



# ORDINARY MEETING of Council AGENDA

**Time:** 9:30 am  
**Date:** Wednesday, 8 May 2024  
**Venue:** Waiata House, 27 Lincoln Road,  
Masterton

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## MEMBERSHIP

Mayor Gary Caffell (Chairperson)

Councillor Bex Johnson  
Councillor Craig Bowyer  
Councillor Brent Goodwin  
Councillor David Holmes

Councillor Tom Hullena  
Councillor Stella Lennox  
Councillor Tim Nelson  
Councillor Marama Tuuta

## Values

1. **Public interest:** members will serve the best interests of the people within the Masterton district and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.
3. **Ethical behaviour:** members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behaviour.
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their ethnicity, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of Council staff.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this Code, and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which MDC operates, including a regular review and assessment of MDC's collective performance.

These values complement, and work in conjunction with, the principles of section 14 of the LGA 2002; the governance principles of section 39 of the LGA 2002; and our MDC governance principles:

<b>Whakamana Tangata</b>	Respecting the mandate of each member, and ensuring the integrity of the committee as a whole by acknowledging the principle of collective responsibility and decision-making.
<b>Manaakitanga</b>	Recognising and embracing the mana of others.
<b>Rangatiratanga</b>	Demonstrating effective leadership with integrity, humility, honesty and transparency.
<b>Whanaungatanga</b>	Building and sustaining effective and efficient relationships.
<b>Kotahitanga</b>	Working collectively.

## Order Of Business

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The Chairperson will open the meeting with the karakia

**Karakia timatanga**

Kia tau ngā manaakitanga a te mea ngaro  
ki runga ki tēnā, ki tēnā o tātou

Kia mahea te hua mākihikihi

kia toi te kupu, toi te mana, toi te aroha, toi te Reo  
Māori

kia tūturu, ka whakamaua kia tīna! Tīna!

Hui e, Tāiki e!

Let the strength and life force of our  
ancestors

Be with each and everyone of us

Freeing our path from obstruction

So that our words spiritual, power, love and  
language are upheld

Permanently fixed established and  
understood

Forward together

At the appropriate time, the following karakia will be read to close the meeting

**Karakia whakamutunga**

Kua mutu ā mātou mahi

Our work has finished

Mō tēnei wā

For the time being

Manaakitia mai mātou katoa

Protect us all

Ō mātou hoa

Our friends

Ō mātou whānau

Our family

Āio ki te Aorangi

Peace to the universe

**1 CONFLICTS OF INTEREST**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

**2 APOLOGIES**

The Chair invites notice from members of:

- leave of absence for future meetings of Masterton District Council
- apologies, including apologies for lateness and early departure from the meeting where leave of absence has not previously been granted.

**3 PUBLIC FORUM**

**4 ITEMS NOT ON THE AGENDA**

The Chairperson will give notice of items not on the agenda as follows:

*Matters requiring urgent attention as determined by resolution of the Council*

- The reason why the item is not on the agenda; and
- The reason why discussion of the item cannot be delayed until a subsequent meeting.

*Minor matters relating to the general business of Council*

No resolution, decision or recommendation may be made in respect of the item except to refer it to a subsequent meeting of Masterton District Council for further discussion.

**5 CONFIRMATION OF COUNCIL MINUTES**

**5.1 MINUTES OF COUNCIL MEETING HELD ON 3 APRIL 2024**

**File Number:**

**Author:** Harriet Kennedy, Governance Team Leader

**Authoriser:** Kym Fell, Chief Executive

**RECOMMENDATION**

That the Minutes of Council Meeting held on 3 April 2024 be received and confirmed as an accurate record of that meeting.

**ATTACHMENTS**

- 1. Minutes of Council Meeting held on 3 April 2024**



# **MINUTES**

**Ordinary Council Meeting  
Wednesday, 3 April 2024**

**Order Of Business**

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**MINUTES OF MASTERTON DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE WAIATA HOUSE, 27 LINCOLN ROAD, MASTERTON  
ON WEDNESDAY, 3 APRIL 2024 AT 3:00 PM**

**PRESENT:** Mayor G Caffell (Chair), Councillors B Johnson, C Bowyer, B Goodwin, D Holmes, T Hullena, S Lennox, T Nelson and M Tuuta

**IN ATTENDANCE:** Iwi Representative Jo Hayes, Chief Executive, General Manager Finance, General Manager Community, General Manager Corporate, Interim Manager Assets and Infrastructure, Pou Ahurea Māori, Strategic Planning Manager, Policy Advisor, and Governance Team Leader.

**1 CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**2 APOLOGIES**

There were no apologies

**3 PUBLIC FORUM**

There was no public forum.

**ACKNOWLEDGEMENT**

The Mayor made a presentation acknowledging, on behalf of the community, the work done for the Masterton District by Wairarapa Area Commander Inspector Scott Miller on his retirement.

**4 ITEMS NOT ON THE AGENDA**

There were no late items.

**5 CONFIRMATION OF COUNCIL MINUTES**

See items 7.1 and 7.2 below.

**6 COMMITTEE REPORTS**

See items 7.3 and 7.4 below.

**7 REPORTS FOR DECISION**

**7.1 CONFIRMATION OF MINUTES - COUNCIL 14 FEBRUARY 2024**

The purpose of this report is to confirm the minutes of the Council Meeting held on 14 February 2024 provided in Attachment 1.

### **RESOLUTION 2024/18**

Moved by Councillor B Johnson  
Seconded by Councillor D Holmes

That the Minutes of the Council Meeting held on 14 February 2024 be received and confirmed as an accurate record of that meeting

**CARRIED**

### **7.2 CONFIRMATION OF MINUTES - COUNCIL 6 MARCH 2024**

The purpose of this report is to confirm the minutes of the Council Meeting held on 6 March 2024 provided in Attachment 1.

### **RESOLUTION 2024/19**

Moved by Councillor S Lennox  
Seconded by Councillor C Bowyer

That the Minutes of the Council Meeting held on 6 March 2024 be received and confirmed as an accurate record of that meeting

**CARRIED**

### **7.3 CONFIRMATION OF COMMITTEE MINUTES - AUDIT AND RISK 21 FEBRUARY 2024**

Members: Philip Jones (Chair), Mayor Gary Caffell, Councillor Craig Bowyer, Councillor Brent Goodwin, Councillor David Holmes, Councillor Tom Hullena, Councillor Bex Johnson, Councillor Stella Lennox, Councillor Tim Nelson, Councillor Marama Tuuta and iwi representative Jo Hayes

### **RESOLUTION 2024/20**

Moved by Mayor G Caffell  
Seconded by Councillor S Lennox

That Council confirms the report of the Audit and Risk Committee meeting held on 21 February 2024 including the following resolutions:

- *Health and Safety Quarterly Report and Health & Safety Policy*  
*That the Audit and Risk Committee*
  1. *notes the content and receives the Health and Safety Report for the quarter: (1 Oct 2023 to 31 December 2023).*
  2. *notes a review of the Health and Safety Policy has been completed and the revised Policy was approved by the Strategic Leadership Team on 26 October 2023; and*
  3. *recommends that Council endorses the updated MDC (Masterton District Council) Workplace Health and Safety and Staff Wellbeing Policy included as Attachment 1.*
- *Destination Wairarapa Quarterly Report (1 October 2023 to 31 December 2023)*  
*That the Audit and Risk Committee receives the second quarter report (1 October 2023 –*

31 December 2023) from Destination Wairarapa.

- Service Provision Report: Aratoi Regional Trust and Nuku Ora

*That the Audit and Risk Committee receives the Service Provision Report Aratoi Regional Trust and Nuku Ora, covering the summary of key result indicators for the quarter 1 July – 31 December 2023 and key initiatives for the six months 1 July – 31 December 2023.*

- Non-Financial Report Quarter 2 2023-2024

*That the Audit and Risk Committee receives the Quarter 2 non-financial performance report for the 2023/24 financial year.*

- Key Policies Monitored by the Audit and Risk Committee

*That the Audit and Risk Committee:*

1. *notes that the following policies are monitored by the Audit and Risk Committee:*

- *Asset Management Policy*
- *Fraud, Dishonesty and Corruption Control Policy*
- *Workplace Health and Safety and Staff Wellbeing Policy*
- *Procurement Policy*
- *Revenue and Financing Policy*
- *Risk Management Policy*
- *Significance and Engagement Policy*
- *Sensitive Expenditure Policy, and*
- *Treasury Management Policy.*

2. *notes the status update for each of these policies in this Report.*

- 2024-34 Long-Term Plan Update

*That the Audit and Risk Committee*

1. *Receives the 2024-34 Long-Term Plan update report.*
2. *Notes the risks identified in this report.*

- Audit Report for the Year Ended 30 June 2023

*That the Audit and Risk Committee **receives** the Auditor's Report to the Council on the audit of Masterton District Council for the year ended 30 June 2023.*

- Six Months to Date Financial Report 2023/2024

*That the Audit and Risk Committee receives the 6 months to date financial report and commentary.*

- Better Off Funding Update

*That Council receives the Better Off Funding Update report*

**.CARRIED**

**7.4 CONFIRMATION OF COMMITTEE MINUTES - INFRASTRUCTURE AND SERVICES 6 MARCH 2024**

Members: Councillor David Holmes (Chair), Mayor Gary Caffell, Councillor Craig Bowyer, Councillor Brent Goodwin, Councillor Bex Johnson, Councillor Tom Hullena, Councillor Stella Lennox, Councillor Tim Nelson, Councillor Marama Tuuta and iwi representative Jo Hayes

**RESOLUTION 2024/21**

Moved by Councillor D Holmes  
Seconded by Councillor T Hullena

That Council confirms the report of the Infrastructure and Services Committee meeting held on 6 March 2024 including the following resolutions:

- Assets and Operations Infrastructure and Services Update  
*That the Infrastructure and Services Committee receives the update from Assets and Operations on key infrastructure projects and areas of project focus.*
- Community Facilities and Activities Infrastructure and Services Update  
*That the Infrastructure and Services Committee receives the update from the Community Facilities and Activities team on key projects and a summary of progress since the last report.*
- Regulatory Services Infrastructure and Services Update  
*That the Infrastructure and Services Committee receives the update from the Building Control Services, Consents and Planning and Environmental Services teams.*

**CARRIED**

**7.5 ADOPTION OF KEY POLICIES ASSOCIATED WITH THE 2024-2034 LONG-TERM PLAN**

The report seeking Council adoption of key financial policies as supporting information to the 2024-34 Long-Term Plan and adoption of a draft Rates Remission and Postponement on Māori Freehold Land Policy (Attachment 6) and Statement of Proposal (Attachment 7) for consultation with the community was presented by the General Manager Finance and the General Manager Strategy and Development.

**RESOLUTION 2024/22**

Moved by Councillor C Bowyer  
Seconded by Councillor B Johnson

That Council:

1. **adopts** the following policies:
  - (a) Revenue and Financing Policy and s101(3) Analysis (Attachments 1 and 2)
  - (b) Development and Financial Contributions Policy (Attachment 3)
  - (c) Rates Remission Policy (Attachment 4)

- (d) Rates Postponement Policy (Attachment 5).
2. **adopts** the draft Rates Remission and Postponement on Māori Freehold Land Policy (Attachment 6) and Statement of Proposal (Attachment 7) for consultation alongside the 2024-34 Long Term Plan from 5 April to 5 May 2024.

**CARRIED**

## **7.6 KEY LONG TERM PLAN DOCUMENTATION - ADOPTION FOR CONSULTATION**

The report seeking Council adoption of the 2024-34 Long Term Plan (LTP) consultation document, the supporting information for that document (listed below) and the proposed Fees and Charges for 2024/25 was presented by the General Manager Strategy and Development.

An updated consultation document was tabled which included the draft Auditor's Report, some updated wording on page 45 (to correct the figure for the cumulative average rates increase over ten years of the plan) and an updated graph on page 46.

Members discussed the consultation document. Some didn't support the document as they thought it didn't have enough information on the cumulative rates impact over the ten years of the Plan or the full picture of what was behind the increase in costs. What the reference to the library not being fit for purpose meant needed to be explained, particularly when the library scored well in customer satisfaction surveys. The lack of information could lead those submitting providing misguided feedback. Those who supported the document thought that it was a clear and accessible document, that the financial information was clear, the cumulative rates increase over ten years was included, noting that future Council decisions will always vary the forecasts so couldn't be predicted with accuracy and, in relation to the library not being fit for purpose, referred to the accessibility challenges and the state of the basement. In relation to the customer satisfaction survey, it was noted that the question respondents had been asked will have related to the service staff provided, rather than the building itself.

### **RESOLUTION 2024/23**

Moved by Mayor G Caffell

Seconded by Councillor C Bowyer

That Council

1. Adopts as supporting information for the 2024-34 Long Term Plan Consultation document:
  - a) The 2024-34 Financial Strategy (Attachment 1);
  - b) The 2024-54 Infrastructure Strategy (Attachment 2);
  - c) Significant Assumptions for the 2024-34 Long Term Plan (Attachments 3A; 3B and 3C);
  - d) Our Work in Detail, incorporating performance measures and cost of service statements for each activity group (Attachment 4);
  - e) Our Costs in Detail, incorporating full financial detail including the financial statements for the 2024-34 Long Term Plan, capital expenditure detail statements, Financial Prudence Benchmarks and Funding Impact Statements and Rating Funding Impact Statements (Attachment 5);

- f) Policies Relevant to the Long-Term Plan (see Report 7.5 on this agenda):
- i. Revenue & Financing Policy
  - ii. Consideration of Appropriate Sources of Funding required under Section 101 of the Local Government Act, to support the Revenue and Financing Policy
  - iii. Treasury Management Policy;
  - iv. Rates Postponement Policy;
  - v. Rates Remission and Postponement on Māori Freehold Land Policy; and
  - vi. Rates Remission Policy
- g) Supporting information for the following consultation issues:
- i. Town Hall, Library and Archive (Attachment 6)
  - ii. Town Centre Improvements (Attachment 7)
2. Adopts the Proposed Fees and Charges (Attachment 8).
  3. Adopts the 2024-34 Long Term Plan Consultation Document for consultation with our community (Attachment 9) and Submission Form (Attachment 10).
  4. Delegates authority to the Chief Executive to approve minor edits to the Consultation Document and supporting information in response to final proofing.

**CARRIED**

A division was called

In Favour: Mayor Gary Caffell, Councillor Bex Johnson, Councillor Craig Bowyer, Councillor David Holmes, Councillor Stella Lennox, Councillor Marama Tuuta

Against: Councillor Brent Goodwin, Councillor Tom Hullena, Councillor Tim Nelson

**CARRIED 6/3**

## **7.7 LOCAL WATER DONE WELL**

The report seeking Council's agreement to enter into a Memorandum of Understanding with other councils in the Wellington region to develop options for water service delivery to give effect to Government's Local Water Done Well policy was presented by the General Manager Infrastructure and Assets.

### **RESOLUTION 2024/24**

Moved by Councillor M Tuuta

Seconded by Councillor C Bowyer

That Council

1. Notes that the Government's Local Water Done Well policy and implementing legislation will require councils to develop a water services delivery plan by mid- 2025.
2. Agrees to enter into a Memorandum of Understanding with other councils in the Wellington region to develop options for water service delivery.
3. Delegates to the Chief Executive to finalise and sign the Memorandum of Understanding

based on the draft included in Attachment 1.

4. Appoints Councillor David Holmes as Council's elected representative on the Advisory Oversight Group.

**CARRIED**

## **7.8 FURTHER AMENDMENT TO MEETING SCHEDULE FOR 2024**

The report seeking Council approval of a further amendment to the schedule of Council and Committee meetings for 2024 and a change of start time for Council and Infrastructure and Services Committee meetings was presented by the General Manager Strategy and Development.

### **RESOLUTION 2024/25**

Moved by Councillor D Holmes  
Seconded by Councillor M Tuuta

That Council

1. approves a further amendment to the 2024 Schedule of Meetings: to move the 7 August Audit and Risk Committee meeting to 14 August and the 14 August Council Meeting to 7 August.
2. agrees that, commencing in May 2024, Council and Infrastructure and Services Committee meetings start at 9.30am

**CARRIED**

## **7.9 UPDATE TO THE ELECTED MEMBER ALLOWANCES AND EXPENSE REIMBURSEMENT POLICY 2022-2025**

The report providing an updated Elected Members' Allowances and Expense Reimbursement Policy 2022-2025 for Council adoption was presented by the General Manager Finance.

### **RESOLUTION 2024/26**

Moved by Councillor M Tuuta  
Seconded by Councillor T Hullena

That Council adopts the updated Elected Members' Allowances and Expense Reimbursement Policy 2022-2025.

**CARRIED**

## **7.10 ESTABLISHMENT OF THE MASTERTON DISTRICT COUNCIL DISABILITY ADVISORY GROUP**

The report seeking Council approval of process documents to support the establishment of the Masterton District Disability Advisory Group: Terms of Reference (Attachment 1), and Expressions of Interest (Attachment 2) was presented by the Community Development Team Leader.

**RESOLUTION 2024/27**

Moved by Mayor G Caffell  
Seconded by Councillor D Holmes

That Council

1. **notes** that the establishment of a Masterton District Disability Advisory Group as an initiative aimed at enhancing accessibility and inclusivity within the Masterton District.
2. **approves** the Masterton District Disability Advisory Group Terms of Reference and Expressions of Interest documents to support the establishment of the Masterton District Disability Advisory Group.

