



# AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

## COUNCIL

To be held on **24<sup>th</sup> March 2022**, commencing at 11:00am via Zoom

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Chairperson: His Worship the Mayor

Members: Cr Carruthers (Deputy)

Cr Hart

Cr Keogan

Cr Neale

Kw Madgwick

Cr Davidson

Cr Hartshorne

Cr Martin

Kw Tumahai

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In accordance with clause 25B of Schedule 7 of the Local Government Act 2002, members may attend the meeting by audio or audio-visual link.

## **Council Vision:**

*We work with the people of Westland to grow and protect our communities, our economy and our unique natural environment.*

## **Purpose:**

The Council is required to give effect to the purpose of local government as prescribed by section 10 of the Local Government Act 2002. That purpose is:

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

### **1. KARAKIA TĪMATANGA**

#### **OPENING KARAKIA**

### **2. NGĀ WHAKAPAAHA**

#### **APOLOGIES**

### **3. WHAKAPUAKITANGA WHAIPĀNGA**

#### **DECLARATIONS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a member thinks they may have a conflict of interest, they can seek advice from the Chief Executive or the Group Manager: Corporate Services (preferably before the meeting). It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

### **4. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE**

#### **URGENT ITEMS NOT ON THE AGENDA**

Section 46A of the Local Government Official Information and Meetings Act 1987 states:

- (7) An item that is not on the agenda for a meeting may be dealt with at the meeting if –
  - (a) the local authority by resolution so decides, and
  - (b) the presiding member explains at the meeting at a time when it is open to the public, -
    - (i) the reason why the item is not on the agenda; and
    - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.
- (7A) Where an item is not on the agenda for a meeting, -
  - (a) that item may be discussed at the meeting if –
    - (i) that item is a minor matter relating to the general business of the local authority; and
    - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the

public, that the item will be discussed at the meeting; but

(b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

## 5. **NGĀ MENETI O TE HUI KAUNIHERA** **MINUTES OF MEETINGS**

Minutes circulated separately via Microsoft Teams.

- **Ordinary Council Meeting Minutes – 24<sup>th</sup> February 2022**

## 6. **ACTION LIST**

Chief Executive Simon Bastion

(Pages 7-10)

## 7. **NGĀ TĀPAETANGA** **PRESENTATIONS**

- **Department of Conservation**  
Owen Kilgour; Operations Manager – DOC (2.00-2.30pm)
- **Observations on how Local Government Risk Management Practices Work**  
Rachael Dean, Chair of Audit and Risk Committee, and Hugh Jory; Acting Assistant – OAG (2.30-3.00pm)

## 8. **PŪRONGO KAIMAHI** **STAFF REPORTS**

- **CE's Quarterly Report**  
Chief Executive Simon Bastion (Pages 11-31)
- **West Coast Civil Defence & Emergency Management – Revised partnership agreement**  
Chief Executive Simon Bastion (Pages 32-59)
- **Stewardship Land in Aotearoa New Zealand - Re-classification**  
Chief Executive Simon Bastion (Pages 60-127)
- **Franz Josef / Waiiau Rating District Joint Committee Agreement**  
Chief Executive Simon Bastion (Pages 128-136)
- **Financial Performance February – 2022**  
Finance Manager; Lynley Truman (Pages 137-152)
- **Application to install a park bench by Jimmy Gordon to commemorate 100 years in New Zealand**  
Scott Baxendale; Group Manager – District assets (Pages 153-163)
- **Class 4 Gambling Venue Policy Agreement**  
Group Manager; Regulatory and Community Services - Te Aroha Cook; (Pages 164-288)

- **Ordering of Candidate Names on Voting Papers 2022**  
Group Manager, Corporate Services - Lesley Crichton; (Pages 289-291)
- **Marks Road Beautification Funds**  
Community Development Advisor - Sarah Brown (Pages 292-296)
- **Welcoming Communities – Te Waharoa ki nga Hapori**  
Community Development Advisor - Sarah Brown (Pages 297-342)
- **Three Mile Hall Funds**  
Community Development Advisor - Sarah Brown (Pages 343-344)
- **Completion of Revell Street Trial (Presentation as well as Report)**  
Planning Manager - Fiona Scadden (Pages 345-348)

