

Issues for Community & Working Environments (Industrial/Employment)

| Issues | Perceived Impact | Interim District Plan options | Long Term District Plan Options | Legal Options | Policies | Other |
|-------------------|--|---|--|---|---|--|
| Urban Design | Licensed (over 5 workers) brothels more likely to locate in community (retail, mixed-use areas) and working (industrial/employment areas). | Leave as is because current District Plan is based on environmental effects of brothels, which may not be too dissimilar to effects from other commercial operations (pubs, clubs). | Update Liquor Rule as result of new liquor licensing policy e.g. consider changing activity status and add assessment criteria that directly addresses effects associated with the sale of liquor. | Any resource consent must have regard to whether the business of prostitution is likely to cause a nuisance or serious offence or is incompatible with the existing character or use of the area (s15 PRA). | New Liquor Licensing Policy (in final draft) emphasises host responsibility, including noise management and links hours of operation to District Plan Environments | Develop sex industry urban design guidelines together with key stakeholders -- e.g. town centre businesses and sex industry operators. |
| Resource Consents | potential for negative impact on town centre form, function, economic development & revitalisation | Would be likely to be approved subject to consent conditions as adverse effects can mostly be avoided or mitigated by the current District Plan rules regarding building controls (frontage), landscape treatment, parking, noise, signs, odour | Create city-wide rule for prostitution (like the Sale of Liquor Rule which provides assessment criteria for activity) for example, makes the activity discretionary or non-complying, which enables consideration of whether the resource consent application requires notification. | Council's Massage Parlours Bylaw remains in force, which places hygiene controls over Massage Parlours. | Gambling Venue Policy will control number and location of gaming machine venues (For adoption in May/June 2004). | Regional Gambling Impact Assessment will provide basis for establishing methodology to evaluate social, economic, environmental and cultural impact of other "social" legislation such as the PRA. |
| Enforcement | Perceptions of threats to personal safety and exposure to behaviours and adult themes that are not considered appropriate | Like other commercial activities licensed brothels may require consent for landscape treatment or car parking. | Make brothels a prohibited activity in the City, so no application for resource consent can be made (inconsistent with the Prostitution Reform Act's philosophy). | Signage bylaw (s12), restricting content, size, visibility. Requires enforcement, ability to withstand legal challenge | Combination of both policies plus revised sale of liquor rule in District Plan would mean that consent requirements become more stringent as liquor and gambling is added to brothel activity -- potential to create a "hierarchy" of entertainment facilities, as more regulatory hoops are required depending on the type of licenses sought. | Review Long Term Council Community Plan to address impacts of social legislation such as the PRA and Gambling Act. |
| Location | Influx of "mixed-activity" entertainment facilities -- prostitution, alcohol and gambling. Influx of related sex industry outlets -- adult shops, strip clubs | | | Location bylaw (s14) e.g. within 50 metres of some locations, ground level restrictions. Subject to legal challenge and requires enforcement. | | City wide alcohol strategy Wellbeing Network & Collaboration Forum |