**CARRIED**

**7.11 REVIEW OF THE WAIRARAPA CONSOLIDATED BYLAW 2019**

The report providing information on the review of the Wairarapa Consolidated Bylaw 2019 and seeking Council agreement to share the estimated costs of the review across the Wairarapa District Councils, and to delegate responsibility to the Wairarapa Policy Working Group to support the review was presented by the Policy Manager.

**RESOLUTION 2024/28**

Moved by Councillor T Hullena  
Seconded by Councillor C Bowyer

That Council:

1. notes that a review of the Wairarapa Consolidated Bylaw 2019 for the Masterton, Carterton and South Wairarapa districts is required by 26 June 2024 and is underway;
2. notes that the review approach is consistent with the requirements of the Local Government Act 2002;
3. agrees to share the review costs across the three Wairarapa District Councils as per the Wairarapa Shared Services Funding Policy (joint policy development activity type); and
4. agrees to delegate responsibility to the Wairarapa Policy Working Group to support the review and make recommendations back to the three Wairarapa District Councils

**.CARRIED**

**7.12 MASTERTON DISTRICT COUNCIL DELEGATIONS REGISTER**

The report seeking Council approval of proposed amendments to the Masterton District Council (MDC) Delegations Register was presented by the Policy Manager who noted that the updates were due to the change in the Executive Leadership Team structure and reporting lines, and the COVID-19 delegations.

**RESOLUTION 2024/29**

Moved by Councillor D Holmes



Seconded by Councillor B Goodwin

That Council:

1. **approves** amendments to Part A of the Masterton District Council Delegations Register (the Register) which contains statutory and other delegations by the Council to the Chief Executive;
2. **approves** amendments to Part B of the Register which contains delegations by the Council to officers under the Local Government (Rating) Act 2002 and the Resource Management Act 1991.
3. **notes** that there are no proposed amendments to Part C of the Register which contains delegations by the Council to committees (other than formatting changes).
4. **notes** that Part D of the Register which contains sub-delegations from the Chief Executive to staff, is not included in this report as it does not require Council approval.

**.CARRIED**

### **7.13 MARAE DEVELOPMENT FUND ASSESSMENT GROUP**

The report informing Council of the 2023/24 Marae Development Funding round and seeking Council adoption of a Terms of Reference for a Marae Development Fund Assessment Group was presented by the Pou Ahurea Māori.

#### **RESOLUTION 2024/30**

Moved by Councillor C Bowyer

Seconded by Councillor M Tuuta

That Council:

1. **approves** the Marae Development Fund Assessment Group Terms of Reference in Attachment 1.
2. **appoints** the following members for the 2022-25 triennium: Mayor Gary Caffell, Cr Tuuta, and Iwi Representatives appointed to Council (Jo Hayes and Ngāti Kahungunu ki Wairarapa Representative (TBA)).
3. **notes** the 2023/24 Marae Development Funding round will be open throughout April/May with funding decisions to be made in June 2024.

**.CARRIED**

### **7.14 APPOINTMENTS TO THE MASTERTON DISTRICT COUNCIL CLIMATE ADVISORY GROUP AND THE WAIRARAPA WATER RESILIENCE STRATEGY INTERIM GOVERNANCE GROUP**

The report is for Council: to appoint the Mayor and an alternate to the Masterton District Council Climate Advisory Group (the Group) to replace Councillor Hullena who has stepped down; to advise of Luther Toloa's resignation from the Group; and, to appoint the Mayor and Councillor Holmes, with the Deputy Mayor as alternate, to the Wairarapa Water Resilience Strategy Interim Governance Group.

An alternative recommendation 5 was proposed – to appoint Councillor Bowyer to the Wairarapa

Water Resilience Strategy Interim Governance Group instead of Mayor Gary Caffell.

**RESOLUTION 2024/31**

Moved by Councillor D Holmes  
Seconded by Councillor T Nelson

That Council:

1. Appoints Mayor Gary Caffell, to replace Councillor Hullena, as one of the elected member representatives on the Masterton District Council Climate Advisory Group.
2. Agrees to amend the Terms of Reference of the Masterton District Council Climate Advisory Group to enable an alternate elected member to be appointed.
3. Appoints Councillor Stella Lennox as the alternate elected member to the Masterton District Council Climate Advisory Group.
4. Notes the resignation of the community representative Luther Toloa from the Masterton District Council Climate Advisory Group.
5. Appoints Councillor David Holmes, Councillor Craig Bowyer, and Deputy Mayor Bex Johnson as the alternate, to the Wairarapa Water Resilience Strategy Interim Governance Group

**.CARRIED**

**8 REPORTS FOR INFORMATION**

**8.1 CHIEF EXECUTIVE'S REPORT**

The purpose of the attached report is to provide Council with an update on Council operations (as at 27 March 2024).

**RESOLUTION 2024/32**

Moved by Councillor T Hullena  
Seconded by Councillor B Goodwin

That Council receives the Chief Executive's Report as at 27 March 2024.

**.CARRIED**

**8.2 MEETING REPORTS FROM COUNCILLORS**

Councillors are appointed to a number of external groups and organisations as representatives of Masterton District Council. This agenda item allows Councillors to report back on meetings attended in that capacity.

Councillor Lennox reported back on work of the Refugee Steering Group, which met monthly and which she was co-chair of.

Councillor Lennox also provided an update on Kim's Way Night Refuge, which it was hoped would be open in June/July.

Councillor Holmes reported back on the Castlepoint Ratepayers Association AGM he had attended.

Councillor Johnson reported back on the Wairarapa Youth Governance Group meeting she had attended and the work the Pasifika o Wairarapa Trust had been involved in.

### 8.3 MAYOR'S REPORT

The Mayor will provide a verbal report:

- Highlight since the last meeting has been Bob Francis being awarded the senior of the year award, his involvement has been huge.
- The last Mayoral Forum meeting had been attended by Simeon Brown and Chris Bishop. Three waters, regional deals and amalgamation were discussed – the indication from the Ministers were that they want councils to sort those out themselves. On the amalgamation question, they advised that the government wont be forcing councils to do anything – councils will have to do it themselves. Water has taken over the discussion.

### RESOLUTION 2024/33

Moved by Councillor D Holmes  
Seconded by Councillor T Hullena

That Council

1. receives the verbal report from the Mayor
2. receives the LGNZ November 2023-February 2024 Report to Members

**.CARRIED**

## 9 PUBLIC EXCLUDED

### RESOLUTION TO EXCLUDE THE PUBLIC

### RESOLUTION 2024/34

Moved by Councillor D Holmes  
Seconded by Councillor C Bowyer

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>9.1 - Confirmation of Public Excluded Minutes - Council 14 February 2024</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(c)(i) - the withholding of the	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would

	<p>information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p>	<p>exist under section 6 or section 7</p>
<p><b>9.2 - Confirmation of PE Committee Minutes - Audit and Risk 21 February 2024</b></p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

**CARRIED**

The meeting moved into public excluded a 5.11pm

The meeting moved out of public excluded at 5.13pm

The Meeting closed at 5.13pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 May 2024.

.....

**CHAIRPERSON**

## 6 COMMITTEE REPORTS

### 6.1 INFRASTRUCTURE AND SERVICES COMMITTEE MEETING - 17 APRIL 2024

**File Number:**

**Author:** Harriet Kennedy, Governance Team Leader

**Authoriser:** Karen Yates, General Manager Strategy & Development

**Members:** David Holmes (Chair), Mayor Gary Caffell, Councillor Craig Bowyer, Councillor Brent Goodwin, Councillor Jo Hayes, Councillor Tom Hullena, Councillor Stella Lennox, Councillor Tim Nelson and Councillor Marama Tuuta and Iwi representative Jo Hayes.

#### **THE COMMITTEE RECOMMENDS:**

That Council confirms the report of the Infrastructure and Services Committee meeting held on 17 April 2024 including the following resolutions:

- *Infrastructure and Assets - Infrastructure and Services Update*  
*That the Infrastructure and Services Committee receives the update from Infrastructure and Assets on key infrastructure projects and areas of project focus.*
- *Community - Infrastructure and Services Update*  
*That the Infrastructure and Services Committee receives the update from the Community team on key projects and a summary of progress since the last report.*
- *Regulatory Services - Infrastructure and Services Update*  
*That the Infrastructure and Services Committee receives the update from the Building Control Services, Consents and Planning and Environmental Services teams.*

#### **ATTACHMENTS**

1. **Minutes of Infrastructure and Services Committee Meeting held on 17 April 2024**



# **MINUTES**

## **Infrastructure and Services Committee Meeting**

**Wednesday, 17 April 2024**

**Order Of Business**

<b>1</b>	<b>Conflicts of Interest .....</b>	<b>3</b>
<b>2</b>	<b>Apologies .....</b>	<b>3</b>
<b>3</b>	<b>Public Forum.....</b>	<b>3</b>
<b>4</b>	<b>Items not on the Agenda .....</b>	<b>3</b>
<b>5</b>	<b>Reports for Information .....</b>	<b>3</b>
5.1	Infrastructure and Assets - Infrastructure and Services Update .....	3
5.2	Community - Infrastructure and Services Update .....	6
5.3	Regulatory Services - Infrastructure and Services Update .....	7



**MINUTES OF MASTERTON DISTRICT COUNCIL**  
**INFRASTRUCTURE AND SERVICES COMMITTEE MEETING**  
**HELD AT WAIATA HOUSE, LINCOLN ROAD, MASTERTON**  
**ON WEDNESDAY, 17 APRIL 2024 AT 3:00 PM**

**PRESENT:** David Holmes (Chair), Mayor Gary Caffell, Councillors B Johnson, C Bowyer, B Goodwin, T Hullena, T Nelson, M Tuuta and Iwi Representative Jo Hayes

**IN ATTENDANCE:** General Manager Finance, General Manager Strategy and Development, General Manager Community, General Manager Infrastructure and Assets, General Manager Corporate, Environmental Services Manager, Building Control Services Manager, Planning and Consents Manager, Project Delivery and Assets Manager, Technology Services Manager, and Governance Team Leader

**1 CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**2 APOLOGIES**

**COMMITTEE RESOLUTION 2024/9**

Moved by Mayor G Caffell  
Seconded by Councillor B Johnson

That the apology received from Councillor Lennox be accepted

**CARRIED**

**3 PUBLIC FORUM**

There was no public forum

**4 ITEMS NOT ON THE AGENDA**

There were no late items.

**5 REPORTS FOR INFORMATION**

**5.1 INFRASTRUCTURE AND ASSETS - INFRASTRUCTURE AND SERVICES UPDATE**

The report providing the Committee with an update from the Infrastructure and Assets team on key infrastructure projects and areas of project focus was presented by the General Manager Infrastructure and Assets.

Other matters discussed included:

- an update on the outstanding NZTA approvals was requested
- a request to look at a strategy for the Mataikona roading issue was requested, along with an update on the current status of the work
- an update on the cost of the animal shelter was requested

- Whether the Youth Hub was going to be completed in September - the GM Community advised that they had met with most of the contractors to get surety around price indications. September was the aim for completion but it would depend on the weather.
- The emergency works and the actual cost of the cyclone events to MDC - staff advised that the numbers reported were what it had cost Council and that did include the subsidy which was at 56% for the first \$1m then 76%. Council's share was budgeted to be loan funded as the flood damage fund had been exhausted.
- Whether Council was any further along looking at a strategy for roading in the vulnerable places that had extensive costs and whether, if cyclones kept coming, how would council keep paying for those roads - staff advised that more work would be done in that area with the Wellington Regional Leadership Committee looking at risk assessments, prioritisation and managed retreat.
- Water meters and how Council would deal with shared connections - the GM Infrastructure and Assets advised that the rules around shared connections were still to be established and this may feature in the consolidated bylaw review and update that is currently underway.
- What the process was when the price on a contract blew out - it was advised that staff managed contracts closely and variations were only accepted if justified. Whether a contract came back to Council would depend on the level of change and whether Council had signed off on the project in the first place. The CE had delegation to vary contracts up to 15% of the approved budget.
- The consents for Henley Lake and the QE Park Lake - staff advised that discussions were continuing with GWRC but normal operations were continuing in the meantime.
- The consent for the discharge to land and river from Homebush - it was advised that the consent will expire in 2034.
- Opaki Water Race - the GM Infrastructure and Assets advised that she met with some the self governing OWR committee, but noted that they didn't represent everyone on the race. The members are interested in understanding if an extension to the current consent variation could be sought. The GM I&A committed to enquiring with GWRC on this matter. Her view at this time (shared with this OWR committee) is that all costs would be required to be covered by the users unless our elected members opted to do something different. The GM I&A committed to providing the Committee a synopsis of the work undertaken to date and cost to get to this point. Council expressed an interest in revisiting this.
- 

#### **COMMITTEE RESOLUTION 2024/10**

Moved by Councillor D Holmes

Seconded by Councillor C Bowyer

That the Infrastructure and Services Committee receives the update from Infrastructure and Assets on key infrastructure projects and areas of project focus.

**CARRIED**

## **5.2 COMMUNITY - INFRASTRUCTURE AND SERVICES UPDATE**

The report providing the Infrastructure and Services Committee with an update from the Community team on key projects and summary of progress since the last report, including highlights and any new issues (see Attachment 1) was presented by the General Manager Community who advised that there was a correction needed to the dates for Youth Week which will run from 20 May to 26 May 2024.

Matters discussed included:

- Clarification was sought over the \$120,000 budget for the THRC Recreation Centre Condition and Feasibility assessment. Staff advised that the \$120,000 Better Off Funding was set aside to complete the assessment work which included the facility condition assessment identifying work that needed to be done, the feasibility for a splashpad and a master plan for future development. The remaining funding will be used for a needs assessment.
- A request was made for the library and archive usage numbers to be separated out and for the library newsletter to come to elected members.
- It was noted that the next Multicultural Council next meeting would be on 9 May rather than March.
- A request was made for the Queen St planting to be kept up so empty spaces would be filled. Staff advised that the Autumn renovations had been delayed due to the dry weather. It was advised the contract was outcome focused so when gaps were identified they were discussed at the regular operational meetings and addressed.
- The Douglas Villa Football Club and what work remained - the remaining work was the shower floor which was scheduled for next year. The Sports Facility Strategy which was proposed as part of the LTP would inform any future decisions on Council spending on sports facilities.
- The old tennis pavilion and what would happen to that area after it was demolished as it would be an eyesore - it was advised that in the interim, the area was most likely to be used for parking.

### **COMMITTEE RESOLUTION 2024/11**

Moved by Mayor G Caffell

Seconded by Councillor B Johnson

That the Infrastructure and Services Committee receives the update from the Community team on key projects and a summary of progress since the last report.

**CARRIED**

## **5.3 REGULATORY SERVICES - INFRASTRUCTURE AND SERVICES UPDATE**

The report providing the Infrastructure and Services Committee with an update from the Building Control team, the Consents and Planning team and the Environmental Services team (see Attachment 1) was presented by the General Manager Community and the General Manager Strategy and Development.

Matters discussed included:

- How many earthquake prone buildings there were in the CBD. It was advised there were 88.
- Noise complaints and how they were addressed - the GM Community advised that there had been an increase in complaints where people were living next to commercial areas. Staff advised that the noise control officers used a matrix system which depended on the time of day, the tone of the noise, the audibility and the frequency. The score on the matrix determined whether an Excessive Noise Direction was issued. Staff attended complaints during the day, a contractor was used after hours and in the weekend.
- The workload of the Environmental Health Team in the water area - staff advised that the team undertook water sampling and monitoring, including for consent conditions e.g. Henley Lake, and wastewater testing for the Institute of Environmental Science and Research (ESR) for things like COVID and drugs.
- Whether Council could review and follow up building consent applications that hadn't been progressed was discussed. It was advised that where consents had lapsed, under the legislation people had to reapply. The Building Code changed regularly and many consents lodged previously wouldn't comply with current requirements.
- In relation to business improvement it was advised that staff had been working on a project called 'Taking Care of Business' which would offer a single point of contact at Council to assist anyone who wanted to start up a business.
- Wandering stock on roads - the main concern was safety. Repeat offenders would receive an invoice from Council.

**COMMITTEE RESOLUTION 2024/12**

Moved by Councillor C Bowyer  
Seconded by Councillor B Goodwin

That the Infrastructure and Services Committee receives the update from the Building Control Services, Consents and Planning and Environmental Services teams.

**CARRIED**

**The Meeting closed at 4.16pm.**

**The minutes of this meeting were confirmed at the Council meeting held on 8 May 2024.**

.....  
**CHAIRPERSON**

## **7 REPORTS FOR DECISION**

### **7.1 ADOPTION OF THE WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES POLICY**

**File Number:**

**Author:** Stephanie Frischknecht, Policy Advisor

**Authoriser:** Kym Fell, Chief Executive

#### **PURPOSE**

The purpose of this report is to seek Council's adoption of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (Attachment 1) as recommended by the Wairarapa Policy Working Group

#### **EXECUTIVE SUMMARY**

The Masterton, Carterton and South Wairarapa District Councils (the Wairarapa District Councils) share a joint Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (Policy) made under Section 101 of the Gambling Act 2003 and Section 96(1) of the Racing Industry Act 2020 (the Acts).

The Policy has a three-year review period which is a legislative requirement under the Acts. As a joint Policy, the review was delegated to the Wairarapa Policy Working Group (WPWG) to progress and make recommendations back to the Wairarapa District Councils.