## 9. ADMINISTRATIVE RESOLUTION

Warrant of Appointment – Building Control Officer

Horano Hemi Wilson	Warrant of Appointment – Building Control Officer	<p>To act in the Westland District as:</p> <ul style="list-style-type: none"> <li>• An Officer pursuant to Section 174 of the Local Government Act 2022; AND</li> <li>• An Authorised Officer pursuant to Section 222 of the Building Act 2004; AND</li> <li>• An Enforcement Officer pursuant to Section 371b of the Building Act 2004; AND</li> <li>• An Officer under the Westland District Council Bylaws; AND</li> <li>• An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991.</li> </ul>
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## 10. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

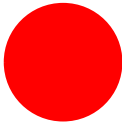


Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1	Confidential Minutes – 24 February 2022	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.  Section 48(1)(a)
2	CE's Confidential Report	Good reason to withhold exist under Section 7	That 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 exists.  Section 48(1)(a)
3.	Legal Update	Good reason to withhold exist under Section 7	That 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 exists.  Section 48(1)(a)
4.	Westland Mineral Sands	Good reason to withhold exist under Section 7	That 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 exists.  Section 48(1)(a)


This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1, 2	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))
1, 2, 4	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Section 7(2)(b))
3	Maintain the effective conduct of public affairs through— (ii) the protection of such members, officers, employees, and persons from improper pressure or harassment. (Section 7(2)(f))
2, 3	Maintain legal professional privilege (Section 7(2)(g))
1, 2, 3	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))



**DATE OF NEXT ORDINARY COUNCIL MEETING – 28<sup>TH</sup> APRIL 2022  
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

## 25.11.21 - Council Meeting - Action List

Item No.	Date of Meeting	COMPLETED IN PROGRESS OVERDUE	Item	Action	Completion Date/Target Date	Officer	Status
1	28.06.18		Kaniere School Students – Cycle trail 1. Crossing Progress 2. Crossing Placement 3. Site Visit  (3 Actions merged 26.11.20 and updated)	Council staff to get back to the Kaniere School Students regarding the proposal.	April 22	GM, KJ & CE	The site for the crossing has been revised based on a site visit by Mayor, CE & GMDA.  As part of the works planned at the crossing, additional footpaths are to be created and the road is to be realigned and changed to a T-intersection.  Contractor started works in February for intersection and reserve parking areas. Westland District Council (WDC) to liaise with the school re an official opening in 2022.
2	10.12.20		Speed Limit Register Review – Stage 2	Review of the speed limits on the below roads/areas: <ul style="list-style-type: none"> <li>• Kokatahi/Kowhitirangi Area</li> <li>• Old Christchurch Road</li> <li>• Kaniere Road</li> <li>• Lake Kaniere Road and surrounding areas (Hans Bay, Sunny Bight, Lake Kaniere)</li> </ul>	2021	GM,SB, KJ	This item is on hold awaiting Waka Kotahi NZ Transport Agency speed limit review.  A review was presented to Council on the 30th September 2021. Stage 2 is to be reviewed and presented to Council in February 2022 to begin public consultation with the intended implementation scheduled for April/May. This is in line with Waka Kotahi's review period.  Waka Kotahi has advised okay to start having conversations and consulting with the public in the lead-up to rule changes being finalized toward mid-2022. Changes should not be made until new rules set.  Council resolved in February to request feedback on other roads within WDC that wish the speed limits reviewed.
3	10.12.20		Ross Chinese Gardens – Flooding issues	Update to Council on progress	Feb 2021	CE	Lake level management – a meeting has been held, an engineering design will be completed, and an application for a resource

Item No.	Date of Meeting	COMPLETED IN PROGRESS OVERDUE	Item	Action	Completion Date/Target Date	Officer	Status
							<p>consent has been submitted to the West Coast Regional Council.</p> <p>Lake Level Project – onsite meeting with Department of Conservation was held. The engineering design will be completed and application for resource consent will be submitted to the West Coast Regional Council, with an endeavour to have this completed through the summer period.</p> <p>WDC resource consent application completed and approved. WDC staff working with the community group to complete the diversion.</p>
4	24.06.21		Revell Street Trial – Stage 2	<p>The following items were agreed upon:</p> <p>A) The concept for Revell Street be workshopped with Councillors within a three-week period, incorporating a breakdown of costings to date being provided to Councillors.</p> <p>B) The repainting of the traffic lines, traffic calming mechanisms and pedestrian crossing work to be paused and deferred to the workshop for discussion.</p> <p>C) The seating areas and elevated platforms (decking structure) be</p>		SB/FS	<p>Revell Street trial has one month to go for assessment. Full report to be tabled at the March Council meeting to determine next steps.</p>



