



# HDC NEWS



## Controlling the Sex Industry

On the 25<sup>th</sup> June 2003, Councils throughout the country were given the dubious task of regulating the location and aspects of operation of the newly legal business of prostitution and brothels. Council is now faced with the question of: "How can the location and associated effects of brothels be managed?"

The Prostitution Law Reform Act contains specific provision regarding the role of Local Authorities:

• **Managing Signage** Council can develop by-laws to prohibit or regulate signs advertising commercial sex services to prevent nuisance or serious offence or that are in compatible with the character of the area. It is able to impose restrictions on the content, form or amount of signage on display.

• **Location** Council can control the location of brothels using either by-laws or the Resource Management Act.

The current situation is that the District Plan has no reference to brothels, for obvious reasons. Any brothel would, under the present provision, be treated like any other business. Presumably, provided it met performance standards, it would be permitted in town centre and commercial zones. If someone wished to establish one, or legalise an existing one, in a residential area they would have to apply for a resource consent. When considering a land use resource consent application relating to the business of prostitution Council must have regard to whether that business is:

- likely to cause nuisance or serious offence to the public using that area, or
- is incompatible with the existing character of the area.

If we are not happy that the current situation gives us the tools to control this industry adequately, Council could decide to include this ancient business in our District Plan by amending the Plan to provide specifically for brothels. We have already been asked if we could prohibit the establishment of brothels in our district. Prohibition of lawful activities is allowed for in the RMA but is infrequently used as the Act is about controlling the effects of activities and providing for them in the best possible way. For example, in Hauraki's District Plan, open cast mining is prohibited in a residential or town centre zone but is provided for in some other zones. It would therefore be possible to prohibit the establishment of brothels in a residential zone, for example, provided they were allowed for in other zones. Any attempt to prohibit them from the district as a whole would likely result in appeals to the Environment Court and probably the overturning of the decision.

So any variation to the District Plan would most likely be along the lines of providing specific references, conditions, best practice guides, codes of practice etc. Council could also, or alternatively, develop by-laws for this purpose rather than changing the District Plan. Any by-law or change to the District Plan would take six months or more to enact after extensive consultation with the community. Councillors have not considered this matter yet and whatever they think on the subject, you will get your chance to have your say as well.

It is also important to remember that Local Government is only one of the agencies involved with the control of brothels under the new law. Others include the Department of Courts, NZ Police, and the Ministry of Health. Local Government New Zealand is developing educational material to help councils fulfil their roles under the new Act.



## Elected Members' Diary



Meetings for the week: 14<sup>th</sup> to 20<sup>th</sup> July 2003

Thursday 17<sup>th</sup> July:

Morning – Works Committee

Afternoon – Planning and Finance Committee

## Campaign to Reduce Crashes at Intersections

The Land Transport Safety Authority is targeting failure to give way at intersections in its most recent advertising campaign on television, as it is the third largest cause of deaths and injuries in New Zealand after speed and alcohol. In the last three years over 120 people were killed when drivers failed to stop at stop signs. These failures are deliberate choices by motorists not to observe the road rules.

Offenders who fail to give way resulting in crashes are mainly aged under 40 and, unlike drink-driving and speeding drivers, are just as likely to be female as male.

Meanwhile, the May death toll has gone some way towards reducing the upward trend for the year. While April was a bad month with more deaths than usual, May had 8 fewer deaths than May last year and had one less than the previous lowest since 1965 when records began. The twelve months to the end of May has one less than the twelve months to May 2002 but the toll for 2003 so far is eight up on the same time last year.

For further information on road safety issues visit the web site [www.ltsa.govt.nz](http://www.ltsa.govt.nz).

## Reduce Your Rubbish

Frequently Asked Questions

**How much rubbish does the average kiwi household produce each year?**

More than it needs to. If your household puts out one bag of rubbish per week, without making an effort to compost and recycle, you probably:

- throw away enough kitchen scraps and garden waste in a year to make over 7 bags of compost
- throw away enough paper and cardboard in a year to make a stack of magazines 8 metres high
- throw away enough recyclable plastic in a year to fill at least 5 wheelbarrows.