The WPWG recommended an amended Policy be adopted for consultation based on the findings of a Social Impact Assessment (SIA), an assessment of gambling harms and benefits, and the effectiveness of the current Policy in achieving its purpose. As an amended Policy was proposed, consultation was required to follow the Special Consultative Procedure (SCP) set out in section 83 of the Local Government Act 2002 (LGA).

Consultation occurred between 19 February and 22 March 2024 and followed the SCP process.

Hearings and Deliberations were held by the WPWG on Monday 15 April 2024.

The Wairarapa District Councils are asked support the recommendation of the WPWG to adopt the Policy with an amendment to prohibit permanent venue relocations in Masterton.

#### **RECOMMENDATIONS**

That Council:

1. **notes** that a review of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy has been undertaken;
2. **notes** that consultation with the community occurred between 19 February and 22 March 2024.

3. **notes** that hearings and deliberations were undertaken by the Wairarapa Policy Working Group on 15 April 2024.
4. **approves** the recommendations from the Wairarapa Policy Working Group:
  - (i) **agree to the amendment to clause 6.1 of the Proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy as follows:**  
*Clause 6.1 Council will not grant consent for a Class 4 venue to **permanently** re-establish at a new site in Masterton District under any circumstances.*
  - (ii) **adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (Attachment 1).**

## **CONTEXT**

Territorial Authorities must adopt a Class 4 Gambling Venue Policy under Section 101 of the Gambling Act 2003. Class 4 Gambling is gambling that utilises or involves a gaming machine (often referred to as “pokies”). Class 4 Gambling represents high-risk, high-turnover gambling. A Class 4 Gambling Venue is a place to conduct Class 4 Gambling.

Section 96(1) of the Racing Industry Act 2020 states that local authorities must adopt a policy on TAB Venues. A TAB Venue is a premise owned or leased by the New Zealand Racing Board and where the main business carried out at the premises is providing racing or sports betting services.

Section 101 of the Gambling Act 2003 sets out what a council must include in its Class 4 Gambling Policy, and what it may include. It must specify whether venues can be established in the local authority area and if so, where they may be located. It may:

- specify any restrictions on the maximum number of gaming machines that may be operated at a Class 4 Venue; and
- include a relocation policy.

Under Section 102(5) of the Gambling Act 2003 and Section 97(4) of the Racing Industry Act 2020, the Policy has a three-year review period. If the Policy is to be amended or replaced, the SCP must be used. A Policy does not cease to have effect because it is due for review or is being reviewed.

## **ANALYSIS AND ADVICE**

The Policy sets out the Wairarapa District Councils joint approach to Class 4 Gambling and Standalone TAB venues. The purpose of the Policy is to:

- a) minimise the harm to the community caused by gambling;
- b) have regard to the social impacts of gambling in the Wairarapa region, including the cumulative effect of additional opportunities for gambling in the district;
- c) control Class 4 gambling in the Wairarapa region; and
- d) ensure that Council and their communities have influence over the provision of new Class 4 gambling and standalone TAB venues in the Wairarapa region.

### Review process

The review of the Policy followed the process recommended by the Department of Internal Affairs (DIA):

1. **'Pre-review' Stage:** evaluating the effectiveness of council's current Policy in limiting the social impact of gambling in the community. This stage involved information gathering, engagement with key stakeholders, and a Social Impact Assessment.
2. **Councils' analysis** on whether the Policy needs to be amended or whether it can continue without amendment using guidance from DIA and Ministry of Health.
3. **Consultation:** Consultation in line with the Acts, as well as the LGA and Council's Significance and Engagement Policy.
4. **Policy Drafting**
5. **Adopt the Policy and notify DIA.**

### Work to date

Information detailing the pre-review stage and Councils' analysis was reported to Masterton and Carterton District Councils on 13 September 2024 and South Wairarapa District Council on 27 September 2024 [refer [Report 7.1](#)].

The Wairarapa District Councils adopted a Statement of Proposal and draft Policy for consultation on 14 February 2024 [refer [Report 7.3](#)].

Consultation on the draft Policy took place from 19 February to 22 March 2024. The consultation process met the SCP requirements of the LGA.

Community feedback was sought on the following proposals:

- Proposal 1a - Amend the policy so that Class 4 Gambling Venues cannot relocate in Masterton under any circumstances;
- Proposal 1b - Amend the policy so that Class 4 Gambling venues cannot relocate to Carterton and South Wairarapa's most deprived areas (those on the New Zealand Deprivation Index of decile 9 or 10<sup>1</sup>) if the proposed location is outside of a town centre;
- Proposal 2 - Amend the policy to state that no new standalone TAB venues may be established in the Wairarapa; and
- Proposal 3 - Amend the policy to clearly state that no additional electronic gaming machines will be granted consent, in any Class 4 venue.

A total of 23 submissions were received and four submitters spoke in support of their submission at the hearings on 15 April 2024. A copy of the agenda and reports, including the full set of submissions and submission analysis, is available on the Council website<sup>2</sup>. A recording of the meeting is also available on the Masterton District Council YouTube Channel.

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<sup>1</sup> An online interactive map showing the New Zealand Deprivation Index is available on the Environmental Health Intelligence NZ website, with NZDep2018 being the rating that currently applies. Areas with a NZ Dep Rating of 9 or 10 represent the most deprived areas: [www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/](http://www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/)

<sup>2</sup> The WPWG Hearings and Deliberations Agenda and Reports are available from [www.mstn.govt.nz/council/meetings/minutes-and-agendas](http://www.mstn.govt.nz/council/meetings/minutes-and-agendas) (meeting date 15 April 2024).

At the deliberations meeting on 15 April 2024, WPWG discussed Proposal 1a taking into account community feedback from Incorporated Society Owners/Operators regarding the importance of the ability to temporarily relocate in the event of an unforeseen event such as a fire or flood while an existing site undergoes repair/remediation. The WPWG debated this aspect of the Policy and made the following recommendation to enable applications for temporary relocations in Masterton to be considered on a case-by-case basis.

Moved Councillor Bosley

**That the Wairarapa Policy Working Group:**

**3) Recommends the Wairarapa District Councils adopt the proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy as follows:**

**(i) agree to the amendment to clause 6.1 of the Proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy as follows:**

Clause 6.1 *Council will not grant consent for a Class 4 venue to permanently re-establish at a new site in Masterton District under any circumstances.*

**(ii) adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.**

Seconded by Councillor Cretney and CARRIED

Councillor Nelson against

A revised Policy incorporating the above amendment is provided as Attachment 1 and the minutes of the WPWG hearings and deliberations are provided as Attachment 2.

The Wairarapa District Councils are asked to consider the recommendation of the WPWG and adopt a final Policy.

## OPTIONS CONSIDERED

A summary of the options considered is included in the table below.

Option	Advantages	Disadvantages
1 Recommended Option – Adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (Attachment 1)	<ul style="list-style-type: none"> <li>- The Policy takes a community wellbeing and harm reduction approach.</li> <li>- The Policy was developed in consideration of the harm and economic/social benefits of gambling.</li> <li>- There is rationale that supports the more restrictive policy position for Masterton and regional variations are appropriate where justified.</li> <li>- The Policy was recommended by the WPWG taking into account community feedback and staff advice.</li> </ul>	<ul style="list-style-type: none"> <li>- Some members of the community may not support the decisions made as part of reviewing the Policy.</li> <li>- The Policy may discourage new hospitality businesses, if they need gambling machines to be financially viable.</li> <li>- Overtime the Policy may reduce the amount of funding available to community organisations.</li> <li>- May lead to a small number of job losses if a Masterton venue is unable to permanently continue in its current location.</li> </ul>



Option	Advantages	Disadvantages
2 Alternative Option – Do not adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.	- No advantages identified.	<ul style="list-style-type: none"> <li>- Council would not proceed with the amendments despite consulting on changes and receiving majority support.</li> <li>- The Policy has been developed in consideration of gambling harm and the social/economic benefits.</li> <li>- The Policy has been recommended by the WPWG in consideration of community views and staff advice.</li> <li>- Council is legally required to have a policy.</li> </ul>

**RECOMMENDED OPTION**

Option 1: Adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (Attachment 1) is recommended. This option has been recommended by the WPWG based on the findings of a Social Impact Assessment, an assessment of gambling harms and benefits, the effectiveness of the current Policy in achieving its purpose, community views and advice from staff.

This option means the Policy would take a community wellbeing and harm reduction approach and reflects an appropriate balance between minimising gambling harm and economic/social benefits.

**SUMMARY OF CONSIDERATIONS**

**Strategic, Policy and Legislative Implications**

Councils are required to have a policy under the Acts and review the policy every three years. The review process met the requirements set out in the Acts.

The LGA states that one of the purposes of councils is to promote the social, economic, environment and cultural well-being of communities, in the present and for the future.

**Significance, Engagement and Consultation**

The following groups interested in and impacted by the review were targeted for engagement via completion of the Social Impact Assessment survey in the pre-review stage:

- Venue owners/operators in Wairarapa
- Relevant social service sector organisations
- Iwi.

The review of the policy followed the SCP as outlined in the LGA. The Statement of Proposal and ways our community could have their say and present their views was widely advertised and available. This included proactive engagement and information sharing during the consultation stage with Incorporated Society Owners/Operators, Gambling Outlets, Health/Welfare Sector, Iwi/Hapū/Marae, General Public, Media, and those with a registered interest in the Policy.

The consultation period ran from 19 February to 22 March 2024. A formal hearing was held on 15 April 2024 to enable submitters to present their views to elected representatives in person

### **Financial Considerations**

The budget for the review is split across the Wairarapa District Councils according to the Wairarapa Shared Services Funding Policy.

Costs associated with reviewing the Policy were met from within existing 2023/24 budgets.

### **Implications for Māori**

Minimising harm to our community caused by gambling is a key objective of the Policy, including our Māori communities.

We promoted the consultation opportunity to ensure that Mana Whenua, Te Hauora Rūnanga o Wairarapa, and Māori health and social services providers had an opportunity to submit on the Policy. We will also provide notification of the final Policy.

### **Environmental/Climate Change Impact and Considerations**

The Policy has no direct impact on environmental and climate change considerations.

### **NEXT STEPS**

Masterton District Council and South Wairarapa District Council (Strategy Working Committee) will consider this report on 8 May 2024. Carterton District Council (Policy and Projects Committee) will consider this report on 19 June 2024.

If adopted by the Wairarapa District Councils, the Policy will be published on the Council website and notification will be sent to submitters and key stakeholders that were informed of the consultation.

A copy will also be provided to DIA and TAB NZ as required by the Acts.

### **ATTACHMENTS**

1. **Attachment 1 Proposed Class 4 Gambling and TAB Venues Policy** [↓](#)
2. **2024-04-15 Gambling and TAB Venues Policy Hearings and Delibs Minutes** [↓](#)



## Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

### *Kaupapa Here Whare Petipeti – Momo 4*

<b>First Adopted:</b>	2003
<b>Latest Version:</b>	May 2024 [TBC]
<b>Adopted by:</b>	Masterton, Carterton and South Wairarapa District Councils
<b>Review Date:</b>	May 2027 [TBC]

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DRAFT

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## 1. Purpose | *Pūtake*

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- 1.1. The purpose of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy is to:
- minimise the harm to the community caused by gambling;
  - have regard to the social impacts of gambling in the Wairarapa region, including the cumulative effect of additional opportunities for gambling in the district;
  - control Class 4 gambling in the Wairarapa region; and
  - ensure that Council and their communities have influence over the provision of new Class 4 gambling and standalone TAB venues in the Wairarapa region.
- 1.2. This policy is made in accordance with the Gambling Act 2003 (s.101) and the Racing Industry Act 2020 (s.96).

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## 2. Scope | *Whānuitanga*

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- 2.1. This policy applies to Class 4 and standalone TAB venues in the Masterton, Carterton and South Wairarapa Districts (referred to collectively as the Wairarapa region).

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## 3. Objectives | *Whāinga*

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- 3.1. The objectives of the three Wairarapa Councils are to:
- prevent and minimise harm to the community caused by gambling
  - control and manage gambling in the Wairarapa region
  - restrict the locations of gambling venues within the Wairarapa region
  - promote community involvement in decisions about the provisions of gambling
  - ensure the community have influence over the location of new gambling venues in the district
  - promote opportunities for money from gambling to benefit the Wairarapa community.

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## 4. Definitions | *Kuputaka*

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The following definitions are relevant to this policy:

**Class 4 Gambling:** Gambling that utilises or involves a gaming machine, as defined in the Gambling Act 2003 (s.30).

**Class 4 Gambling Venue:** A place to conduct Class 4 gambling.

**Council:** The Masterton, Carterton or South Wairarapa District Council, as applicable.

**Gaming Machine:** A device, whether totally or partly mechanically or electronically operated, that is adapted or designed and constructed for the use in gambling, as defined in the Gambling Act 2003 (s.4). Commonly known as 'pokie machines'.

**New Zealand Deprivation Index (NZDep):** An index of socioeconomic deprivation based on census information. Deprivation scores range from 1 (least deprived) to 10 (most deprived).

**Standalone TAB Venue:** Premises that are owned or leased by the New Zealand Racing Board and where the main business carried on at the premises is providing racing or sports betting services under the Racing Act 2003.

**Statistical Area 1 (SA1):** Geographical areas with a range of approximately 100-200 residents, and a maximum population of approximately 500 residents.

**Venue Licence:** A Class 4 venue licence issued by the Secretary for Internal Affairs.

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## 5. Venue Criteria | *Paearu Whare*

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Under sections 101 of the Gambling Act 2003 and section 96 of the Racing Industry Act 2020, this policy can restrict the establishment of class 4 gambling and standalone TAB venues, and consider other criteria including the maximum number of gaming machines.

### 5.1 Establishment of New Class 4 Gambling Venues

- No new Class 4 gambling venues may be established in the Wairarapa region.
- Gambling venues existing or consented as at 1 January 2024 and not ceasing operations for any period longer than six months will be regarded as existing venues under this policy and will be granted consent to continue their operations automatically.

### 5.2 Establishment of Standalone TAB Venues

- No new standalone TAB venues may be established in the Wairarapa region.

### 5.3 Merged Gambling Venues

- Where Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003, the combined club may:
  - a) operate an existing single venue, which will be regarded as an existing venue, subject to clause 5.4; or
  - b) apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 5.4.

### 5.4 Restriction on the Number of Gaming Machines

- The three Wairarapa Councils have set a 'sinking lid' on the number of gaming machines in the Wairarapa region. This means no increase in the number of gaming machines in any Class 4 gambling venue in the Wairarapa region as of 1 January 2024 will be permitted.
- Any gaming machine that is relinquished for a period of longer than six months may not be replaced on that site and may not be transferred to another site under any circumstances.
- Where two or more club venues merge, the combined club may operate the lesser of 18, or the number of gaming machines both clubs operated immediately prior to the merger.

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## 6. Venue Relocation | *Te Hūnuku Wāhi*

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- 6.1. Council will not grant consent for a Class 4 venue to permanently re-establish at a new site in Masterton District under any circumstances.
- 6.2. Council may permit a Class 4 venue to re-establish at a new site in Carterton or South Wairarapa Districts where, due to extraordinary circumstances, the owner or lessee of the Class 4 venue cannot continue to operate at the existing site. Examples of such circumstances include, but are not limited to, the following:
  - a) expiration of the lease;
  - b) acquisition of property under the Public Works Act 1981; or
  - c) site redevelopment.

- 6.3. Permission to relocate a Class 4 venue in Carterton or South Wairarapa Districts will be subject to the following conditions:
- where the relocation is to an area outside of a town centre area (identified in Schedule 1), the relocation will be to a Statistical Area 1 (SA1) on the New Zealand Deprivation Index (NZDep) of decile 1 to 8. The NZDep decile rating will be that which applies at the time the application for relocation is submitted to the Council; and
  - the gambling venue operator at the new site shall be the same venue operator at the site to be vacated; and
  - the number of gaming machines permitted to operate at the new venue will not exceed the number permitted to be operated at the existing site.
- 6.4. Class 4 gambling venues will not be permitted where the Council reasonably believes that:
- the character of the district, or part of the district, for which the venue is proposed will be adversely affected; or
  - there is likely to be an adverse effect on any kindergartens, early childhood centres, schools, places of worship, or other community facilities.
- 6.5. Class 4 gambling venues will not be approved outside premises authorised under the Sale and Supply of Alcohol Act 2012 to sell and supply alcohol for consumption on the premise, and where the gaming area is designated as restricted and is visually and physically separated from family or children's activities.

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## **7. Applications for Consent | *Ngā Tono Whakaetanga***

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- 7.1. Council consent is required before:
- Two or more clubs merge.
  - A corporate society changes the location of a venue to which a Class 4 Venue licence currently applies.
- 7.2. Applications must be made on the approved form and must provide:
- Name and contact details of the applicant.
  - Street address of the proposed or existing Class 4 gambling venue.
  - A scale site plan covering both gambling and other activities proposed for the venue, including any screening or separation from other activities proposed.
  - A copy of any certificate of compliance or resource consent required for the primary activity of the venue under the Wairarapa Combined District Plan.
  - For Class 4 gambling venues only, evidence of the authority to sell or supply alcohol for consumption on the premise under the Sale and Supply of Alcohol Act 2012.
  - For applications relating to the merging of two or more clubs, details of the number of machines operated at each venue immediately prior to merger and the number of machines intended to be operated at each site, as applicable.
- 7.3. To aid the Council in determining whether there is likely to be an adverse effect, all applications are required to be publicly notified and will include a social impact statement.
- 7.4. Applications will be determined by the Hearings Committee of the Council, which may receive submissions from the applicant and any interested parties at a public hearing.
- 7.5. Applicants will be notified of Council's decision within 30 days after the application is received.

