tonne	\$10.20			
Minimum Charge		\$27.70	N/A	N/A	N/A
Clean fill Special (delivered by truck)	Per Tonne	\$3.00	\$4.00		\$4.00
Minimum Charge			\$4.00	N/A	\$4.00
Car bodies (stripped)	Per car body	\$20	\$20	N/A	\$20.00
Car Bodies other (still contain seats/ refuse)	Per car body	\$40	\$40	N/A	\$40
Vehicles weigh only	Per weigh	\$10	N/A	N/A	\$10
Car Tyre ⁽³⁾	Per tyre	\$3.50	N/A	N/A	\$3.50
Truck Tyre ⁽³⁾	Per tyre	\$8.75	N/A	N/A	\$8.75

Note: Green waste charges set by Living Earth Ltd

- (1) **Any waste delivered to landfill which emits noxious, dangerous or offensive odour or requires an additional measures in terms of the Health and Safety in Employment Act or additional operational activities, or separate landfilling procedure over and above the normal activities for acceptance and landfilling of general waste**
- (2) **Prior approval required for all waste in this category. Special waste permit required.**
- (3) **Domestic customers only, when tyre (s) being delivered in a mixed load with general waste.**

WELLINGTON CONSOLIDATED BYLAW 1991

PART 23 – LIQUOR CONTROL

This part of the bylaw prohibits the consumption and possession of liquor in public places from 5pm each Thursday, Friday and Saturday until 8am the following day. In addition, the prohibition applies every year on Christmas Eve, the 24th of December and New Years Eve, the 31st of December from 5pm to 8am the following day and occasionally during special events. It applies to the Wellington Central area as shown on the attached map. The bylaw includes a process to obtain prior Council written permission to authorise events that would otherwise breach the bylaw. The Council will erect signage to communicate the terms of the bylaw to the public.

The purpose of this bylaw is to address concerns relating to potential criminal offending and safety concerns that are linked to the possession or consumption of alcohol in public places. By imposing this ban, the consumption of alcohol within the central area should primarily be restricted to private residences or licensed premises from Thursday night until Sunday morning.

The bylaw is introduced pursuant to s147 of the Local Government Act 2002 – this section should be read together with this part of the bylaw as it contains relevant definitions and the situations when this bylaw control will not apply (particularly relating to the transportation of unopened liquor). Pursuant to s169 and s170 of the Local Government Act 2002, the Police can enforce this part of the bylaw. Further details on the statutory provisions are provided as a note at the end of this part of the bylaw.

DEFINITIONS

Wellington Central Area means the area inside the boundaries depicted in the attached map but excluding:

- a) Any area that is subject to a road encroachment issued by the Council;
- b) Any licensed premises that occupies a paved area on legal road or Council land where permission to occupy has been granted by the Council.

23.2 LIQUOR PROHIBITION

23.2.1 The consumption or possession of liquor in a public place (including while in a vehicle), is prohibited within the Wellington Central Area as shown on the attached map. This prohibition is effective from 5pm Thursday to 8am Friday, 5pm Friday to 8am Saturday, 5pm Saturday to 8am Sunday. The prohibition also applies every year on Christmas Eve, the 24th of December and New Years Eve, the 31st of December from 5pm to 8am the following day

In addition to the prohibition in Clause 23.2.1 above, the Council by resolution may order a prohibition on the consumption or possession of liquor (including while in a vehicle) in a public place for certain specified times and/or within certain specified public places for specified special events. The prohibition must

be notified in the appropriate Wellington metropolitan newspaper at least 14 days in advance of the special event.

23.3 COUNCIL PERMISSION

- 23.3.1 Any person may apply to the Council for prior written permission for any activity that would be in breach of any prohibition under this part of the bylaw.
- 23.3.2 The process for obtaining the Council's permission is outlined in Part 1 (Introduction) of this bylaw.

23.4 SIGNAGE

- 23.4.1 The Council will erect signage within public places covered by this bylaw to provide information to the public on the terms of the bylaw. The size, location and terms of this signage shall be at Council's discretion. To avoid any doubt, the absence of signage in any public place does not authorise breach of this part of the bylaw.