AI

Issues for Living (Residential) Environments

| Issues | Perceived Impact | Interim District Plan options | Long Term District Plan Options | Legal Options | Policies | Other |
|-------------------|--|---|--|---|--|--|
| Resource Consents | Small, unlicensed (4 or less sex workers) owner-operated brothels more likely to locate in residential environments. | Leave as is as small owner-operated brothels and licensed brothels potentially meet non-residential activity rule, which is permitted as long as there are no adverse environmental effects associated with the activity (must meet relevant performance standards relating to signs, parking, traffic generation, noise, odour). | Update Liquor Rule as result of new liquor licensing policy e.g. consider changing activity status and add assessment criteria that directly addresses effects associated with the sale of liquor. | Any resource consent must have regard to whether the business of prostitution is likely to cause a nuisance or serious offence or is incompatible with the existing character or use of the area (s15 PRA). | New Liquor Licensing Policy (in final draft) emphasises host responsibility, including noise management and links hours of operation to District Plan Environments | Develop sex industry residential guidelines together with key stakeholders – e.g. ratepayers associations, other home occupations, sex industry. |
| Effects | Licensed brothels could potentially locate in residential areas if no more than 5 sex workers. | Environmental effects of brothels may not be too dissimilar to effects from other activities such as sports massage, accountant, lawyer. | Create city wide rule for prostitution (like the Sale of Liquor Rule which provides assessment criteria for activity) for example, makes the activity discretionary or non-complying, which enables consideration of whether the resource consent application requires notification. | Council's Massage Parlours Bylaw remains in force, which places hygiene controls over Massage Parlours. | Gambling Venue Policy will control number and location of gaming machine venues (For adoption in May/June 2004). | Regional Gambling Impact Assessment will provide basis for establishing methodology to evaluate social, economic, environmental and cultural impact of other "social" legislation such as the PRA. |
| Enforcement | Perceptions of threats to personal safety and exposure to behaviours and adult themes that are not considered appropriate to neighbourhoods. | Environmental effects of brothels may not be too dissimilar to effects from other activities such as sports massage, accountant, lawyer. | Make brothels a prohibited activity in the City, so no application for resource consent can be made (inconsistent with the Prostitution Reform Act's philosophy). | Signage bylaw (s12), restricting content, size, visibility. Requires enforcement, ability to withstand legal challenge | Combination of both policies plus revised sale of liquor rule in District Plan would mean that consent requirements become more stringent as liquor and gambling is added to brothel activity – potential to create a "hierarchy" of entertainment facilities, as more regulatory hoops are required depending on the type of licenses sought. | Review Long Term Council Community Plan to address impacts of social legislation such as the PRA and Gambling Act. |
| Location | Impact on character of neighbourhood/property values etc. | The larger the operation, the more regulation applies (notified consent, liquor licence etc). | Location bylaw (s14) e.g. within 50 metres of some locations. Subject to legal challenge and requires enforcement. | Location bylaw (s14) e.g. within 50 metres of some locations. Subject to legal challenge and requires enforcement. | | City wide alcohol strategy Wellbeing Network & Collaboration Forum |

A2

HIGH COURT APPEAL

Acting under delegated authority (Delegation 4 of the Council's delegations to the Chief Executive) it is resolved "that the Council appeal the decision of the Environment Court in Estate Homes Limited v. Waitakere City Council (RMA 0249/02) to the High Court upon the grounds set out in the (legally privileged) advice from Kensington Swan by letter dated 19 September 2003.

Dated: 8 October 2003

A handwritten signature in black ink, appearing to read 'H V O'Rourke', written over a horizontal line.

H V O'Rourke
Chief Executive

HIGH COURT DECLARATORY JUDGEMENT

Acting under delegated authority (Delegation 4 of the Council's delegations to the Chief Executive) it is resolved "that the Council support Local Government New Zealand and agree to act as second plaintiff in the action to seek a Declaratory Judgement, on the use of Casting Votes, the High Court. The decision is consistent with the Council's decision to adopt Standing Orders on 14 July 2003 providing for the use of casting votes in reliance on the provisions of the Local Government Act 2002.

Dated: 20 October 2003



H V O'Rourke
Chief Executive

A4

AUCKLAND REGIONAL TRIENNIAL AGREEMENT

Agreement dated:

PARTIES

Auckland City Council
Auckland Regional Council
Franklin District Council
Manukau City Council
North Shore City Council
Papakura District Council
Rodney District Council
Waitakere City Council

SCOPE

This agreement is entered into to meet the requirements of section 15 of the Local Government Act 2002 ("the Act").

It also reflects the principle in section 14(e) of the Act that local authorities should collaborate and co-operate to promote priorities, achieve outcomes and make efficient use of resources.

This agreement includes and builds on existing regional projects and forums plus the work in progress relating to new regional structures and protocols.

PURPOSE

The councils commit to working for the good governance of their city, district or region by acting cooperatively and collaboratively. It is intended that this agreement will ensure that appropriate levels of consultation and coordination are maintained between the councils and that the process of arriving at this agreement, and its ongoing operation should contribute to the strengthening of the relationships between the councils.