## 8. Application Fees | *Ngā Utu Tono*

- 8.1. Fees for gambling consent applications will be set by Council annually and will include consideration of the cost of:
- processing the application;
  - establishing and triennially reviewing the Gambling and Standalone TAB Venues Policy;
  - the triennial assessment of the economic and social impact of gambling in the Wairarapa region.

## 9. Policy Review Requirements | *Herenga Arotake Kaupapa Here*

- 9.1. The policy is required to be reviewed every three years.

### Related Documents

Wairarapa Combined District Plan

### References

Gambling Act 2003

Racing Industry Act 2020

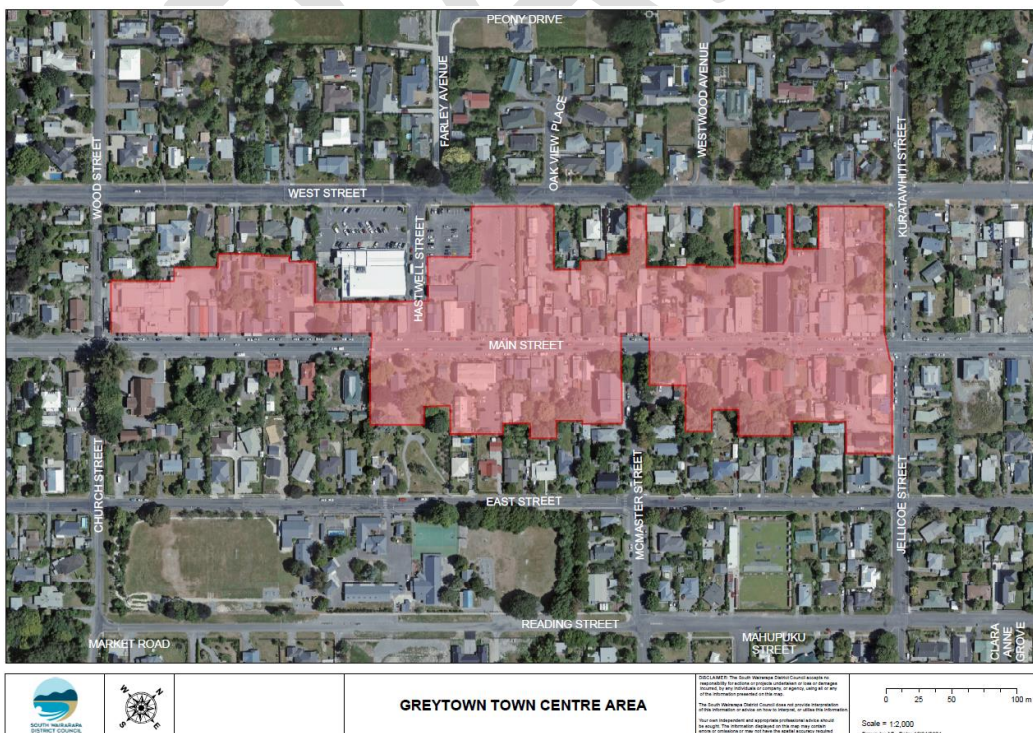
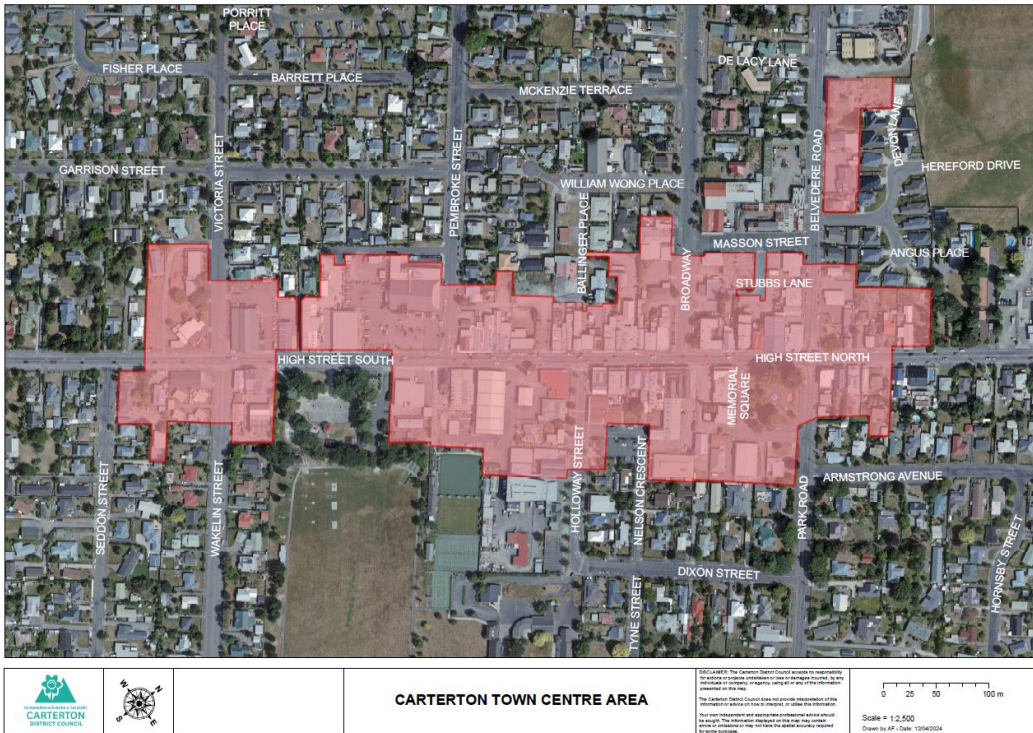
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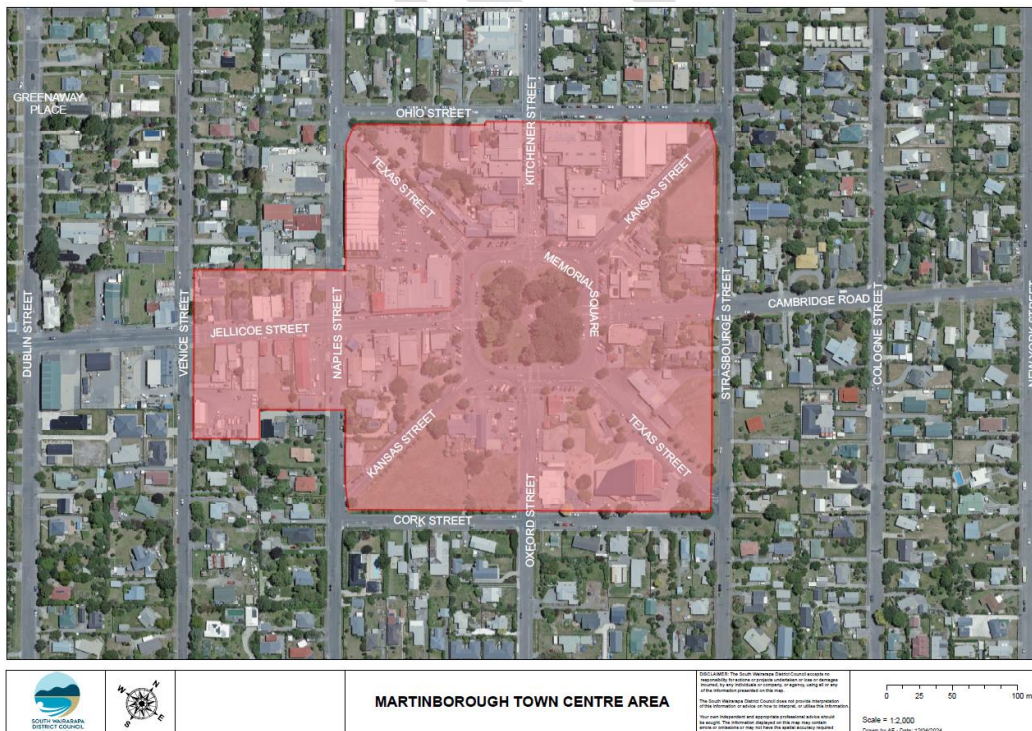
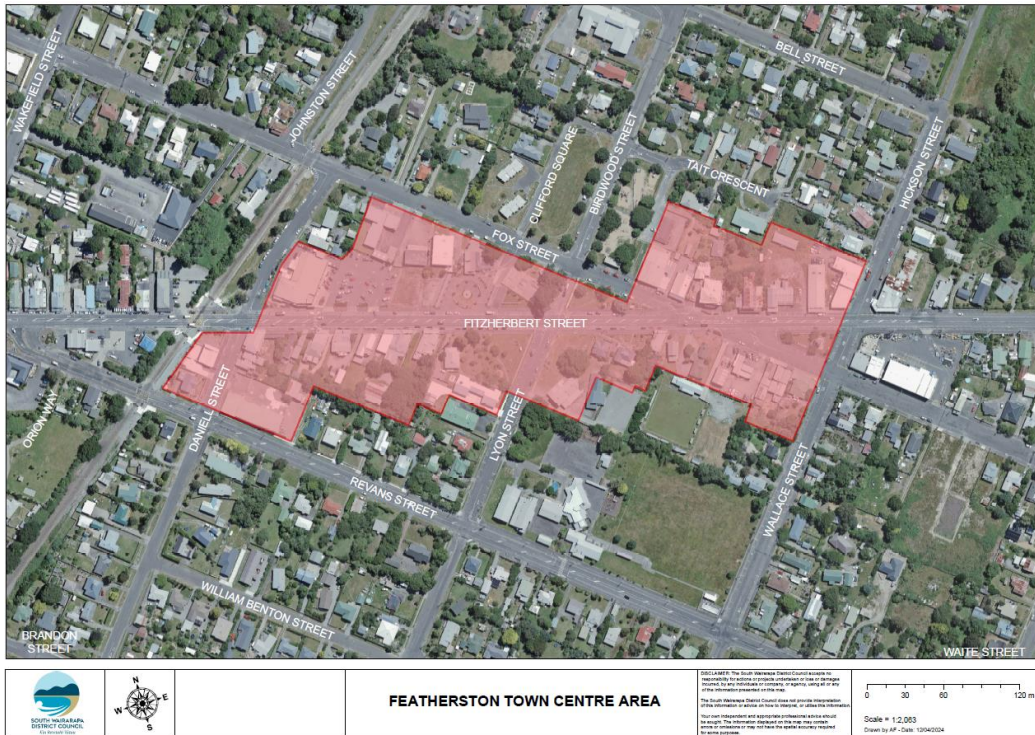
Date	Summary of Amendments	Approved By
2016	Minor updates	Masterton, Carterton and South Wairarapa District Councils
2019	Merged the Wairarapa Gambling Venue Policy and the Wairarapa TAB Board Venue Policy. Minor amendments for clarification.	Masterton, Carterton and South Wairarapa District Councils
2024	<p>Removal of reference to a “maximum number of gaming machines allowed” for clarification purposes.</p> <p>Amendment so that Class 4 venues cannot permanently re-establish at a new site in Masterton District under any circumstances.</p> <p>Inclusion of a new condition of relocation for Carterton and South Wairarapa Districts – that the relocation of Class 4 Gambling venues will be to a decile 1-8 area on the New Zealand Deprivation Index if the relocation is to an area outside of town centres identified in Schedule 1.</p> <p>Amendment so that no new standalone TAB venues may be established in the Wairarapa region.</p> <p>Minor amendments for clarification and to improve flow and readability.</p> <p>Updates to reflect the name of new legislation since the last review.</p>	Masterton, Carterton and South Wairarapa District Councils



**Schedule 1: Maps of Town Centre Areas where Class 4 Gambling Venue relocation is permitted in NZDep SA1 areas of Decile 1 to 10**

Refer clause 6.3(a) of the Policy





**WAIRARAPA POLICY WORKING GROUP HEARINGS AND DELIBERATIONS ON THE WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES POLICY HELD AT THE CARTERTON EVENTS CENTRE ON MONDAY 15 APRIL 2024 AT 10.00AM**

**PRESENT**

Councillor Robyn Cherry-Campbell (Chair, CDC), Councillor Steve Cretney (CDC), Mayor Melissa Sadler-Futter (SWDC), Councillor Martin Bosley (SWDC), Councillor Craig Bowyer (MDC) and Councillor Tim Nelson (MDC).

**IN ATTENDANCE**

MDC Policy Manager (Steph Frischknecht), SWDC Acting GM Democracy and Engagement (Nicki Ansell), CDC Planning and Regulatory Services Manager (Solitaire Roberston) and CDC Planner (Becca Adams).

**CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**APOLOGIES**

There were no apologies.

**WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES POLICY HEARINGS REPORT**

The Wairarapa Policy Working Group heard from the following submitters:

<b>Sub #</b>	<b>Name</b>
18	Gaming Machine Association of New Zealand (True, Jarrod)
20	Trust House Limited (Prendergast, John)
21	The Lion Foundation (Alexander, Samantha)
22	TAB New Zealand (Miller, Niall)

**Presentations from submitters are provided in Minutes Attachment 1.**

Moved by Councillor Cretney

**That the Wairarapa Policy Working Group:**

- a. receives the full set of submissions on the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.
- b. notes that 23 submissions were received; and
- c. notes that of those submissions received, four submitters were heard in accordance with the hearing schedule.

Seconded by Councillor Bowyer and CARRIED

**The hearings closed at 10:56am**

The meeting moved into deliberations at 11:05am

**WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES POLICY DELIBERATIONS REPORT**

The Wairarapa Policy Working Group discussed the recommendations made from the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy Hearings Report. Members debated whether to recommend the policy be adopted without amendment or to recommend an amended policy relating to the following key themes:

- To amend the policy to enable temporary venue relocation. The Wairarapa Policy Working Group discussed the process and likely timeframes for repairs due to fire, flood or earthquake.
- To amend clause 6.1 of the policy and add in “permanently” re-establish under any circumstances. Members debated whether to include a timeframe to the clause to provide for very short-term temporary relocation in extenuating circumstances like fire or flood, as opposed to longer-term circumstances such as that which may be required for earthquake strengthening.
- The Wairarapa Policy Working Group discussed a desire to have a similar approach across the region with regard to venue relocation and discussed the consultation which was undertaken.
- Discussion around accessibility of gambling in the Wairarapa and the rise of online gambling were mentioned. The Wairarapa Policy Working Group considered that the reduction of electronic gaming machines since 2015 indicated the Policy was working in that regard.

Moved Councillor Cherry-Campbell

**That the Wairarapa Policy Working Group:**

- 1) note that the Wairarapa Policy Working Group have been provide with the full set of submissions as part of the Hearings Report**
- 2) Consider the community feedback received and advice from staff.**

Seconded by Councillor Cretney and CARRIED

Moved Councillor Bosley

**That the Wairarapa Policy Working Group:**

**3) Recommends the Wairarapa District Councils adopt the proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy as follows:**

- (i) agree to the amendment to clause 6.1 of the Proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy as follows:**

Clause 6.1 *Council will not grant consent for a Class 4 venue to **permanently** re-establish at a new site in Masterton District under any circumstances.*

- (ii) adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.**

Seconded by Councillor Cretney and CARRIED

Councillor Nelson against

The meeting closed at 12.02 pm

# Introduction

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- **Jarrold True – Gaming Machine Association of New Zealand.**
- **We ask Council to adopt option 3:**
  - **Retain the relocation provision but clarify that venues cannot relocate to a highly deprived area outside a town centre.**
  - **Replace the sinking lid with caps at current numbers.**

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# Wairarapa Gaming Landscape

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- **The key indicators in the social impact assessment support a lessening of restrictions:**
  - **62% reduction in problem gambling help seeking in the Wairarapa region since 2017.**
  - **All three districts are experiencing population growth, further reducing the number of machines per head of population.**
  - **The gaming machine profit per person in the Wairarapa region is less than the national average and less than neighbouring districts.**
  - **Wairarapa has experienced lower levels of growth in gaming than neighbouring districts.**

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# Relocation is a Harm Minimisation Tool

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- **The relocation provision should be retained.**
- **Relocation is a harm minimisation tool.**
- **The ability to relocate was introduced by the Māori Party as part of the Gambling Harm Reduction Amendment Bill.**
- **The aim was to enable venues to move away from undesirable areas to more suitable sites.**

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# Current Policy Reasonable

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- **The current relocation provision was adopted after a full public consultation process. The relocation provision is entirely reasonable.**
- **There has been no new evidence or new concern over the last three years that would justify a major policy change.**



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# Existing Safeguards

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- **The current relocation provision has extensive safeguards:**
  - **The character of the district cannot be adversely affected.**
  - **Cannot have any adverse effect on any kindergarten, early childhood centre, school, place of worship, or other community facility.**
  - **Public notification and public hearing required.**
  - **Social impact statement required.**
  - **Can only relocate in extraordinary circumstances.**

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# Relocation Benefits

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- **Venues should be free to move out of high deprivation areas or areas close to residential areas or sensitive sites.**
- **Venues should be free to move to new, modern, smaller premises.**
- **Moving to newer, smaller premises, is likely to provide a harm minimisation benefit as they tend to attract a more affluent clientele (clientele that are less at risk of suffering gambling harm).**

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# Relocation – Vibrant Wairarapa

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- **New, modern hospitality premises:**
  - **Revitalise business districts.**
  - **Improve the local economy.**
  - **Create employment.**
  - **Encourage tourism.**

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# Relocation - Health and Safety

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- **It is also fair and reasonable to allow venues to relocate out of:**
  - **Earthquake-prone buildings.**
  - **Dangerous buildings.**
  - **Insanitary buildings.**
- **Prohibiting relocation would not lead to fewer machines, it would simply entrench venues in unsafe premises.**

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# Time to Consider a Cap

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- **Wairarapa’s gaming machine numbers have already declined considerably:**
  - **Masterton – 20% reduction in gaming venue since 2015.**
  - **Carterton – 50% reduction in gaming venues since 2015.**
  - **South Wairarapa – 33% reduction in gaming venues since 2015.**

# Problem Gambling

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- **The problem gambling rate is very low: 0.2%.**
- **There is no link between gaming machine numbers and problem gambling rates.**
- **In the last 10 years, 4,618 machines have been removed (a 25% reduction). However, over the same period, the problem gambling rate has remained the same.**

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# Benefits from Gaming

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- **Player entertainment (69.3% of adult New Zealanders gamble at least once a year).**
- **The machines generate extremely valuable funding for local community and sporting groups.**

# The Move to Online Gambling

- Retaining a restrictive policy is unlikely to reduce problem gambling, but will accelerate the migration to offshore-based online gambling.