Item No.	Date of Meeting	COMPLETED IN PROGRESS OVERDUE	Item	Action	Completion Date/Target Date	Officer	Status
				progressed with urgency.			
5	26.08.21		Investigate costs to bring the WDC HQ & Pakiwaitara buildings up to 100% National Building standards	CE to discuss with Group Manager: District Assets	In progress	CE & SB	<p>Following preliminary structural surveys conducted by Simco, Josephs and Associates have been commissioned to arrange for the production of outline architectural drawings which will lead to the development of accurate costings.</p> <p>Council has requested a review of the strategic direction for both Council HQ &amp; Pakiwaitara buildings to ensure the best-case scenario if progressed. CE expectations is that the options review will be presented back to council in the future as an options report.</p>
6	26.08.21		Pakiwaitara Building Business Case Timeline	Business case and scope of work to be brought to Council after the structural elements of the work have been identified, costed and timelines finalized.	In progress	CE	As above.

Item No.	Date of Meeting	COMPLETED IN PROGRESS OVERDUE	Item	Action	Completion Date/Target Date	Officer	Status
7	30.09.21		Road Maintenance Action Updates:	<ol style="list-style-type: none"> <li>1. Write to Waka Kotahi requesting that the 50km speeds north and south be extended to the existing 80km sign north and the south side of the Hokitika Bridge.</li> <li>2. Install visible signage at Kanieri-Kowhitirangi Corner indicating 50km speed area and 30km for Camp and St Albans Street.</li> <li>3. Change Railway Terrace, Hokitika to a one-way entrance from Weld Street with angle parking on both sides.</li> <li>4. Change Hamilton Street, Hokitika to angle parking on both sides.</li> <li>5. Pave the footpath area around Mitre 10 Hokitika with the recently approved stamped concrete surface to test its suitability for other parts of the CBD.</li> </ol>	Oct 2021	SB & KJ	<p>A parking presentation was delivered to Council on the 25<sup>th</sup> November.</p> <p>A report in regard to changing Railway Terrace was presented at the Council meeting in November and a resolution passed.</p> <p>We have tabled the speed limit review with Waka Kotahi previously and will continue to follow up current status.</p> <p>The footpath program of works and current status update was provided to the Capital Projects &amp; Tenders Committee.</p>

# Report



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

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## **CHIEF EXECUTIVE'S QUARTERLY REPORT**

### **1. Summary**

- 1.1. The purpose of this report is to provide an update on the positive aspects that are happening in the Westland District, and update Council on any matters of significance and priority.
- 1.2. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long-Term Plan 2021 - 2031. Refer page 2 of the agenda.
- 1.3 This report concludes by recommending that Council receive the Chief Executive's Report dated 24 March 2022.

### **2. Background**

- 2.1 The reason the report has come before the Council is due to the need to keep Council informed of matters of significance and priority.

### **3. Matters of significance and priority list**

The current matters of Significance and Priority are as follows:

#### **3.1 Covid-19**

To ensure continued delivery of essential services, Council staff have been separated into two operational teams, with personnel either working at home continuously, or operating on a rotating shift of a week in the office and a week at home. This has been put in place to minimise the risk of all Council staff being exposed to a Covid-19 variant at the same time, compromising our ability to deliver required services.

Reduced public facing hours have been implemented for Customer Service in the main office and the Library. Public facing hours are 10am to midday and 2pm to

4pm. These hours will be reviewed following the peak of Covid-19 cases within Westland District and the wider West Coast.

Vaccination Certificate Passes are still required to enter a Council managed facility. This requirement will also be reviewed following the peak of Covid-19 cases in Westland District. While it is acknowledged that this may pose an inconvenience for some of our users, access to services, including library books, or payment of accounts can be processed online.

All Council staff are fully vaccinated, and have received, or are due to receive booster vaccinations.

There are currently no 'active' positive cases within the Council staff number at the time of writing this report.

### **3.2 Three Waters Reform**

The Working Group on Representation, Governance and Accountability of New Water Services Entities as outlined at last Council meeting has now reported to the Minister.