That leaves around 20 bags of rubbish that cannot currently be recycled which means you could be putting out less than one bag per fortnight.

**Reduce:** Buy products and support businesses that use recycled products in their goods or packaging.

**Reuse:** Check the backs of the pages before you throw out old letters and other unwanted paper information you have received. (Councillors' households get heaps of these.) Those pages with blank backs can be easily made into note pads for use around the home, shopping lists, phone messages etc. They will eventually get thrown out but may save you having to buy extra note pads.

**Recycle:** Council provides recycling bins at its Refuse Transfer Stations in Paeroa and Waihi. Here you may recycle aluminium cans, glass bottles (sorted into colours), and recyclable plastics. *You cannot recycle light bulbs, drinking glasses, mugs, pyrex or window glass.* Read the labels on the bins carefully. 'Check before you chuck.' Use of the recycling bins is free.

## Memorandum of Partnership Signed

Council welcomed members of Ngati Hako to its last Council meeting and at a simple ceremony a memorandum of partnership was signed by the two parties. Council is committed to trying to get a memorandum of partnership with each local Iwi. Negotiations with Ngati Maru stalled a little when the draft protocol put forward from Ngati Maru differed from the form Council had used in negotiations with Ngati Tamatera, Ngati Paoa, Hauraki Maori Trust Board and Ngati Hako. Council has apologised for the delay and both parties are committed to starting up negotiations again. A sub-committee appointed to negotiate the matter has been reappointed to move the matter forward. The subcommittee consists of the Mayor, the deputy Mayor and Cr Carmine. They will review the draft protocol and make a recommendation for Council to make a formal response to Ngati Maru.

## SITUATIONS VACANT



The Hauraki District Council is a progressive local government organisation serving the Waihi, Paeroa and Plains areas.

The Council is currently seeking to appoint the following full time position.

### Asset Management Systems Officer

This position based in the Paeroa office is part of the Corporate Services Department.

The core duties of the role involve assisting in the development of Council's Asset Management System (AMS), maintaining Council's AMS and Geographical Information System (GIS) datasets, and providing assistance to users of Council's AMS and GIS. A proven ability in the use of databases and spreadsheets is essential and a general knowledge in local authority fields of water, stormwater, sewer reticulations, solid waste, roading and community assets would be an advantage.

The successful candidate will be able to employ judgement and analytical thinking to solve problems together with possessing effective communication skills and the ability to understand and empathise with the users needs.

Prospective applicants for this position should obtain the job description and application form from the Council's offices in Paeroa, Ngatea or Waihi, from the Council's website or phone Penny Cutler on (07) 862 8609.

Applications for the position should be at the Council by 4pm Friday 1 August 2003.

Hauraki District Council is an Equal Opportunity Employer.

## PUBLIC NOTICES



Pursuant to Section 46 of the Local Government Official Information and Meetings Act 1987, public notice is hereby given that the following meetings will be held during the month of August 2003.

All meetings are to be held in the Council Chambers, Williams Street, Paeroa.

### MONDAY 4 AUGUST 2003 WARD COMMITTEES

PLAINS 9.00 AM  
PAEROA 1.00 PM  
WAIHI 3.30 PM

### CONSULTATIVE COMMITTEE WATER AND WASTES

TUESDAY 5 AUGUST 2003 10.00 AM

### HEARINGS COMMITTEE

THURSDAY 7 AUGUST 2003 (if required) 9.00 AM

### THURSDAY 14 AUGUST 2003

10.00 AM WORKS COMMITTEE  
1.00 PM PLANNING AND FINANCE COMMITTEE

### HEARINGS COMMITTEE

THURSDAY 21 AUGUST 2003, (if required) 9.00 AM

### EASTERN PLAINS DRAINAGE COMMITTEE

TUESDAY 26 AUGUST 2003, (if required) 10.00 AM

### WESTERN PLAINS DRAINAGE COMMITTEE

WEDNESDAY 27 AUGUST 2003, 10.30 AM

### ORDINARY MEETING OF COUNCIL

THURSDAY 28 AUGUST 2003, 10.00 AM

L D Cavers  
GENERAL MANAGER