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# Online Gambling Spend

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- **27% of adults participate in some form of online gambling, with 19% of this group doing so weekly.**
- **Sky City Online Casino:**
  - **2018 \$254m spend.**
  - **2020 \$793m spend.**

# Offshore-Based Online Gambling

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- **Offshore-based online gambling is undesirable.**
- **No local grants.**
- **No local employment.**
- **No New Zealand taxes.**
- **No harm minimisation regulations/controls.**
- **Large prizes.**
- **Frequent inducements to gamble.**

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# Questions

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- **Questions welcomed.**

# Gambling Venue Policy Review

Samantha Alexander

The Lion Foundation



# The Lion Foundation



1. Not for profit Charitable Trust. Established 1985.
2. Distributed over \$1 Billion to community organisations throughout New Zealand.
3. Our purpose is to distribute funds NOT to grow or promote gambling.
4. Broad spectrum community funder across sport, health, education as well as Community and Arts/Culture
5. Fence at the top of the cliff approach to harm minimisation and general practise in venues.
6. Venue Operators, managers and staff members of the local community. Know their customers many of whom are regulars.



# Our Submission



1. Operate 9 EGMs at 1 venue Ev's Bar (Carterton)
2. Relocations into the Central Area Zone be permitted
3. Opportunity whilst reviewing language of Policy to review sinking lid versus capped policy.
4. Retaining a Sinking Lid Policy threatens longer term continuation of real community benefits through grants distribution. Sustainable alternative?
5. Retain current relocation clause . Non relocation simply facilitates landlord extortion and is counter productive to enabling venues to move into areas of lower deprivation.
6. These businesses contribute significantly to the economy of the districts over and above the community funding they provide.



# Our submission



1. There is no link between gaming machine numbers and problem gambling rates. There is also no link between increases or decreases in gambling spend and problem gambling rates.
2. Despite a substantial decline (25% reduction) in venue numbers and gaming machines over the past 10 years - the prevalence of harmful gambling across all forms remains relatively unchanged.
3. All Class 4 Societies contribute significant funds to the problem gambling fund – 24 hour support. Sufficient geographical coverage of in person support?
4. Recent improvements to the Gaming Regulations = increased obligations and oversight in the physical venue.



# The Problem doesn't go away.



1. Class 4 gambling is only one of many forms of gambling available in NZ.
2. Class 4 gambling is highly regulated and the Community funding model one of the most effective in the world.
3. Reducing one form of gambling away doesn't suddenly stop that spend – it simply shifts it into other forms of gambling -worryingly primarily online.
4. Online Offshore – unregulated, no Harm Minimisation controls;. \$ spend dramatically on the increase





# Community Support



- Most recent grant - \$50,000 towards the build of the ambulance station in Masterton





# Thank You



# TAB New Zealand Wairarapa District Gambling Policy Submission

APRIL 2024



## TAB New Zealand is a statutory body established under the Racing Industry Act 2020 to perform various statutory functions, including betting, broadcasting and gaming

In the current 2023/24 racing season (1 August to 31 July), TAB NZ is anticipated to deliver funding to the domestic racing industry of \$230million and an additional \$25million to New Zealand sporting organisations.

During the last racing season (2022/23), the domestic racing industry generated a total value-added contribution to the New Zealand Economy of \$1.87billion, and sustained over 13,500 jobs.

*source: Size and Scope of the New Zealand Racing Industry, prepared by IER*

TAB NZ and Entain commenced a strategic partnering arrangement on 1 June 2023, approved by then Racing Minister Hon Kieran McAnulty.

Under the terms of the strategic partnership, Entain Australia and New Zealand delivers racing and sports betting under the delegation of TAB NZ. Entain also provides class 4 gaming services to TAB NZ.

The 25-year strategic partnering arrangement is delivering much-needed injection of capital and operating funding into New Zealand racing and sports, while also allowing for deeper investment in safer betting and gambling outcomes.



# The Wairarapa District Gambling Policy

## TAB NZ Venues

“TAB NZ venues” are defined to be standalone TABs in which the primary product offered is racing and sports betting.

They are distinct from racetracks or TAB social venues, i.e. pubs and clubs that offer TAB services. TAB NZ venues provide additional account services and a dedicated space to display odds and racing form for customers to digest when making betting decisions.

TAB NZ invites the collective Wairarapa Councils to:

- Allow for the establishment of at least one TAB NZ venue within the Wairarapa District.
- Introduce a suitable relocation policy that strikes a balance between minimising potential gambling harm and allowing a business to adjust to changes that can be outside their control (natural or economic).

## A Capped TAB NZ venue Policy is Reasonable

- A current environment of good Government regulation, including that TAB NZ's statutory obligations are subject to minimising underage gambling and gambling harm.
- New Zealand's problem gambling rate (for all forms of gambling) is low by international standards (0.2% of the adult population)
- Restrictions accelerate the migration of the gambling spend to online, offshore based providers that do not meet the policy goals of New Zealand gambling laws:
  - Gambling is only done through trusted and transparent operators
  - Harm from gambling is minimised
  - The returns to the community from the gambling activity is maximised
- TAB NZ contributes to a problem gambling service levy. This levy provides approximately \$20 million per annum to the Ministry of Health to support and treat gambling problems and to increase public awareness of safer gambling through the health promotion agency. The funding is ring-fenced and not able to be redirected to other health areas.

# Harm Minimisation

*TAB has continued to advance its harm minimisation and safer betting approach, while laying the groundwork for further significant improvements to be delivered through its strategic partnership with Entain.*

For retail TAB betting:

- TAB NZ has statutory and regulatory obligations to minimise harm
- All Standalone TAB NZ venues are installed with Facial Recognition Technology, which is the best way to stop excluded persons from accessing in-person gambling services
- TAB NZ provides problem gambling awareness training to all employees
- Automatic teller machines (ATMs) are prohibited in any TAB NZ venues
- All TAB NZ venues have internal CCTV for the security and safety of staff & customers
- TAB NZ venues do not sell or serve alcohol
- TAB NZ venues have modest trading hours

The performance of TAB NZ's harm minimisation programmes and obligations are all agreed by Entain under the strategic partnering arrangement, including that Entain will continue to enhance and deliver a world-class harm minimisation offering to Kiwis.

WAIRARAPA DISTRICT GAMBLING  
POLICY SUBMISSION



# Offshore Gambling



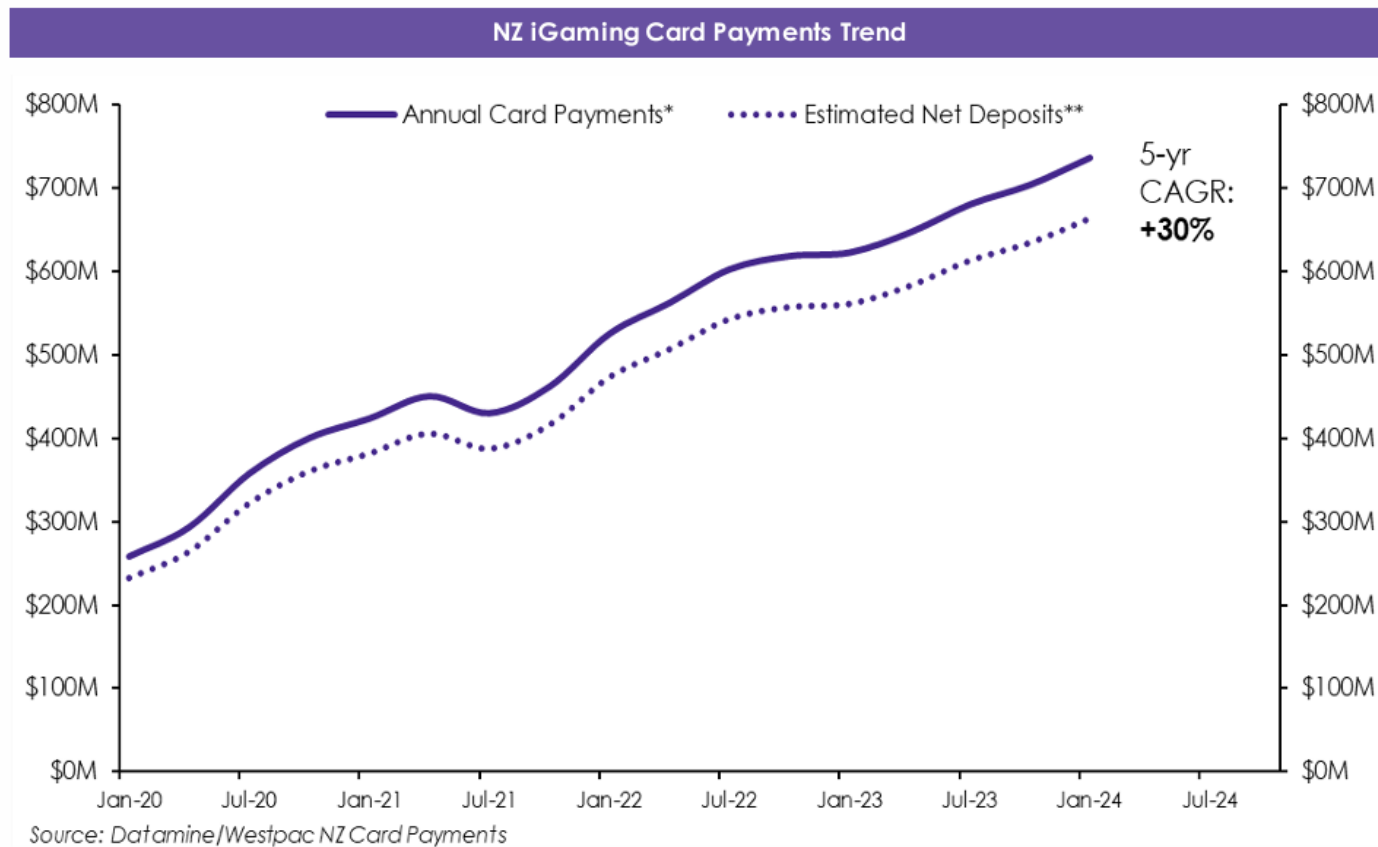
*Modelling shows that up to \$200m is lost by Kiwi punters with offshore betting providers, while \$700m is lost to offshore online casino (“iGaming”) operators.*

*It is important that any gambling policy decisions understand the growing offshore market, and that local restrictions while the Government develops a regulatory framework for the online gambling market can channel customers to more dangerous environments.*

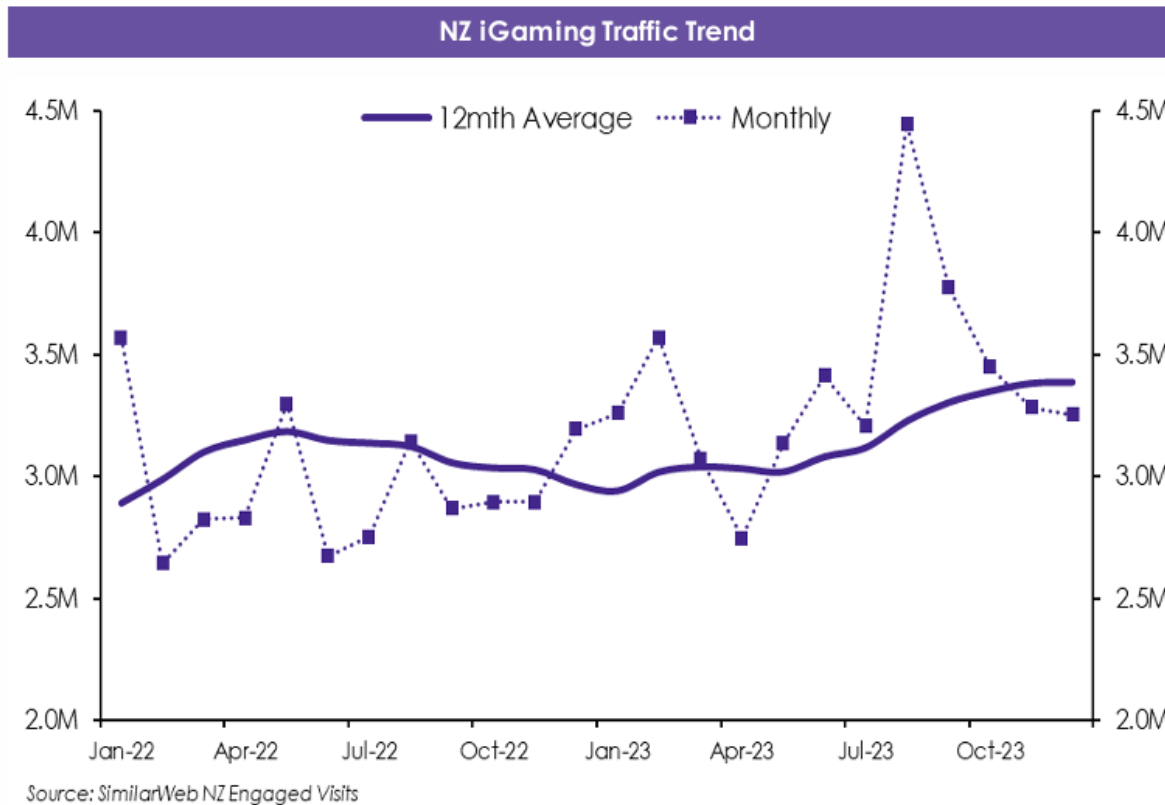
*Backing trusted domestic operators is the best approach to ensure gambling is done safely and returns to your community are maximised.*



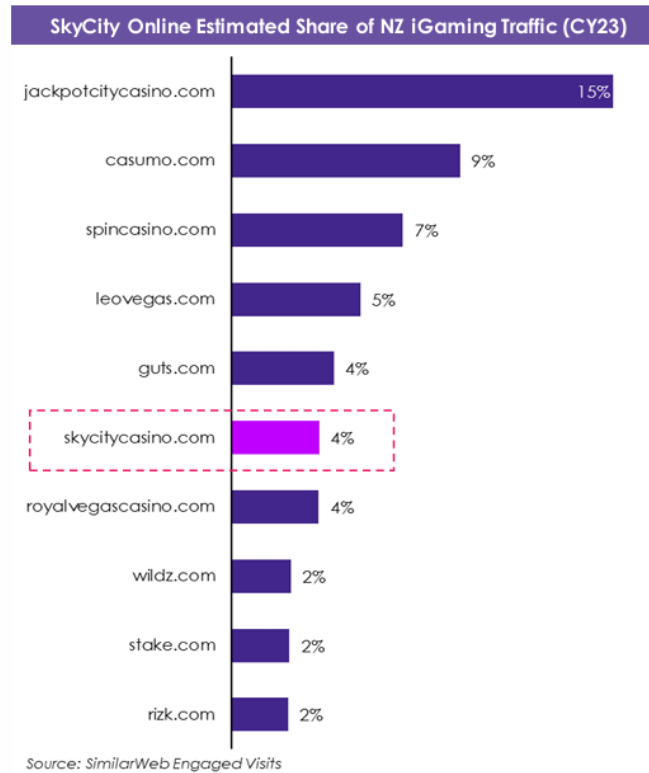
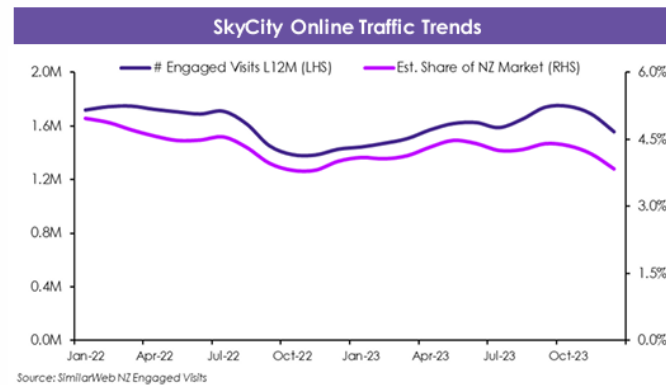
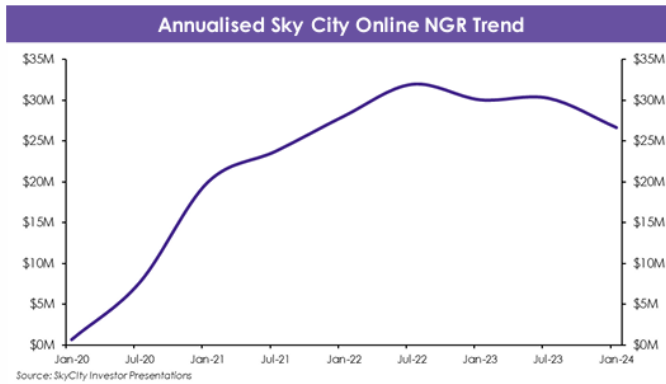
**Card Payments** | New Zealanders card payments to online gaming operators, estimated at over \$700m, grew by 10% during 2023 maintaining growth momentum of the market over the last 5+ years



**web traffic** | in line with growth in card payments, New Zealanders web traffic to offshore Gaming sites grew by 16% during 2023



SkyCity Results | Revenue from Sky City's main operation for during 2023, consistent with observations of falling traffic volumes during the second half of 2023 (while market activity grew). Estimate of 4% market share is consistent with a market size of ~\$700M p.a.