There are 47 recommendations, which are outlined in appendix 1.

Official consultation has commenced on the new draft water regulations which come into force on the 1st July 2022. It is anticipated that the approved regulations will not be available until at the earliest the end of March 2022, which gives a very short time to implement the proposed changes.

These proposals have significant implications for the testing and monitoring of fresh water and will increase Council's operating costs and require some additional capital investment. Consequently, WDC is planning for the changes now and financial provision is being made in the annual plan.

In addition to increased monitoring, the new regulations will lead to the chlorination of the remaining 5 unchlorinated water treatment plants Kumara, Arahura, Harihari, Whataroa and Haast. Whilst councils can apply for exemptions, each exemption application will cost a minimum of \$30,000, which for Westland would mean expenditure of \$150,000. Council would be unlikely to meet the rules for obtaining an exemption. The timeframe for obtaining a decision on exemption is so tight that it would leave no time to procure, install and commission the appropriate equipment, prior to regulations coming into force, should an exemption not be granted. Council is therefore moving ahead with the procurement of equipment.

### **3.3 Three Waters Capital Works Programme**

The three waters stimulus funding Capital Programme (with the exception of two projects), will be completed by the end of March 2022 in line with the original timeframe prescribed by Government. The remaining two projects, Town Belt East and the Hokitika WWTP feasibility report will be completed by the Government's revised (Covid related), completion date of the end of June 2022. On 7<sup>th</sup> March

2020 Council received payment for Instalment 4 for the reform funding amounting to \$90,000. The remainder of the funding is subject to approval of the final report.

### 3.4 **The Hokitika Wastewater Treatment Plant (WWTP).**

Progress is being made on developing the concept for the replacement of the water treatment plant in Hokitika and Council was fully updated in a presentation given by Stantec to Council on the 25<sup>th</sup> November. Stantec are due to send an options assessment framework through to Council officers and a further project governance meeting is to be arranged.



### 3.5 **Hokitika Swimming Pool Renovation - \$3M**


The first stage of the Hokitika swimming pool project has been complete, with stage two set to commence this winter.

- Stage 1 has now been completed with the EQ strengthening and compliance upgrade of the existing building.
- Stage 2 documentation for the new entry reception and changing facilities is complete.
- Stage 2 application for the Building Consent is currently being formalised and will be submitted 14<sup>th</sup> March 2022.
- Price negotiations with the contractor Evan Jones Construction is underway and is programmed to be completed over the next two weeks. Price submission by the 25<sup>th</sup> of March.
- Contract and price negotiations based on NZS3910 to be completed after the above and formal acceptance by WDC required.
- Pool and Hydraulics work, separate contract has been tendered and awarded.
- Current programme, to be confirmed by the contractor is close down of pool in June for a period of 3 months for the pool and hydraulics work.
- Construction of the new facility will be started at the same time with the interface between the existing and new building completed during the 3 months.
- On completion of the pool works the pool will re-open with the remaining construction of the new build proceeding under a Certificate of Public Use.
- Construction duration for the new build will be 9 months from the close down in June. To be confirmed by EJCL.

The stage two works programme hopes to achieve the goal of the swimming pool only being closed for the normal winter shut down period.

### 3.6 Tourism Infrastructure Funding (TIF) applications

Project	Details	TIF Funded	Council contribution
<p><b>Upgrade of Franz Josef Car Parking Area</b></p>	<p>Project brief written, Site visit with Destination Westland to go over final details. Tender documents prepared and have been sent out to local contractors.</p>  <p>Photo: Site plan for new sealed carparks at Franz Josef</p>	\$137,000	\$63,000
<p><b>Public Toilets at Paringa</b></p>	<p>Project Brief has been written, soil/drainage conditions of the site inspected. Tender documents prepared and have been sent out to local contractors.</p>  <p>Photo: Example of new toilet block being installed at Paringa</p>	\$236,000	\$46,000
<p><b>Cass Square Toilets</b></p>	<p>Project brief has been written and the toilets have been ordered. The toilets will be a similar design to the Haast and Franz Josef toilets. E-bike charging stations</p>	\$191,500	\$84,000

	<p>currently being researched. To be installed under toilet blocks extended shelter. Building consent is currently underway.</p>  <p>Photo: New toilet block being installed at Cass Square</p>		
<b>Jackson Bay Visitor Parking</b>	Project brief has been written. Site investigated. Tender documents currently being prepared to be sent out to local contractors.	\$123,00	\$65,000
<b>Hokitika Beachfront Infrastructure Development</b>	Project brief has been written and a meeting on site with contractors/regional council has been held. Contractor Westlock engaged to design and supply beach access ramp. Work expected to start in April. New carpark area at end of Beach street has been designed and tender documents are currently being prepared.	\$230,500	\$136,000

### 3.7 Carnegie Building

The Carnegie project is aiming to be completed by June 2022.