PRINCIPLES

The councils will

- will work together on issues where it is agreed that the population of greater Auckland will benefit from a regionally collaborative approach
- where a council has a significant disagreement with the position of the others, the group will make every effort to accommodate, acknowledge or at least fairly represent the dissenting view
- recognise that there are different communities of interest on different issues
- together proactively present their case to the Government and other councils from other regions to ensure that the Auckland population is not disadvantaged

- where a significant decision or issue especially affects a particular council, or its population, permit that council to have the lead role in co-ordinating the region's decision and/or formulating the region's response
- acknowledges each council's unique accountability
- agree to act in good faith on issues of information and disclosure
- agree to work collaboratively in an open and transparent manner
- agree to build on work currently being undertaken within the region and to continue to address issues of co-ordination, roles and responsibilities.

Each council will ensure:

- early notification to affected councils, through the distribution of draft documentation, of major policy discussions which may have implications regionally or beyond the boundaries of the decision-making council. This specifically includes the development of consultation policies and policies on significance
- opportunities for the other councils, to be involved in early consultation on the development of proposals, including draft annual plans and draft long-term council community plans that may impact on other councils or that may have regional or cross-boundary impacts
- the application of a 'no surprises' policy whereby council's proposing policies or programmes will notify others, and councils that disagree with proposed policy or programmes will give early notice of their divergent view before critical public announcements are made
- that in accordance with s.91(3)(ii) of the Act, and where practicable, processes for engaging with communities and agencies in order to identify community outcomes that are regional or cross-boundary in nature, and prioritise those outcomes, will be undertaken jointly or in a collaborative manner which avoids unnecessary duplication
- that the approaches to communication and co-operation in this agreement are reflected, where relevant, in each council's consultation policy and policy on significance.

COMMUNICATION AND CO-OPERATION

Communication and co-operation between councils will include, but is not limited to:

- a meeting of the Mayors of the Auckland territorial councils, the regional Chairperson of the Auckland Regional Council, and their CEs will occur approximately every month to discuss general policy business and where required to review the performance of this agreement
- a meeting of Auckland Region Chief Executive's Forum will occur approximately every month to discuss general business, support the work of regional forums of Councillors and to review the management of the agreement
- existing regional and sub-regional forums, include, but are not limited to:
 - Regional Growth Forum
 - Regional Land Transport Committee
 - Watercare Services Ltd Shareholders Representative Group

- Infrastructure Auckland Electoral College
- Auckland Region Economic Development Establishment Group
- Civil Defence/Emergency Management Group
- meetings between staff as necessary to achieve communication and coordination on issues identified in the agreement or arising out of any of the activities referred to above

REGIONAL PRIORITIES

The councils will continue to meet together in various forums to develop common approaches on the following regional issues including those identified as priorities for the region:

- transport
- regional growth
- infrastructure
- economic development
- environmental protection

NEW REGIONAL COUNCIL ACTIVITIES

Section 15(2) of the Act requires that each triennial agreement must include a statement of the processes for consultation on proposals for new regional council activities:

- if s.16 applies, then the process will be followed as set out in s.16
- if s.16 of the Act does not apply but a proposed new regional council activity is significant in terms of the Auckland Regional Council's (ARC) policy on significance and therefore a special consultative procedure ("SCP") is required then the ARC will deliver a copy of the statement of proposal prepared under s.83(1)(a) of the Act prior to public notification to all other councils and allow them a reasonable opportunity to make submissions during the SCP,
- for all other new activities the ARC will consult territorial authorities through its normal public Council and Committee decision making processes and the Annual Plan and Long Term Council Community Plan.

SUPPORT SERVICES

Responsibility for providing all support services under this agreement shall be shared on a rotating basis in accordance with the servicing of the Mayoral Forum. Support services will include:

- secretarial services
- media and communications contact (including the provision of information to the public on request) in relation to matters covered in the agreement.

Waitakere City Council will be the first council responsible for servicing this agreement.