**7.2 DOG FEES 2024-2025**

**File Number:**

**Author:** Corin Haines, General Manager Community

**Authoriser:** Kym Fell, Chief Executive

**PURPOSE**

The purpose of this report is

- to seek Council approval of the fees and charges for Council’s Dog Registration and Associated Fees for the 2024/2025 financial year (part of the Animal Control activity in the Long Term Plan),
- to seek Council agreement to provide free registration and permits for keeping more than three dogs in the urban area to specified charities involved in fostering and rehoming dogs, and
- to seek Council’s direction whether to continue investigating a scheme to assist community services card holders with the cost of de-sexing.

**RECOMMENDATIONS**

That Council:

1. **receives** the Dog Registration and Associated Fees 2024/25 Report;
2. **agrees** that dogs while in foster care will be registered and permits for keeping more than three dogs in the urban area be granted at no cost to the charity
3. **requests** officers to further investigate a scheme where \$1 from every registration is applied to a fund to assist community services card holders with the costs of de-sexing their dogs;
4. **notes** that officers are still looking into the One Tag For Life option; and
5. **adopts** the Dog Registration and Associated Fees for 2024/25 as listed below:

<b>Dog Registration Fees</b>	<b>Proposed Fees 2024/25 (incl GST)</b>
Responsible owner	\$82.00 (25% discount)
Urban Neutered	\$109.00
Urban Entire	\$188.00
Permit Breeder	\$109.00
Rural 1st Dog	\$109.00
Rural 2nd and Subsequent	\$29.00
Dangerous Neutered	\$163.50
Disability assist	No cost

Dog in approved foster care	No cost
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*(Note: the above fees are the same as the 2023/24 fees (no change) and are expected to generate \$504,800 (plus GST)).*

<b>Other Animal Services Charges</b>	All charges include GST
Sustenance fee (per day)	\$27.50
Poundage Fee:	
First impounding (registered)	\$82.50
First impounding (unregistered)	\$100.00
Second impounding	\$165.00
Third & subsequent impounding (within 12 months)	\$220.00
Surrender of dog (acceptance must be on prior approval)	\$330.00
Micro-chipping of Masterton registered dog	\$22.00
Application for Permit - keep more than two dogs in urban area.	\$65.00
Replacement registration tag	\$7.00
Collars, apparel and worming tablets	Actual cost-plus 15%
Costs and expenses relating to vet treatment for impounded dog.	Actual cost plus 15%
Rehoming of impounded dog from MDC Shelter	Registration + vet costs +15%
Dog Seizure fees	\$165
Afterhours dog release (additional to impounding fees)	\$165
Bark collar hire	2 week hire, plus bond \$23 + \$23
Administration rate (per hour)	\$125
Officer rate (per hour)	\$190

## CONTEXT

Dog registration is a legal requirement. The Dog Control Act 1996 (the Act) states that every dog owner must register their dog(s) by the age of 3 months. Section 37 of the Dog Control Act gives local authorities the power to set charges for dog registration and other dog control activities.

Section 37(4) requires the territorial authority to have regard to the relative costs of the registration and control of dogs in the various categories.

- Section 37(3) also gives council the authority to fix an additional fee by the way of penalty of up to 50% if registration payment has not been made by the due date.
- Section 37(8) states any increase in fees can only take effect at the commencement of that year. Section 9 of the Act orders that all money received and retained by Council under the Act shall be expended only for purposes authorised by or under the Act.

The Council's animal services activity includes:

- The maintenance of dog registration database,
- Monitoring of the Act and associated regulations,
- Investigation, monitoring and resolution of dog issues such as nuisance (barking & roaming), aggressive and dangerous dogs (rushing & attacks)
- Monitoring and enforcement of the Dog Control Act, bylaws and policy
- Responses to complaints
- Friendly and professional advice to dog owners and residents
- Enforcement actions, proactive and preventive patrols
- Formal enforcement actions
- Providing and maintaining facilities (the Masterton temporary animal shelter) for the care, welfare of, stray, impounded or seized dogs
- Reuniting dogs with their owners • Rehoming dogs
- Education for schools, community, and businesses on dog safety
- Servicing of the dog poo bins throughout the district.

Dog registration fees need to be set by no later than 30 May each year so notices can be generated and fees can be advertised one month preceding the start of the registration year. Dog fees are payable before 31 July each year.

The Revenue and Financing Policy 2024 states that for the setting of dog fees the revenue required from sources other than rates (e.g. from users of the service) be set at 70% of the cost of the service with 30% to be funded by rates. This funding split recognises registered dog owners bearing the majority of the costs of animal control services and a smaller portion for rates, recognising the benefits to all ratepayers of having safe and well-controlled dogs in their community.

There are individual and community-wide benefits from pet animal ownership when it comes to health and well-being. These include improved fitness, reduced stress and companionship. Pet ownership provides routine and motivation, caring for an animal can provide a sense of purpose, along with providing structure in day-to-day life. Pet ownership can be very helpful in managing

conditions such as depression and anxiety. Pets love routine and can encourage people to wake, eat, play and exercise at regular times.

There will be an amendment bill introduced by the government in May to make changes to the Residential Tenancies Act to introduce the option of a pet bond. This may see more people in rental properties take up pet ownership. <https://www.beehive.govt.nz/release/pet-bonds-winwin-renters-and-landlords> . Animal Services expect that part of the conditions landlords insist on is that renters must meet all legislative requirements such as registering their dog.

### **ANALYSIS AND ADVICE**

There are 6,342 known dogs within the Masterton District (both registered and unregistered). Approximately 95% (or 6,042 dogs) are currently registered, with a further 300 unregistered dogs that are known to Council. A number of these dogs may have left the Masterton district without notification from owners. There are 3,080 rural dogs compared to 3,262 urban dogs in the district.

The percentage of known dogs that are registered has been dropping over the past four years. There are 95% of known dogs that are registered compared to 95.54% in the 23/24 year, 96.53% in the 21/22 year, 98.63% in the 20/21 year and 98.67% on the 19/20 year.

The number of dogs impounded has reduced in the current year. From July 2023 to April 2024, 143 dogs have been impounded. For the same time period over the past three years, 173 dogs were impounded in 22/23, 177 in 21/22 and 142 in 20/21.

As the number or the nature of dog related callouts cannot be foreseen, this can make budgeting and resourcing challenging. However, the Council has shown a commitment to continuing to deliver the level of service expected by the Masterton community.

Because much of the work done by the animal control team is generated by owners who are not meeting their obligation to be responsible dog owners (e.g. not registering their dogs, allowing their dogs to roam, and dog attacks), Council has in place a Responsible Owner fee which is a 25% discount if owners can meet the criteria. Officers are also recommending new fee for dogs that are non-registered when impounded for the first time. This is a higher rate than for dogs that are registered. This additional fee recognises that there is often additional time spent on trying to locate the owner of the animal and to require its registration before returning it.

### **Fee Comparisons with other Councils**

The fee comparisons below are from Carterton District Council's fees for the 2024/25 year and South Wairarapa District Council's fees for the current year.

#### Rural Fees

The proposed changes will still see rural dog owners with 2 to 5 dogs with the lowest registration in the Wairarapa region. Council's rural dog registration fee, if 2 dogs are owned (and not neutered), is \$12 cheaper than Carterton District Council and \$16 cheaper than South Wairarapa District Council.

Total Fees	1 rural dog	2 rural dogs	3 rural dogs	4 rural dogs	5 rural dogs
Masterton 24/25	\$109	\$138	\$167	\$196	\$225
Carterton 24/25	\$75	\$150	\$190	\$230	\$280
South Wairarapa 23/24	\$77	\$154	\$231	\$242	\$242

### Urban Fees

The fee comparisons are provided below for information. It should be noted that the level of service does differ, as does the percentage of rates funding applied by the other councils. Carterton District Council's policy has a 20-30% rates contribution and South Wairarapa District Council's has 30-40% rates contribution.

Total fees	Urban Entire	Urban Neutered
Masterton 24/25	\$188	\$109
Carterton 24/25	\$110	\$85
South Wairarapa 23/24	\$121	\$85

### **Level of Service and Demand on Service**

The costs for the service correlate to the level of service provided and demand on the service. All three Wairarapa councils offer a 24-hour service for animal control. However, the demand for the service in Masterton is greater. Carterton District Council had 240 and South Wairarapa District Council had 139 dog-related complaints in the 2022/23 year while Masterton had 2029 dog-related complaints.

In the Masterton District, an officer is on call every day of the year 24 hours a day. The officer is available to respond to urgent calls after hours such as priority 1 calls and dogs that are contained for collection. The officer must also care for any impounded dogs housed at the shelter.

Priority 1 calls include dogs involved in attacks against people, protected wildlife, domestic animals, poultry and stock and welfare concerns, Police assistance and rushing - where a dog is in a public place and the dog rushes and is likely to cause harm.

### **Responsible Dog Owners**

The Responsible Dog Owner (RDO) policy was adopted as part of the review of the Dog Policy in March 2018. Applicants who apply and are assessed as meeting the criteria receive a 25% discount on registration fees for the duration of their dog or dogs' life, provided they continue to meet the criteria. There is a one-off application fee of \$25 per property to apply for RDO status. Applications for RDO status for the 2024/25 year have now closed. As of 19 April, there are 298 individual owners with 381 dogs that have RDO status.

To be eligible they must meet the following criteria:

- Registration fees paid by 31 July for the previous two years (or, if newly registered in Masterton, able to provide evidence that registration was paid on time to the previous territorial authority). The dog has been de-sexed. (An exception may be made for certified breeders, at Council's discretion).
- The dog is kept securely on the owner's property, with access available to at least one door of the dwelling without encountering the dog.
- The dog's shelter complies with the requirements of the Control of Dogs Bylaw
- The dog is microchipped (if the dog was registered for the first time after 1 July 2006).
- The dog has not been the subject of a substantiated complaint, been impounded or received infringements in the previous two years.



### **Schedule Payment Plan**

Council continues to offer the option to dog owners to make scheduled payments for their dog registration fees to assist in helping people meet their obligations under the Dog Control Act 1996. There will be further promotion of this service this year. This option for paying off registration is proving to be more popular every year. Staff find it a great tool to remove some of the barriers to non-payment. People paying off their registration must do so by 31 July to avoid penalties.

### **Penalties**

The penalty fee set by Council for not paying dog registration fees before the due date is an additional 50% of the appropriate fee (maximum allowed under Dog Control Act 1996 (S37(3)). In prior years the penalty has been applied after 31 July giving dog owners about two months to make the payment. In October, if registration has not been paid an infringement of \$300 per dog will be issued to the dog owner.

### **Constraints On Cost Recovery**

There are constraints on Council recovering costs from the users of the service as they cannot always be identified, or they are not a dog owner. The monitoring of regulations and bylaws, roaming dogs that are not located, the collection and care for a dog that is impounded whose owner cannot be identified, the delivery and collection of dog traps for people who have reported dog incidents on their properties but no dog captured or identified, school education on how to approach a dog, are all examples of services where the immediate user of the service either cannot be identified or is not a dog owner.

### **Gold Card Discount**

Staff have looked into whether a discount could be provided for owners who hold a Gold Card. Staff are not recommending this at this time as the Responsible Dog Owner discount does the same thing. While some councils (eg Carterton) have an over-65 discount, they do not offer Responsible Dog Owner (RDO) discount. If offering both, Council would need to determine the level of the discount and the impact that has on the fees that all other dog owners will pay. Consideration would also need to be given to how the discount applies to working dogs on a farm and multiple animals. The cost of providing the discount would also need to be determined.

### **Community Services Card Discount**

Officers have also looked at the introduction of a Community Services Card discount and have concluded that the introduction would not be feasible. Community Services Cards only initially last 3 months, and then must be reapplied for annually unless the person is on a benefit such as Jobseeker Support, Sole Parent Support, or Supported Living Payment. The administration of this discount would require more resourcing as people would need to confirm they were still eligible for a Community Services Card. An alternative form of support for Community Services Card holders could be in assisting with desexing of dogs - this would assist owners with the expense of desexing and help ensure owners' dogs were not having unintended litters. Owners may then also be eligible to apply for RDO status should they meet all the other requirements. An option for funding desexing could be to put \$1 from every dog registration towards a desexing fund. The cost of implementing this initiative would be approx \$6400 per year (based on the current number of dogs registered). Staff are requesting Council direction to further investigate this option.

## Dogs in Foster Care

Dogs in foster care have increased over the past five years. A key challenge to charities working in this area is the costs of vet bills as well as registration, chipping and having a permit for fosterers to keep more than 3 dogs in an urban area. To support the known registered charities that are working in the Masterton District and the volunteers who are fostering dogs, officers recommend that dogs while in foster care under a registered charity are registered at no cost and permits for keeping more than 3 dogs in the urban area be at no charge. Fosterers would need to meet all conditions of permits. This is a simple and effective way Council can support dog rescue charities working in the Masterton District. It will ensure all dogs in foster care while in the district will be registered and the charities will be meeting their obligations under the Dog Control Act. The charities can focus directing their funds on veterinary and care costs.

Current dog rehoming charities that Masterton District Council are working with are:

- Royal New Zealand Society for the Prevention of Cruelty to Animals- SPCA
- Retired Working Dogs NZ Charitable Trust
- Ellie's Canine Rescue & Rehome
- Chance 4 Change

Masterton District Council has rehomed 18 dogs between July and March this year, both directly and through these charities. The preference is to rehome through charities. Although the number of dogs rehomed through charities varies from year to year, based on the number of dogs rehomed over the previous year, this initiative is estimated to cost around \$2600 per annum.

## One Tag for Life

Officers are still looking into the one tag for life option. While the Dog Control Act 1996 states that council must issue owners, after receipt of payment, a tag or disc for the registration year, the Department of Internal Affairs (DIA) has noted it will not currently prosecute a council in the instance of not issuing new tags annually, as per the wording in the Dog Control Act. The advantage to having a different coloured tag issued each year is that officers can quickly identify if a dog is currently registered for that registration year. Dog owners can bring in their old dog tags when renewing their registration and staff will recycle the tags.

## OPTIONS CONSIDERED

A summary of the options considered is included in the table below.

	Option	Advantages	Disadvantages
1	<ul style="list-style-type: none"> <li>• Council adopts the proposed Dog Registration and Associated Fees for 2024/25</li> <li>• agrees that dogs while in foster care will be registered and permits to keep more</li> </ul>	<ul style="list-style-type: none"> <li>• Achieves the required fee schedule as outlined in the Long Term Plan 2024/2034 and aligns with the changes to Revenue and Financing Policy which provides that 70% of the cost of animal services is met by dog owners and 30% by ratepayers.</li> </ul>	Reduced income to Animal Services Budget of approximately \$2600 through providing charities with registration and permits to keep more than three dogs in the urban area at no charge.