There are five main Issues that have affected the original programme of works which have meant delays and extensions to the construction programme.

- Original foundation and steel structural design could not be built as detailed and had to be re-designed by the structural engineer. This has now been completed with a recognised delay to the contract of six weeks.
- Early Covid lockdown and the follow-on effect relating to material supply delayed the contract by approximately three weeks. Materials delays are on-going. Further to the earlier lockdowns there are still delays with staff members from Trademark and the specialist steel installers currently away from site in isolation.

- Supply of the Reidbrace system for the ceiling strengthening was delayed caused by supply issues due to Covid. This is now on site ready for install.
- The dilapidated state of the building parapet meant that is required replacement otherwise it will cause significant damage to the building. Documentation, compliance and approvals took approximately 3 months.
- Re-designing and associated construction work for the strengthening and bracing of the four exterior columns. This is due to the existing proposed engineered design not being able to be built as detailed.
- The Reidbrace system is now on site, design and approvals from all affected parties and consequential consent information is complete to proceed with alternatives for items 2 & 3. This has taken approximately three months due to the Heritage category 1 nature of the building.

**Work completed:**

- Deconstruction of the internal load bearing walls and existing foundations.
- Installation of the concrete new foundations to the perimeter and internal areas.
- Re-instatement of the flooring to all areas.
- Installation of the new shear walls to all the perimeter and the main internal wall.
- Structural steel installation of the vertical bracing to the new shear walls.
- 90% of the structural steel installation to the ceiling bracing.
- Packing out of the walls ready to be receiving the Gib bracing/linings.
- First fix for all services. This includes the delivery of all HVAC system components to site.
- Exterior has been scaffolded and complete inspection of the external elements.
- Parapet has been removed to assist with the new detailing / construction and to assess the damage to the building.

**Work to be completed:**

- Remaining 10% of the structural bracing to the ceiling.
- Installation of the seismic ceiling battens and framing.
- Lining of the walls and the ceiling.
- Painting of the interior.
- Second fix for the services including the final installation of internal and external plant for the HVAC system.
- Installation of the mouldings and plaster of the new parapet.
- Re-pointing the bricks and sealing of the same.
- Drilling and installation of the reinforcing to the entry columns.
- Installation of the bracing to the entry porch roof.
- Repair of the broken glazing.
- Removal of the scaffolding and disestablishment from site.



### **3.8 Cron Street Extension - \$1.19M / Cron Street footpath extension - \$269K**

This project is now complete. Good weather in February enabled the chip-sealing to be carried out. A final review of the completed works prior to closing out this project is planned for the week starting 14 March 2022.

### **3.9 Old Christchurch Road Seal Extension - \$3.2M**

Improvements to Old Christchurch Road, whilst not able to achieve the original intent of sealing up to 12km of road, has nevertheless been able to make a significant improvement in areas of residential use. Installation of new signage for this road combined with the application of running course on the remaining unsealed widened section will close this project out. An estimate for widening and sealing the remaining section of road is still underway and should be available by the end of April.

### **3.10 Pakiwaitara Building**

Following the preliminary costings reported to Council Dalman architects were commissioned to produce preliminary drawings enabling a scope of works to be developed and costed. Council held an initial workshop on the 7<sup>th</sup> December to discuss future strategic direction of the Pakiwaitara building. This set the parameters for the proposed use and design of the building. Initial space plans were supplied to Council officers on the 28 January 2022 and a meeting was held with consultants to inform required refinements. A concept design was submitted by the architects on the 11 March 2022, which are currently being evaluated prior to bringing anything back to Council.