23.5 OFFENCES

- 23.5.1 Everyone commits an offence who:
- a) Consumes or possesses any liquor in a public place in breach of a prohibition under this part of the bylaw; and
 - b) Breaches, or permits a breach of, the terms of any Council permission granted pursuant to clause 23.3 of this bylaw.

Note: This bylaw is introduced pursuant to the specific empowering provisions of the Local Government Act 2002 that provide for bylaws for liquor control purposes. This bylaw does not repeat or paraphrase those statutory provisions, and accordingly those provisions should be read in conjunction with this bylaw. In particular, the following provisions are noted:

Section 147 empowers the Council to make this bylaw. It also defines 'liquor' and 'public place'. In addition, s147(3) sets out a number of specific exemptions when the bylaw will not apply with respect to the transportation of unopened bottles or containers.

Section 169 provides the Police with powers of search and seizure, without warrant, to enforce the bylaw. The Police are responsible for enforcing the bylaw.

Section 170 sets out certain conditions imposed on the Police powers of search under s169.

This bylaw has no effect on any other Police powers of search, seizure and arrest or any other statutory offences.

Wellington Central Area



Tawa Community Board Makara/Ohariu Community Board

Voting Membership:

The Board will have six elected members (not including Councillor appointments if any).

External Membership (non-voting):

Nil.

Quorum:

A quorum of the Board shall consist of half the total number of members of the board (including vacancies) when that number is even and a majority of such members (including vacancies) when the number is odd.

Chair:

The Chair will be elected by the Board's members and remunerated at a level determined by the Remuneration Authority.

Frequency of Meetings:

The Community Board will meet on a monthly basis, or as required.

Parent Body:

The Community Board reports to Council.

General Purpose:

To assist Council in fulfilling the purpose of local government as expressed in Part 2, Section 10 of the Local Government Act 2002, being:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.

Objective:

To achieve the role of a Community Board under Section 52 of the Local Government Act 2002; that is:

- (a) Represent and act as an advocate for the interests of its community; and
- (b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and
- (c) Maintain an overview of services provided by the territorial authority within the community; and
- (d) Prepare an annual submission to the territorial authority for expenditure within the community; and

- (e) Communicate with community organisations and special interest groups within the community; and
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority.

Terms of Reference:

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues and local aspects of citywide issues including input into the Long Term Council Community Plan, Annual Plan, and policies that impact on the Board's area; and
- engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.

Council shall consult with the Board on issues that impact on the Board's area and allow sufficient time for the Board's comments to be considered before a decision is made.

The Community Board will have responsibility and authority to:

- 1.0 Make submissions (as a Community Board) to any organisation (including submissions on resource consents notified by the Greater Wellington Regional Council and Wellington City Council) relating to matters of interest to the Board in respect of the Board's area (a copy of any such submission is to be given to the Council's Chief Executive).
- 1.1 Represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to the residents within its community.
- 1.2 Determine expenditure of funds allocated by Council to the Board for specific purposes.
- 1.3 Consider matters referred to it by officers, the Council, its committees or subcommittees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This will include:
 - monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided
 - providing input to the Council's Long Term Council Community Plan and Annual Plan
 - providing input to proposed District Plan changes
 - providing input to strategies, policies and plans that impact on the Board's area
 - providing input to bylaw changes that impact on the Board's area.
- 1.4 Provide input (whether from the full Board, a subcommittee of the Board, or a nominated board member/s) to officers on the following matters:
 - local road work priorities

APPENDIX 8

- traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc)
- street facilities management (such as taxi-stands, bus stops, bicycle stands, etc)
- liquor licence applications
- application of the Resource Management Act (including notification decisions) within the Board's area
- the emergency management needs of the area, including the appointment of emergency centre coordinators.

The final decision on matters set out in 1.4 will be made by council officers acting under their delegated authority.

Resource Management Hearings

The Community Board will have up to two suitably-trained members available for selection to sit on hearings panels on resource management issues in the Board's area. Such selection will be in accordance with the "Guidelines for Appointment of Hearings Panels" approved by Council on 30 March 2005 (and as may be amended from time to time). No Board member shall be eligible for selection if the Board has made a submission on the matter to be decided.

Delegated Authority

The Tawa and Makara/Ohariu Community Boards will have delegated authority to carry out activities within their terms of reference.