	Option	Advantages	Disadvantages
	<p>than three dogs in the urban area be provided at no cost to the charity</p> <ul style="list-style-type: none"> <li>• agrees that officers should further investigate a scheme where \$1 from every registration is applied to a fund to assist community services card holders with the costs of de-sexing their dogs</li> </ul>	<ul style="list-style-type: none"> <li>• Provides assistance to charities involved in fostering and rehoming of dogs</li> <li>• Enables further investigation of a scheme to assist those with limited income to have their dog de-sexed.</li> </ul>	
2	<ul style="list-style-type: none"> <li>• Council adopts the proposed Dog Registration and Associated Fees for 2024/25</li> <li>• does not agree that dogs while in foster care will be registered and permitted at no cost to the charity</li> <li>• does not agree that officers should investigate a scheme where \$1 from every registration is applied to a fund to assist community services card holders with the costs of de-sexing their dogs</li> </ul>	<ul style="list-style-type: none"> <li>• Achieves the required fee schedule as outlined in the Long Term Plan 2024/2034 in alignment with the Revenue and Financing Policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not enable further investigation of a scheme to assist those with limited income to have their dog de-sexed.</li> <li>• Does not provide assistance to charities involved in fostering and rehoming dogs.</li> </ul>
3	<ul style="list-style-type: none"> <li>• Council adopts the proposed Dog Registration and Associated Fees for 2024/25 with changes</li> <li>• agrees that dogs while in foster care will be registered and</li> </ul>	<ul style="list-style-type: none"> <li>• Sets the dog fees as required to enable notification within statutory timeframes</li> <li>• Provides assistance to charities involved in fostering and rehoming of dogs</li> <li>• Enables further</li> </ul>	<ul style="list-style-type: none"> <li>• Depending on what the changes to the dog fees are, they may not align with the changes to the Revenue and Financing Policy which provide that 70% of the cost of</li> </ul>

	<b>Option</b>	<b>Advantages</b>	<b>Disadvantages</b>
	<p>permitted at no cost to the charity</p> <ul style="list-style-type: none"> <li>agrees that officers should investigate a scheme where \$1 from every registration is applied to a fund to assist community services card holders with the costs of de-sexing their dogs</li> </ul>	<p>investigation of a scheme to assist those with limited income to have their dog de-sexed.</p>	<p>animal services is met by dog owners and 30% by ratepayers.</p>
4	<ul style="list-style-type: none"> <li>Council does not adopt the proposed Dog Registration and Associated Fees for 2024/25</li> </ul>	<ul style="list-style-type: none"> <li>None identified</li> </ul>	<ul style="list-style-type: none"> <li>Does not achieve the required fee schedule as outlined in the Long Term Plan 2024/2034.</li> </ul>

### **RECOMMENDED OPTION**

Option 1 is recommended as it sets the Dog Registration and Associated fees for 2024/25 and directs officers to investigate options for assisting community services card holders with the cost of desexing and provides assistance to charities involved in rehoming and fostering dogs.

### **SUMMARY OF CONSIDERATIONS**

#### **Strategic, Policy and Legislative Implications**

As noted, Section 37 of the Dog Control Act 1996 gives local authorities the power to set charges for dog registration and other dog control activities. Section 37(4) requires the territorial authority to have regard to the relative costs of the registration and control of dogs in the various categories. Section 37(8) states any increase in fees can only take effect at the commencement of that year. Fees must be advertised at least once in the newspaper during the month preceding the start of every registration year.

#### **Significance, Engagement and Consultation**

The proposed fee changes were assessed against Council's Significance and Engagement Policy and the assessment concluded that the decision was not significant. This is also considered to be not significant given the low level impact on the Council's rates requirement.

#### **Financial Considerations**

The financial considerations in setting the fees were included in the discussion section of the report. The overall operating costs of the Animal Control activity in 2024/25 has been budgeted at \$836,812 which is an 15.9% increase over the previous year. The increase is driven by the need to fully resource the function for the level of service the Council and community are expecting. However, the cost increase, when combined with Council's new funding policy means dog

registration fees can be held at the same level as 2023/24. The funding policy change has been that the service is funded 70% from user fees compared to the previous policy of 85%. Rates raised across all properties in the district have picked up the difference.

If Council agrees to provide assistance to charities involved in fostering and rehoming dogs the estimated cost of this is around \$2600.

### **Implications for Māori**

There are no known implications for Māori in the decisions sought in this report.

### **Communications/Engagement Plan**

No further consultation is required as a result of this decision. Dog owners will be informed of fees once Council's decision has been made and the fee schedules will be updated on Council's website.

The Responsible Dog Owner (RDO) Status and Payment plans for dog registration will continue to be promoted through digital and media platforms throughout the year.

### **Environmental/Climate Change Impact and Considerations**

No environmental/climate change impacts have been identified in relation to this decision.

## **ATTACHMENTS**

**Nil**

### **7.3 DISTRICT LICENSING COMMITTEE APPOINTMENTS**

**File Number:**

**Author:** Corin Haines, General Manager Community

**Authoriser:** Kym Fell, Chief Executive

#### **PURPOSE**

The purpose of this report is

- to seek Council's agreement to instruct the Chief Executive to run recruitment for a District Licensing Committee Chairperson/Commissioner for the Masterton District alongside the recruitment to be undertaken for District Licensing Committee list members and
- to inform Council of the recruitment process for the recruitment of members for the chair and the joint DLC list, which will include establishing a selection panel to finalise selection criteria, shortlist and interview candidates and make recommendations to Council regarding final appointments.

#### **EXECUTIVE SUMMARY**

The Masterton District Licensing Committee (DLC) Commissioner Chairperson is Frazer Mailman. His appointment expires on 30 June 2024. Councillor Craig Bowyer was appointed as Deputy Chair of the DLC for the triennium at the 9 November 2022 Council meeting.

Council must also maintain a list of persons approved to be members of the DLC. Council maintains a list with South Wairarapa and Carterton District Councils of members jointly approved to be members of the DLCs. The current members' approval expires on 30 June 2024.

Some of the current list members have been in place since the District Licensing Committee was established in 2013. At the 28 June 2023 Council meeting Council agreed that the three councils should run a recruitment process to seek expressions of interest for new DLC joint list members. This process is soon to commence. Masterton District Council also needs to run a process to seek expressions of interest for the position of Chairperson so staff recommend that this process is run at the same time as the list member recruitment.

#### **RECOMMENDATIONS**

That Council

1. Agrees that the Chief Executive commences a recruitment process for a Commissioner/Chairperson for Masterton District Licensing Committee.
2. Notes the proposed recruitment process, with Carterton and South Wairarapa District Councils, for a combined list of approved District Licensing Committee members, which includes establishing a selection panel to finalise the selection criteria, shortlist and interview candidates and make recommendations to Council regarding the final list and chairperson appointments.

## **CONTEXT**

### **District Licensing Committees**

Anyone wanting to sell and supply alcohol to the public in New Zealand must apply to their local council for a licence. District licensing committees (DLCs) consider and decide all applications for licenses and manager's certificates (section 187 of the Sale and Supply of Alcohol Act (the Act)).

DLCs are established under the Act and administered by councils. A DLC is a committee of Council and may include councillors. However, it is an independent inquisitorial and impartial body and operates differently from all other council committees.

Masterton District Council established the DLC as required by the Act in 2013. This was done in conjunction with the South Wairarapa District Council and Carterton District Councils through the Wairarapa Alcohol Working Group.

Each council must establish and maintain a list of DLC members. Councils can have their own list or have a combined list with one or more councils. Masterton District Council has a joint list with Carterton District Council and South Wairarapa District Council.

When an application is received, the DLC considers the application, agency reports, evidence and submissions presented to it against the criteria in the Act and any relevant case law, evaluates the evidence, determines facts, forms opinions and draws conclusions to make its decision.

### **Composition of a District Licensing Committee**

Each District Licensing Committee has a quorum of three members, made up of two from the Council's list and one member as the Chairperson<sup>3</sup>. The Chairperson can be an elected member or an appointed Commissioner. Following the 2022 Local Election, Frazer Mailman was appointed Commissioner. His term of appointment has been extended to expire on 30 June 2024.

Council is also able to appoint an elected member to be Deputy Chairperson to act in place of the Chairperson or Commissioner if they are unavailable. Councillor Bowyer is Masterton District Council's Deputy Chairperson and his appointment is to the end of the current triennium.

The only exception to a quorum of three members relates to applications for new or renewed licences or managers certificates where no objection has been filed and no matters of opposition have been raised. In this situation the quorum is one member which must be the Chairperson, so the Chairperson can consider and decide those applications on their own. Currently most of the DLC decision making in Masterton is undertaken by the Chair alone. There have been three hearings in the Masterton District in the past ten years where the DLC sat with the Chair and two list members.

### **Requirements for appointment as Chairperson or Commissioner for the District Licensing Committee**

The Chairperson of the District Licensing Committee can be either an elected member or a Commissioner.

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<sup>3</sup> [Section 189](#) and [Section 191](#) of the Act

The Act sets out the requirements for a Commissioner<sup>4</sup>

- they should have good standing in the community and the necessary knowledge, skill and experience relating to matters that are likely to come before the committee;
- they must not have involvement, or appearance of involvement, with the alcohol industry to the extent that there would be a bias or appearance of bias; and
- they may not be a police officer, Medical Officer of Health, licensing inspector, or employee of a territorial authority.

Councillor Bowyer has participated in DLC Hearings for both Masterton and South Wairarapa District Licensing Committees and has filled in in the absence of the Chairperson. Councillor Bowyer could be appointed as Chair of the DLC (rather than a commissioner, as he is an elected member) as he has the requisite experience and standing in the community. Another elected member would need to be appointed as Deputy Chair if Councillor Bowyer was appointed Chair.

Given it has been ten years since the original DLC public recruitment process was undertaken, staff are recommending that rather than appointing Councillor Bowyer as Chair, the chairperson role be included in the DLC list recruitment process as there may be suitably qualified and experienced individuals in the community who could fill the chairperson role and enhance the decision making of the Masterton DLC.

### **Requirements for appointment as a list member of the District Licensing Committee**

As stated above, Council must establish, maintain and publish a list of persons approved to be members of the DLC. Masterton maintains a joint list with South Wairarapa District Council and Carterton District Council. Members are appointed for five years and can be reappointed for one or more periods of five years. A DLC member can resign at any time and can be removed for inability to perform functions, neglect, bankruptcy or misconduct.

The Act sets out the requirements for list members<sup>5</sup>

- A person must have experience relevant to alcohol licensing matters
- they must not have involvement, or appearance of involvement, with the alcohol industry to the extent that there would be a bias or appearance of bias; and
- they may not be a police officer, Medical Officer of Health, licensing inspector, or employee of a territorial authority.

There are currently 11 list members. The five remaining original list members were first approved as members in 2013, their membership was extended in June 2018 for a further period of five years and in June 2023 for a further year. Their membership will expire on 30 June 2024. The three Wairarapa councils also appointed the current chairperson and deputy chair of each council to the list. These appointments also expire on 30 June 2024.

In June 2023, Council agreed that that a recruitment process be commenced for persons to make up the joint list with Carterton and South Wairarapa District Council. The previous decision did not

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<sup>4</sup> [Section 193](#) of the Act

<sup>5</sup> [Section 192](#) of the Act



cover the recruitment of a commissioner as chairperson so, as stated above, this report seeks Council agreement to undertake that process in conjunction with the recruitment of list members.

The following process is proposed:

- A selection panel is established comprised of each of the Masterton, Carterton and South Wairarapa District Councils' Senior Managers responsible for the District Licensing Committee
- The selection panel appoints its own chair
- The selection panel finalises selection criteria, shortlists and interviews candidates and makes recommendations to Council regarding the final appointments.

Applications for both the list positions and the Chairperson will be invited from current list members, elected members, Māori and multicultural communities and from the wider community through public advertising.

### OPTIONS CONSIDERED

A summary of the options considered are included in the tables below.

Option	Advantages	Disadvantages
1 Council instructs the Chief Executive to commence a recruitment process for a commissioner chairperson for the Masterton DLC to be run in conjunction with the recruitment process for DLC list members.	Will allow a robust and open recruitment process to be undertaken in conjunction with the DLC list member recruitment.	Staff and recruitment panel time and advertising and other costs will be required to run the recruitment process.
2 Council appoints Cr Bowyer as Chairperson of the DLC and another elected member as Deputy Chairperson	Builds on the experience of the current elected member DLC Deputy Chair with their experience and knowledge of relevant legislation and processes.  No additional cost or time incurred in running a recruitment process for that particular position.	No other elected member has DLC experience  Not running an open recruitment process may not make the most of skills that are currently in the community.

### RECOMMENDED OPTION

Option 1 is recommended for the reasons identified above.

## **SUMMARY OF CONSIDERATIONS**

### **Strategic, Policy and Legislative Implications**

The legislative requirements for the appointment of Chairperson or Commissioner as Chair are set out in the Sale and Supply of Alcohol Act 2012 and are included in the body of the report.

### **Significance, Engagement and Consultation**

In accordance with the Council's Significance and Engagement Policy, a decision to commence a recruitment process is not a significant decision.

### **Financial Considerations**

There will be minor costs associated with adding the recruitment of a commissioner to the recruitment process to be undertaken for DLC list members.

### **Implications for Māori**

Staff will advise iwi entities of the recruitment process for new members of the DLC so they can share through their networks.

### **Communications/Engagement Plan**

The decisions in this report do not require a communications/engagement plan. The list and chairperson positions will be publicly advertised and other relevant stakeholder groups will be advised of the recruitment process.

### **Environmental/Climate Change Impact and Considerations**

There are no significant environmental implications to be considered in this decision.

## **NEXT STEPS**

The recruitment process will commence and once concluded, reports will be brought to the three Wairarapa councils' June 2024 meetings to jointly approve new members to the list, and for the Masterton District Licensing Committee, if Council agrees, a recommendation to the chief executive to appoint a commissioner as chairperson. Once all councils have done so, officers will update and publish the list on council websites.

## **ATTACHMENTS**

**Nil**

## 8 REPORTS FOR INFORMATION

### 8.1 CHIEF EXECUTIVE'S REPORT

File Number:

Author: Kym Fell, Chief Executive

#### PURPOSE

The purpose of the attached report is to provide Council with an update on Council operations (as at 3 May 2024).

#### RECOMMENDATION

That Council receives the Chief Executive's Report as at 3 May 2024.

#### ATTACHMENTS

1. Chief Executive's Report [↓](#)

## **CHIEF EXECUTIVE'S REPORT**

### **8 MAY 2024**

The past eight weeks have been exceptionally busy as we approached the finalisation of the Long-Term Plan (LTP) consultation document. The extensive preparation required for these documents every three years is often underestimated. This exhaustive process, spanning approximately 14 months, is followed by a reiteration in just 22 months. While we ponder simpler alternatives, we are bound to a highly regimented Local Government procedure, characterised by complexity, bureaucracy, and occasional disillusionment.

Redirecting our efforts towards execution rather than prolonged planning could yield significantly greater benefits for Districts nationwide. While the adage "proper planning prevents poor performance" remains pertinent, achieving the right balance is paramount. Ultimately, our focus must ensure the provision of efficient and compliant services to our community, emphasising a shift towards 'more red carpet, less red tape'.

In April, I had the privilege of attending the LGNZ Rural & Provincial Forum in Wellington alongside Mayor Caffell and Councillor Holmes. We received updates from Mayor Alex Walker, Rural Sector Chair, and Mayor Neil Holdom, Provincial Sector Chair, followed by insights from Hon. Andrew Hoggard on the government's rural community and environmental support agenda. Discussions also covered various topics, including updates on the LGNZ Transport Forum, the Fast track Approvals Bill, the Mayors' Taskforce for Jobs, and general business matters.

Additionally, I had the opportunity to facilitate the 2024 Local Government Australasian Management Challenge in Lower Hutt on behalf of Taituarā. This 1½-day event engaged 108 local government leaders from across the country, organised into 18 teams of six. Participants tackled strategic challenges pertaining to local government issues and presented revenue-generating solutions for district problems, such as biofuel or carbon solutions for forestry debris.

We are moving at a great pace behind the scenes to achieve certification for Hood Aerodrome. Members of my Executive Team and I are making every effort to progress future hangar development to derive incremental revenue to off-set operational costs. We are also including Deputy Mayor Johnson and Councillor Bowyer in these discussions to ensure we are aligned with Council's overall direction.

Among other notable events since my last report, I attended the screening of Te Tiriti Voices of Wairarapa Waitangi Interviews which was a wonderful tribute the way stories were presented. I also attended the Wellington Regional Mayoral Forum with visiting Ministers, the Hon. Simeon Brown and the Hon. Chris Bishop.

Lastly, in April, I attended my inaugural Chief Executive Performance Committee meeting to review my performance since assuming the role in September 2023. This constructive session delved into key performance indicator milestones and the positive organisational health under my leadership.

## **National and Regional Context**

### Infometrics Update

Infometrics held their monthly economic update webinar on April 30. The theme of the webinar was changing cost of living pressures, with a 'deep dive' into the impact on households. Key points raised included:

- Household living costs have surged across all household types (wages, age demographics, etc).
- Price increases have surged across regions, with provincial places seeing the biggest increases. All regions have seen increases of close to 20% across the past four years.
- Average household incomes have kept up with price increases, and average weekly earnings have also kept up.
- Households are attempting to save, despite cost pressures. However, these levels of savings are low.
- There are increasing KiwiSaver withdrawals for hardship. 42% of the withdrawals are from Auckland.
- The Public housing register is starting to grow again.
- Credit applications have risen across all credit types – except auto loans and mortgages where demand has fallen.
- Households are spending \$248 per week more than they were in 2018/19. This is across the majority of spending categories, and clearly driven by inflation, with \$53pw more on housing and \$66pw more on food. On the flipside people are spending less on recreation, culture, and renovations.
- Households are changing their behaviour, and looking for cheaper priced substitutes when they are available.
- There is a cumulative impact on households as the rises are coming on essential items, and across the board, so hard to adjust to the impacts.

### Local Government Electoral Legislation Bill: Māori Wards

Under the previous government, changes were made by the Local Government Electoral Legislation Act to align the treatment of Māori wards and constituencies with the treatment of general wards and constituencies as much as possible and remove all mechanisms for binding polls to be held for these wards and constituencies. These changes provided local

authorities with an opportunity to make their own decisions on Māori wards and constituencies.

The removal of the poll provision was consistent with the Crown's obligations under Te Tiriti o Waitangi/the Treaty of Waitangi and aimed to strengthen the Māori/Crown relationship at a local level by removing barriers to Māori participation in local elections.

Following a representation review in 2021, the Council resolved to establish a Māori ward for the 2022 election.