Responsibility for servicing, and making media comment on behalf of, existing specific regional and sub-regional forums, will lie within those specific forums.

DISPUTE RESOLUTION

In the event of a disagreement between the councils as to the interpretation or implementation of this agreement, and/or that disagreement cannot be resolved by good faith negotiation and an agreement to vary the terms of this agreement in accordance with s.15(3) of the Act; then the matter in dispute will be referred to mediation. If the councils cannot agree on the appointment of a mediator, the President of the Auckland District Law Society may be requested to appoint the mediator. The costs of the mediation shall be borne by the councils in equal share

AUTHORITY

This agreement is signed on this day ____ of ____ 2003, by the following on behalf of their respective councils.

| COUNCIL | SIGNATURE | SIGNATURE |
|----------------------------------|---------------------------------|--------------------------------|
| Auckland Regional Council | Gwen Bull - Chairperson | Jo Brosnahan - CEO |
| Franklin District Council | Heather Maloney - Mayor | Phillipa Wilson - CEO |
| Papakura District Council | David Buist - Mayor | Teresa Stratton - CEO |
| Manukau City Council | Sir Barry Curtis - Mayor | Colin Dale - CEO |
| Auckland City Council | John Banks - Mayor | Bryan Taylor - CEO |
| Waitakere City Council | Bob Harvey - Mayor | Harry O'Rourke - CEO |
| North Shore City Council | George Wood - Mayor | John Brockies - CEO |
| Rodney District Council | John Law - Mayor | Vijaya Vaidyanath - CEO |



10 October 2003

His Worship the Mayor
Waitakere City
Private Bag 93109
WAITAKERE 1231

Dear Mr Harvey

**Re: VIP'S Open Day Tour of Auckland's USAR Task Force Training Exercise:
Palmerston North.**

As you may be aware Auckland has been building a multi agency, Urban Search and Rescue Task Force.

From the 3rd till the 21st of November, 33 members of the Auckland team will be attending Palmerston North's USAR training facility. During this time they will be undergoing their advanced training, known as 'Category 2 USAR Technician'.

The Cat 2 course is designed to meet the International Search and Rescue Advisory Groups (INSARAG) standards for Task Force Technicians. Two USAR trainers from the USA will be attending to peer review standards.

The Task Force will provide a much needed rescue capability for response to major and/or specialist rescue incidents and disasters in the Auckland and Northland regions. The Task Force is also part of a national capability for National, and possibly International response to disasters.

During the third week of the course a 72 hour exercise will be run. The exercise simulates major building collapses as a result of an earthquake. The skills of the rescuers and specialist support members such as Structural Engineers, Doctors, Paramedics, search dogs, communications and planners will be tested.

An opportunity exists on Wednesday 19th of November for dignitaries to attend and observe operations during the exercise.

We invite you to attend one of these days.

AIO

We encourage you or a delegate from your organisation to accept this invitation. You need to be aware this resource will soon be available to you and your organisation and feel you will be impressed with the capabilities a USAR Task Force has to offer.

Ideally you will need to be in Palmerston North by 9:30am on the day. We will show you around the site and explain all aspects of USAR. We will provide transport to and from the airport, meals and refreshments etc.

If you are able to attend or would like more information, please contact me by phone or email.

I look forward to your reply

Yours sincerely



Roy Breeze
Auckland Task Force Leader
Auckland USAR Co Ordinator

(09) 302 5114
027 290 8441
E-mail roy.breeze@fire.org.nz

Note: This invitation has been sent to the organisations that signed the Memorandum of Support for the Auckland USAR Task Force e.g Mayors and CEO's/Commanders of the Emergency Services as well as some Emergency Management Group Members.

Other national dignitaries will be attending.

All



The Local Government Act 2002 October/November Seminars

| | | |
|------------------------|---|-------------------------------------|
| 13 & 14 October, 2003 | - | Copthorne Durham, Christchurch |
| 15 & 16 October, 2003 | - | Town Hall, Dunedin |
| 21 & 22 October, 2003 | - | Convention Centre, Palmerston North |
| 17 & 18 November, 2003 | - | Copthorne Harbourcity, Auckland |
| 19 & 20 November, 2003 | - | Millennium Hotel, Rotorua |

DAY 1: The Community Outcome Process -promoting local and central government collaboration

DAY 2: Morning: The LGA 2002 and RMA Interface - taking a sustainable development approach

Afternoon: An introduction to the Maori relationship provisions.