### **3.11 Council Headquarters**

Joseph and Associates were commissioned by Council to produce a buildings options report. The brief was to examine Council land and buildings in Hokitika and identify options for how Council may meet its on-going and future accommodation needs. A preliminary building options report was received by Council officers on the 28<sup>th</sup> February 2022 and a subsequent meeting was held with officers on the 10<sup>th</sup> March to refine options. It is intended to hold a workshop with Councillors later in March to discuss next steps.

### **3.12 Energy Centre**

Council made a bid to the Energy, Efficiency, and Conservation Authority (EECA) on the 7<sup>th</sup> March 2022 for a grant contribution towards a feasibility study exploring the options and benefits of an energy centre in Hokitika. Energy Centres, also known as Combined Heat and Power (CHP) produce heat through a district heating system and electricity for anything from single to multiple buildings. The feasibility study will be examining green options, ranging from biomass through to geothermal options.

### 3.13 Custom House

The brief for the Custom house has been completed and a contractor has been awarded the body of works. Dave Hinds Builders was the successful contractor. Work has begun on site with the main body of works including the replacement of rotten exterior weather boards, re-piling the building and external painting.

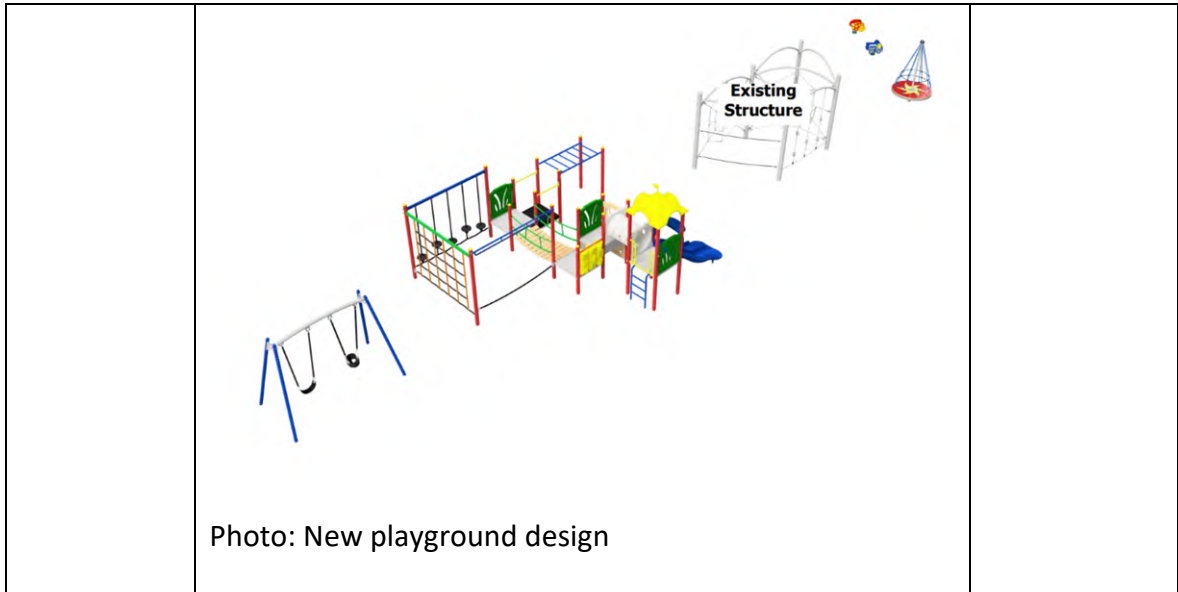
### 3.14 West Coast Wilderness Trail – Enhancements

Project Name	MBIE Contribution	Council Contribution	Total Project Cost
Mahinapua Viewing Platform	\$38,000	\$30,430	\$68,430
Cycle way shelters, toilets and signage	\$88,000	\$88,000	\$176,000
Storm damage July 2021	\$20,500	\$0	\$20,500
State Highway 6 Crossing - Mahinapua	\$52,500	\$17,500	\$70,000
Kanieri Water Race – Structure Upgrades	\$893,579	\$297,860	\$1,191,439
Mahinapua Boardwalks upgrade Stage 1	\$149,880	\$50,000 (DoC allocated budget)	\$199,880

### 3.15 Parks and Reserve (Playgrounds)

Community playgrounds in Westland have been allocated funds in the Long Term plan for upgrades and repairs. The following works have been completed:

Project Name	Details	Council Contribution
Cass Square Playground	The project brief for Cass Square playground has been written. Concept designs have been received from our supplier, with negotiations continuing.	\$621,460
Whataroa Playground	Playground equipment has been ordered as selected by the community. To be installed in April. Local contracted installing timbre edging and laying out bark soft fall once equipment been installed.	\$110,000



**3.16 Flag Trax**

All 55 Flag Trax units have been installed through-out the CBD of Hokitika. As well as along Weld Street (past Cass Square) and down the entire length of Fitzherbert Street. Westland themed flags have been purchased and are being displayed.