In April this year, the Coalition Government announced changes to alter the ways in which Māori wards can be established and proposes to reinstate some polling provisions on existing Māori wards.

The draft Bill is yet to be introduced, but we expect the Bill to be introduced and open for submissions in May. The proposed changes will impact 45 councils which established Māori wards, or have resolved to establish Māori wards, since the 2021 legislative changes including Masterton District Council and South Wairarapa District Council.

LGNZ has already made a statement in response to the announcement which can be read [here](#) and we expect that both LGNZ and Taituarā will submit on the Bill once it reaches Select Committee. Council staff will also draft a submission on the Bill for Select Committee and report back to Council.

#### Managing earthquake-prone buildings review

The national earthquake-prone building (EPB) system ensures the way our buildings are managed for future earthquakes is consistent across the country. It also provides information for people using buildings, such as notices on earthquake-prone buildings and a public register.

Any building rated less than 34 per cent of the New Building Standard is now considered earthquake prone. Owners can either strengthen their building, so it is no longer earthquake prone, or demolish it to remove the risk within the time frame specified on the EPB notice.

The Minister for Building and Construction has brought forward a review of the EPB system. While the review is underway, the Government intends to amend the Building Act 2004 to extend all non-lapsed earthquake-prone building remediation deadlines, as of 2 April 2024, by four years, with an option to extend by a further two years if required. This means the deadline to strengthen will start in 2030 for identified buildings located in Masterton once changes to the Act are made. The review is expected to be completed later this year (2024).

Council officers will keep informed of any changes and policy implications, including for our Dangerous and Insanitary Buildings Policy programmed for review in 2024/25.

Repeal of Good Friday and Easter Sunday as Restricted Trading Days (Shop Trading and Sale of Alcohol) Amendment Bill

A [Private Members Bill](#) has been introduced to remove the restriction on trading and selling alcohol on Good Friday and Easter Sunday.

The Bill considers that trading on these days is a matter for shop owner discretion. Among other things, the provisions empowering Territorial Authorities to set an Easter Sunday Shop Trading Policy would be removed. Council last approved its Easter Sunday Shop Trading Policy on 1 March 2023 which permits shop trading on Easter Sundays throughout the Masterton District.

The date of the Bill's first reading is yet to be set but will likely follow the Select Committee process. Council officers will consider if a submission on the Bill is required and report back to Council.

Resource Management Act 1991 Amendments

Council received a letter from Hon Chris Bishop, Minister for RMA Reform, advising of proposed changes in two bills to amend the Resource Management Act. The first Bill will do the following:

- Make it clear that, while the National Policy Statement for Freshwater Management (NPS-FM) is being reviewed and replaced, consent applicants no longer need to demonstrate their proposed activities follow the Te Mana o te Wai hierarchy of obligations, as set out in the NPS-FM
- amend stock exclusion regulations in relation to sloped land
- repeal intensive winter grazing regulations
- align the consenting pathway for coal mining with the pathway for other mining activities in the National Policy Statement for Indigenous Biodiversity (NPS-IB), NPS-FM, and the National Environmental Standards for Freshwater (NES-F)
- suspend the NPS-IB requirement for councils to identify new significant natural areas for three years
- speed up the process to make or amend national direction, such as national policy statements and national environmental standards.

The second Bill is expected later in 2024. Council officers will consider if a submission on the Bill is required and report back to Council.

National Child and Youth Wellbeing Strategy – Annual Report

The Department of the Prime Minister and Cabinet has released the [Annual Report on the Child and Youth Wellbeing Strategy and Child Poverty Related Indicators to June 2023](#). The report sets out the progress towards the National Child and Youth Wellbeing Strategy and outcomes of the Child Poverty Related Indicators.

The report shows that while the majority of tamariki (children) and rangatahi (young people) in New Zealand are doing well, and there have been improvements in some areas, not all tamariki and rangatahi are having the same positive experiences. There are some positive emerging trends, with more young people making positive choices and some incidences of harm against tamariki and rangatahi decreasing. There have also been worsening outcomes on some measures of child poverty, while there has been no change on some measures of mental health and education.

The levers to reduce child poverty, as well as the wider needs of tamariki, rangatahi and their families sit across multiple local and central government portfolios. This requires a coordinated and targeted approach to ensure that those levers are used effectively.

[Te Rautaki Rangatahi o Wairarapa: Wairarapa Youth Strategy](#) outlines our priorities to addressing some of these issues, in particular, through empowering our rangatahi to be involved in decision making processes.

#### Fast Track Approvals Bill

Council submitted on the Fast Track Approvals Bill, supporting submissions made by Rangitāne Tū Mai Rā Trust and LGNZ/Taituarā. A copy of the submission is attached (Attachment 1 to this report).

### **Strategy and Development Activity**

#### ***Regional Level Updates***

##### Review of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

Community consultation on the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy closed on 22 March 2024. The Wairarapa Policy Working Group (WPWG) held hearings and deliberations on 15 April 2024. The WPWG recommended a final policy for adoption by the Wairarapa District Councils which is included in this meeting agenda for consideration.

##### Review of the Wairarapa Consolidated Bylaw 2019

A review of the Wairarapa Consolidated Bylaw 2019 is underway. A workshop across the Wairarapa District Councils was held on 4 April 2024 to understand whether the consolidated bylaw is still fit for purpose, taking into account technical knowledge and expertise of staff involved in applying the bylaw. Officers are currently investigating the matters raised. The next step is a workshop with the WPWG to seek governance direction on the review.



### Waste Management and Minimisation Action

The development of the Waste Management and Minimisation Plan (WMMP) regional implementation plan is progressing with a regional workshop on Monday 6 May 2024. A Wairarapa WMMP implementation plan is also being developed which will identify local actions in alignment with the WMMP.

The three Wairarapa councils are progressing a joint Section 17A review of waste with a workshop scheduled in May.

A joint application has been submitted to the Waste Minimisation Fund for funding for a business case to explore organic/food waste processing and collection in the Wairarapa. As stated in the WMMP, organic food waste processing will be a requirement by 2030.

The Zero Waste Advisor attended the Lower North Island Plastics Forum which included topics relating to the future of plastic recycling, circular economy and sustainability from the bottom up.

### ***District Level Updates***

#### 2024-34 Long Term Plan

The focus for this reporting period has been LTP consultation. Elected members and staff have attended a range of community 'pop-ups' and meetings. At the time of writing, over 340 submissions had been received. Consultation closes on Monday 6 May 2024. Hearings are scheduled for Wednesday 22 May and Thursday 23 May 2024. Council deliberations will take place on Wednesday 5 June 2024.

#### Review of Rates Remission and Postponement on Māori Freehold Land Policy

Community consultation on the Rates Remission and Postponement on Māori Freehold Land Policy occurred between Friday 5 April to Monday 6 May 2024. Targeted engagement with mana whenua occurred throughout the period to raise awareness of the consultation and opportunity to have a say. Council will consider adoption of the policy alongside the 2024-34 Long-Term Plan.

#### Climate Change Action

Climate action work has continued. Highlights for this reporting period include:

- Applications for the 2024 Community Climate Fund round have now closed. These grants support community implementation of actions to deliver on our Climate Action Plan. The Climate Advisory Group are assessing applications and will provide recommendations to Council in June 2024.

- Progressing the Mana Whenua Climate Change Project and Makoura Stream Biodiversity Planting and Fish Passages projects. Both are Better Off Funding projects.
- Ongoing climate education and engagement activity to connect communities and support collaboration. One example for this reporting period is supporting the national “Eat Me First” campaign with posters and information available in Council offices and the library. More information on the national campaign is available here: <https://lovefoodhatewaste.co.nz/eat-me-first/>

### **Pou Ahurea Māori**

The Pou Ahurea continues to work strategically to achieve strong relationships with iwi and hapū by implementing a cultural diversity strategy. This includes engagement with Māori communities, establishing formal partnerships with local iwi, providing cultural competency training for staff and ensuring Māori representation in decision-making processes.

The Pou Ahurea also facilitates regular meetings and dialogue between the council and iwi groups, seeks input and feedback on policies and projects, and actively involves Māori representatives in all aspects of council operations. By prioritising trust, respect, and collaboration, the Council is able to work effectively with iwi and hapū to fulfil their responsibilities as Treaty partners and create positive outcomes for the community.

The Local Government Act 2002 outlines the responsibilities of Councils in relation to the Treaty of Waitangi. In order to recognise and respect the Crown’s responsibility to take appropriate account of the principles of the Treaty, Section 4 of the Act specifically refers to the provisions in the Act that provide principles and requirements for Councils that are intended to facilitate participation by Māori in local authority decision making processes. This includes actively engaging with Māori, protecting Māori interests, and ensuring meaningful partnerships with iwi and hapū. Pending changes to Māori Wards and the Fast Track Bill could potentially hinder Māori engagement efforts by local governments. These changes may restrict consultation opportunities with iwi and hapū, limit the involvement of Māori representatives in decision-making processes, and impede meaningful input on policies and projects.

It is crucial for Masterton District Council to carefully consider the implications of these changes and ensure that they do not undermine their commitments to honouring the rights of Māori communities as outlined in the Treaty of Waitangi.

Prioritising meaningful engagement with Māori communities and upholding obligations under the Treaty of Waitangi will contribute to creating more inclusive and equitable governance structures that benefit all members of the community.

### **Marae Development Grant**

The Marae Development Fund is currently open through April and May with funding decisions to be made in June by the newly Council appointed Marae Development Assessment Group consisting of the Mayor, the Māori Ward member and the Council Iwi Representatives.

### **Cultural Competency Framework Update**

The Cultural Competency Framework is currently awaiting adoption of its new policy and the integration of the existing policies such as the Bilingual, Te Reo Rua and Te Reo Me Ona Tikanga Māori policies. The Framework, Te Aka Poutama, will outline and support the improvement of the necessary competencies to ensure equitable outcomes for whānau, hapū, and iwi within both the Masterton District Council and the wider community. Professional Development for staff is currently being developed.

### **Wairarapa Moana**

The signalling of the Māori New Year is marked by the rising of Matariki. This tangata whenua inspired nationally recognised annual occurrence may also commemorate the significant return of the Wairarapa Moana Lakebed to the two iwi of Wairarapa. Te Rohe o Rongokako Joint Redress Bill includes provisions for the vesting of 90% share in the trustees of Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua settlement Trust and a 10% share in the Rangitāne Tū Mai Rā Trust.

The Wairarapa Moana Statutory Board being the administering body for the Wairarapa Moana Lake Reservation will act as a guardian of Wairarapa Moana and the Ruamāhanga River catchment, for the benefit of present and future generations.

The Statutory Board held its inaugural meeting on the 22<sup>nd</sup> March 2024 confirming membership and appointing the Chair, along with other matters of business.

The Board is responsible for preparing and approving the Wairarapa Moana Document and approving the Natural Resources Document.

The Wairarapa Moana document must recognise and give expression to the relationship of the joint redress to iwi and their culture and traditions with their ancestral lands, water, wāhi tapu, and other taonga in Wairarapa Moana and the Ruamāhanga River catchment, as well as respect the tikanga and values of the joint redress iwi in the management of the area.

The Statutory Board will have a committee for natural resources consisting of the following membership:

- two members appointed by the trustees of the Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust

- two members appointed by the trustees of the Rangitāne Tū Mai Rā Trust
- one member appointed by Wellington Regional Council
- one member appointed by South Wairarapa District Council
- one member appointed by Masterton District Council
- one member appointed by Carterton District Council

The Natural Resources document must include the following points:

- Identification of the Statutory Board's issues, values, vision, objectives, and desired outcomes for sustainable management of natural resources in the Ruamāhanga River catchment, with a focus on the health and well-being of Wairarapa Moana and the Ruamāhanga River catchment.
- Promotion of restoration, protection, and enhancement of the social, economic, cultural, environmental, and spiritual health and well-being of Wairarapa Moana and the Ruamāhanga River catchment.
- Consistency with the overarching vision and desired outcomes document.
- Compliance with section 78 without containing rules or regulatory methods.

Local authorities must recognise and provide for the content of natural resources documents when preparing or changing regional policy statements, regional plans, or district plans under the Resource Management Act 1991. They must also consider the content of these documents when preparing or adopting long-term plans or annual plans under the Local Government Act 2002.

However, this does not apply if it would affect the existing Development Scheme under section 112. The Wairarapa Moana document does not restrict the identification of freshwater values or setting freshwater objectives. Local authorities must comply with these requirements in a way consistent with the Resource Management Act 1991.






[Te Rohe o Rongokako Joint Redress Act 2022 No 76, Public Act – New Zealand Legislation](#)

### **Local Government Official Information and Meetings Act Requests**

For the period to 19 March 2024 to 22 April 2024, Council received a total of 13 Local Government Official Information Act (LGOIMA) requests.

The volume of LGOIMA requests received has increased slightly over the last month.

A total of 25 media queries were received over the same period, with interest in topics ranging from the Government's planned changes to deadlines for work on earthquake-prone buildings, the new tenant for Coronation Hall, and wandering stock. The aroma of roadworks also created some interest during upgrading work on the Renall Street/Ngaumutawa Road roundabout.

				
Total requests received	Completed	Average days for completion	Completed within statutory timeframe	NOT completed within statutory timeframe
13 LGOIMA	9	13	7	2
25 Media	25	1	N/A	N/A

### Customer Services

For the period of 24 March to 24 April there has been a steady increase of calls being recorded for our call centre. 1,235 calls received in the past month.

Walk in customer numbers continue to fluctuate, with a recent increase of customers calling in to collect LTP submission documents and 2024 recycling calendars.

### Service Requests

683 service requests were generated over the period, 663 service requests were completed.

The highest business areas this month are as follows: Dog Control - 136 requests raised with 152 open requests completed. The General Inspectorate continues to receive many requests, 91 requests raised with 81 open requests closed. These continue to be related to parking infringements and explanations, and abandoned vehicles. Rural and urban roading combined raised 94 service requests, closing 92 open requests.

### Compliments and Complaints – April 2024

Compliments – In April we received and recorded two compliments from the community. One related to the service received from our rates and customer service staff, who were found to be proficient and helpful. The second compliment received related to the building team's availability both on the phone and in person, being noted as an “absolute pleasure to deal with, which is rare to find these days”.

Complaints – one currently active complaint, which is with the Chief Advisor.

**CE's report - Attachment 1**



19 April 2024

Committee Secretariat  
Environment Committee  
Parliament Buildings  
Wellington  
[en@parliament.govt.nz](mailto:en@parliament.govt.nz)

Attn: Environment Select Committee

Tēnā koutou katoa

**Masterton District Council Submission - Fast-track Approvals Bill**

1. Masterton District Council (MDC) welcomes the opportunity to submit on the Fast-track Approvals Bill. We do not wish to make an oral submission in support of this written submission.

**Masterton District**

2. The Masterton District is comprised of one main urban centre with rural areas and two coastal settlements. MDC is represented by a Mayor and eight Councillors, with two iwi representatives nominated by Ngāti Kahungunu ki Wairarapa and Rangitāne o Wairarapa. Our vision is that Masterton/ Whakaoriori offers the best of rural provincial living. We want Masterton to be a place where everyone thrives.

**Support for Rangitāne Tū Mai Rā Trust Submission**

3. MDC recognises its commitment to Te Tiriti o Waitangi as the Crown's representative locally. In doing so we are committed to developing and maintaining strong reciprocal relationships with iwi, hapū, marae, and Māori communities in the Masterton district. MDC has memorandums of partnership with both iwi in the Wairarapa, Kahungunu ki Wairarapa and Rangitāne o Wairarapa, and supports their settlements.
4. MDC has had the opportunity to consider the submission made by Rangitāne Tū Mai Rā Trust, the Post Settlement Governance Entity for Rangitāne o Wairarapa (RoW) and Rangitāne o Tamaki nui-ā-Rua (RoTnaR). We acknowledge Rangitāne are mana whenua for the Wairarapa rohe, with interests throughout the Masterton district by virtue of whakapapa, take tūpuna (inherited rights) and ahi kā roa (long occupation).

5. Like the Trust, MDC supports the principle of a Fast-Track Approvals mechanism for regionally and nationally significant infrastructure projects. However, we also support the Trust in their assessment of the impact of the Bill on iwi and mana whenua interests.

**Support for the LGNZ/Taituarā Submission**

6. We have also had the opportunity to consider the draft LGNZ/Taituarā submission and support the feedback made on behalf of the local government sector on the Bill.

Ngā mihi nui.



Gary Caffell  
**Mayor**  
**Masterton District Council**



Kym Fell  
**Chief Executive**  
**Masterton District Council**

## 8.2 MEETING REPORTS FROM COUNCILLORS

**File Number:**

**Authoriser:** Gary Caffell, Mayor

### PURPOSE

Councillors are appointed to a number of external groups and organisations as representatives of Masterton District Council. This agenda item allows Councillors to report back on meetings attended in that capacity.

### ATTACHMENTS

Nil



### 8.3 MAYOR'S REPORT

File Number:

Author: Gary Caffell, Mayor

#### PURPOSE

The Mayor will provide a verbal report.

#### ATTACHMENTS

Nil

**9 PUBLIC EXCLUDED**

**RESOLUTION TO EXCLUDE THE PUBLIC**

**RECOMMENDATIONS**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<p><b>9.1 - Public Excluded Minutes of Council Meeting held on 3 April 2024</b></p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>9.2 - FOSAL Buy Out Policy (Covering report)</b></p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