Start Time: 9.00am **Costs:** \$650 + GST - for full 2 days
\$320 + GST - for Day 1 only
\$160 + GST each - for Day 2 individual modules

Why? The Local Government Act 2002 has provided a new framework for the operation of local government - a framework based on a strong understanding of community objectives accompanied by a clear sense of purpose to promote community well being and broadly defined powers.

Critical to the new framework is the process by which communities identify outcomes and the role played by councils, citizens, government departments and other organisations in the process. The new community outcomes process has the potential to promote local well being and promote integrated and better targeted services.

Day One is designed to brief officials from local government and central government on the new community outcome process, what it means and how it might be used to promote community wellbeing and their agency's priorities.

Day Two of the seminars is presented in two modules. The morning session will examine the LGA/RMA Interface focussing on "taking a sustainable development approach". The second module planned for the afternoon is being organised by the Department of Internal Affairs and will focus on some of the other provisions of the LGA2002.

Who? This workshop is designed to meet the needs of corporate planners, policy analysts, strategic planners and other local and central government officials.

Agenda

Day 1: IDENTIFYING COMMUNITY OUTCOMES

| | | | |
|---------|---|---------|---|
| 8.30am | Coffee and Tea on arrival | 11.30am | Case Studies |
| 9.00am | Welcome and Introductions | 12.45pm | LUNCH |
| 9.05am | Briefing on the Local Government Act 2002 - what's new and what's changed, and an introduction to the purpose and principles. | 1.30pm | Two workshops to discuss key questions regarding needs of sector. |
| 9.40am | Questions and Answers | 2.15pm | Report Back |
| 10.00am | MORNING TEA | 2.30pm | AFTERNOON TEA |
| 10.30am | Outline of the Community Outcomes process and update on progress to date. | 3.00pm | Regional groupings to brainstorm opportunities for collaboration |
| 11.00am | Questions and Answers | 4.00pm | Summary and close of Day 1 |

Agenda

Day 2: THE LGA2002 RMA INTERFACE (& OTHER PLANNING AREAS)

Purpose of morning workshop is to discuss the interface between planning processes arising from RMA and LGA, focussing on potential opportunities to improve the effectiveness of each.

Module 1

| | | | |
|---------|--|---------|---|
| 8.30am | Coffee and Tea on arrival | 11.30am | Groups - Session 2 to look at aligning and/or linking planning processes, the development of strategies and how planning processes might be used to remove barriers/constraints |
| 9.00am | Welcome and Introductions | 12.30pm | Groups report back with five 'top tips' from each |
| 9.10am | An overview of the interface between LGA/RMA | 12.45pm | Chair concludes session. |
| 10.00am | MORNING TEA | 1.00pm | LUNCH |
| 10.20am | Break into groups to discuss methods and tools and characteristics of each method and tool paying particular attention to strengths and weaknesses and how they may work together. | | |
| 11.15am | Groups report back with five 'top tips' from each | | |

Module 2 THE MAORI PROVISIONS - RELATIONSHIPS AND CONSULTATION

1.30 pm Introduction

5.00 pm Conclusion

The Department of Internal Affairs will facilitate this workshop on the new provisions relating to the obligation on local authorities to ensure Maori have the opportunity to take part in decision making processes.

Delegates will have an opportunity to interact with the presenters and ask questions that will help them formulate best practice examples for their own workplaces.