**3.17 Hokitika Lighting**

The Hokitika town lighting project is well underway with lights being installed along Weld Lane and on the Tambo shipwreck at Sunset point. Lights still to be installed on the Pioneer statue and at the Carnegie building. Lighting options for the Hokitika clock tower are currently being explored. Heritage lighting along Gibson quay have been installed also.



### 3.18 **Racecourse**

Following Council's success in the preliminary stage of Kainga Ora's Infrastructure Acceleration funding opportunity Council submitted a more detailed Request for Proposal (RFP) prior to the 17<sup>th</sup> of December deadline.

Following that submission Council had a meeting with Kainga Ora on the 18<sup>th</sup> February 2022 to clarify final points of the submission and make a final pitch for the racecourse project. Council will be made aware of the outcome of the bid by the end of April 2022, with detailed negotiations on contracts to be negotiated in May 2022. Final decisions will be made by the minister from May to October 2022.

The planning for the recreational area is still in progress and Council has support from Sports Canterbury to help define a future plan. Council engaged RSL Consultants to work with staff and councillors on a draft plan and a workshop was held with councillors on the 24<sup>th</sup> February 2022

### 3.19 **Programme and Project Management. Laevo**

Council undertakes multiple projects across a number of work streams. This is a particular issue across District Assets, where in addition to the Long-Term Plan and Annual Plan projects, there is also the Three Waters Stimulus Programme co-ordinated through Crown Infrastructure, TIF funding and the shovel ready projects, funded through MBIE and other projects e.g., Carnegie Building part funded through lottery grants.

These projects are inevitably resource hungry and historically have been managed on an individual basis, with priorities often in conflict with other projects. Projects have been in the main managed using individual spreadsheets, which are not easy to co-ordinate and do not lend themselves to layering. It also makes it more difficult to track financial milestones with budgets often spread in equal amounts across the year instead of profiled based upon key project milestones.

District Assets will be introducing a programme management approach which looks at the totality of projects, how it links to strategic objectives and optimises the resources available across all projects.

The first stage of this is to introduce new project management software Laevo, which is mid implementation. Council has had a small number of licences for Microsoft Project. Whilst MS Project is a comprehensive project management tool, the project set up requirements are the same irrespective of the scale of the project and it can be cumbersome to use. Laevo is a simpler and more flexible tool which lends itself to the requirements of Council and is replacing MS project.

Laevo will be utilised across all of District Assets and better facilitates a programme management approach bringing together all projects into one area It allows project layering, budgeting at key milestones and the ability to identify resource bottlenecks.

### **3.21 Stewardship Land Review**

On the 19<sup>th</sup> November 2021 council received correspondence from the Department of Conservation. The Minister of Conservation, Hon Kiritapu Allan, is proposing a law change to make it easier to reclassify stewardship land held by the Department of Conservation (DOC), and make sure it is managed appropriately. This is the second part of the process with the aim to speed up the reclassification – the 1<sup>st</sup> being the convening of two national panels of experts to assess the values of the land and provide the technical assessments and recommendations for the future land classifications of stewardship land.

Based on the significance of this process for Westland and the West Coast the 4 councils on the coasts have engaged Mark Christensen of Natural Resources Law Limited to complete an assessment of the processed changes and assist the councils with their formal submission.

A report on the draft submission has been included within the March Council meeting agenda.

## **4 OTHER ACTIVITIES**

### **4.1 Corporate Services**

- **Finance:**

The finance team are currently busy with the budgeting process for the Annual Plan. The Annual Plan is based on the current Long Term Plan (LTP) and updates this plan with any known issues that were not known at the time of the preparation of the LTP. Workshops for the Annual Plan have been held with the Executive team and the Mayor and Councillors. Once the draft plan has been finalised a consultation process will be undertaken with the community if the changes are considered different to the LTP.