- To Register:** go to <http://www.lgnz.co.nz/cgi-bin/calendar.pl>, complete the registration form and submit.
- Payment:** You will be invoiced for your attendance at this seminar.
- Refunds & Cancellations:** All substitutions/cancellations must be notified in writing. Cancellations received within 5 working days of workshop will not receive a refund.
- More information:** Contact **Kim Gerard, Conference Innovators,**
Phone: 03 379 0390 or
email kim@conference.co.nz



Seminars: Development Contributions

Thursday 23 October, 2003 - Copthorne Durham, Christchurch

Thursday 30 October, 2003 - Sheraton Hotel, Auckland

Friday 31 October, 2003 - Michael Fowler Centre, Wellington

Start Time: 9.00am Cost: \$ 292.50 (GST incl)

Why?

To inform local and central government staff about the provisions of the Local Government Act 2002 relating to Development Contributions and to encourage discussions on how collaborative approaches to applying the Development Contributions policy at both regional and local levels. Also to provide an opportunity for delegates to learn of other local authorities experiences with Development Contributions and the sharing of best practice.

Who?

This workshop is for Chief Executives, Mayors, Councillors, Community Board Members and local government officials.

Agenda

| | | | |
|---------|---|---------|-----------------------------|
| 8.30am | Coffee and Tea on arrival | 12.30pm | LUNCH |
| 9.00am | Welcome, Introductions and Overview <i>Fiona Illingsworth, DIA</i> | 1.30pm | Breakout groups |
| | Briefing on the Local Government Act 2002 - what's new and what's changed in relation to Development Contributions. | 3.00pm | AFTERNOON TEA |
| | Legislative outlines on LGA 2002 and RMA | 3.20pm | Panel Discussion |
| | Questions and Answer session | | Question and Answer Session |
| 10.00 | Methodologies/Principles <i>David Kirkpatrick - Partner, Simpson Grierson</i> | 4.30pm | Summary and close |
| 10.45am | Case studies and examples on: <ul style="list-style-type: none"> • Using the new provisions/sticking with the old • Provincial versus metropolitan • High growth areas versus low growth | | |

To Register:

go to <http://www.lgnz.co.nz/cgi-bin/calendar.pl>, complete the registration form and submit.

Payment:

You will be invoiced for your attendance at this seminar.

Refunds & Cancellations:

All substitutions/cancellations must be notified in writing. Cancellations received within 5 working days of workshop will not receive a refund.

More information:

AIS
Contact Megan O'Brien, Conference Innovators, Phone: 03 379 0390 or email megan@conference.co.nz



Seminars: Getting value from your Library?

Thursday 6 November - Copthorne Durham, Christchurch

Monday 10 November - Lakeside Convention Centre, Manukau, Auckland

Tuesday 11 November - Palmerston North Convention Centre, Palmerston North

Start Time: 9.00am

Cost: \$ 350.00 + GST

Why?

Attend this positive, energetic and interactive seminar that has been structured to help councillors and council officers gain independent knowledge about libraries, and how they can promote community well-being.

One of the objectives of these seminars is to raise awareness of the value of public libraries and the role they play - they are core business and add value to the community.

This series of seminars is being run in partnership with LIANZA (Library & Information Association of NZ Aotearoa)

Who?

This workshop is for Chief Executives, Mayors, Councillors, Community Board Members and local government officials.

Programme

| | | | |
|---------|---|---------------|---|
| 9.00am | Coffee and Tea on arrival | | Visit to local library |
| 9.30am | Welcome, Introductions and a snapshot of perspectives and issues to be covered off during the day. | | LUNCH |
| 9.40am | 'Making a Difference - Libraries and me...' | 1.30 - 2.30pm | Concurrent Sessions - Innovations - Measuring value - Role of the library in Local Government and the community - The Internet versus the library |
| 9.45am | Background/Context - a look at.... - LIANZA/Local Government connection - Impacts of the new National Library Act - LIAC - Local Government Act 2002 - obligations | 2.30pm | Public library standards - Local Government Act 2002 - The LTCCP |
| 10.00am | Roles, trends, best practices - continuity and changes | 3.15pm | Coffee and Question and Answer |
| 11.00am | MORNING TEA | 3.30pm | Conclusion |

To Register:

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More information:

Contact **Kim Gerard**, Conference Innovators, Phone: 03 379 0390 or email kim@conference.co.nz