- **Strategy and Communications:**

The Strategy and Communications Advisor is leading the Annual Plan project and at the same time preparing timetables and a project plan for the Annual Report 2021-22.

The Strategy and Communications Advisor has been working on a policy and template around consultations to provide consistency around consultations and the communications on any consultations, this will reduce the risk of not meeting legal compliance whilst undertaking consultation processes.

The bi-annual residents survey is currently in progress, the deadline for return of survey forms has been pushed out due to the delays in NZ post, this is to ensure that the organisation get enough responses to give a statistically viable sample.

- **Information Technology:**

The Information Technology (IT) team are involved in two large projects within Council, one is a recruitment process utilising Councils HR system to reduce the impact of risk in the recruitment process and ensuring consistency in that process.

The other large project that the IT team are leading is the civil defence process around IT requirements.

- **Information Management:**

The Information Management team are progressing with the implementation of an electronic document management system (eDRMS). Further online processes have been implemented to reduce paper and cost to Council. The next big project is to digitise property files which will enable a much more efficient system and reduce the amount of storage space required. To assist in this large project a further Information Officer has been employed who will scan on the files and adding metadata and will assist in the Land Information Memorandum (LIM) processes.

- **Customer Service:**

Due to the current outbreak of Omicron on the West Coast, customer service staff are working in two teams in order to maintain customer service for Westland's Community. To manage this, the opening hours for customer service have been reduced to 10.00-12.00 and 2.00-4.00 daily.

## 4.2 Planning

- Te Tai Poutini Plan has been released as an exposure draft to allow early input from the public prior to the Plan being notified. The feedback period was open until 11<sup>th</sup> March 2022.
- The Planning Manager attended a series of public meetings held in February at Franz Josef, Haast and Fox Glacier to inform the Westland District Public of the proposed changes and the ways in which the public can be involved in making comment on the Plan.
- The proposed work program is set out below.

December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022	July 2022
<ul style="list-style-type: none"> <li>• 16th TTPPC meeting - Approve Exposure Draft, Natural Hazards Companion Document and Consultation Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• 26th Publish Exposure Draft</li> </ul>	<ul style="list-style-type: none"> <li>• Consultation for Exposure Draft and Companion Document</li> <li>• TTPPC Zoom meeting</li> </ul>	<ul style="list-style-type: none"> <li>• 11th - Feedback period ends</li> <li>• Iwi and Council Zoom workshop on remaining natural hazards</li> <li>• TTPPC mtg - Feedback and natural hazards reporting</li> </ul>	<ul style="list-style-type: none"> <li>• Consultation on final natural hazards</li> <li>• TTPPC meeting - reporting on proposed changes from feedback</li> </ul>	<ul style="list-style-type: none"> <li>• TTPPC meeting - reporting on final natural hazards provisions</li> </ul>	<ul style="list-style-type: none"> <li>• TTPPC meeting- Approve Proposed Plan for Notification</li> </ul>	<ul style="list-style-type: none"> <li>• By 14th - Notify Proposed TTPP</li> </ul>

- 28 Resource Consent applications were lodged this quarter compared to 25 in the same quarter last year.
- 61 LIM applications were received in this quarter compared to 87 in the same quarter last year suggesting that sales may be slowing down.
- Consent monitoring has steadily been undertaken to check off consents which are actually operating and ensuring that their conditions are being met and response to investigate public complaints continues.
- Legislative timeframes are still being met 100% of the time and the staff levels have stayed stable.

### 4.3 Community Development

There is currently an opportunity for Westland District Council to get on board with the MBIE Welcoming Communities – Te Waharoa ki ngā Hapori programme. This opportunity; if successful; could see funding made available for a role within council to spearhead this program. Sarah Brown will be leading the Expression of Interest process with MBIE.

We feel that Welcoming Communities would draw together many current initiatives in the Westland community: Safer Westland, New Coasters, West Coast Multi Cultural Council, Inclusion and Diversity activities at Westland District Library, and the MTFJ Think Rural Campaign.

Please note there is a separate report on this in the March council meeting

#### Community Projects Update – Current Projects

- **Township Development Funding**

All community groups have signed 2020-2022 Funding Agreements with funding received. The Township Development funding continues to give our small townships some autonomy in the development of their communities.

- **Discretionary Fund – Community Public Toilets**

The five communities that receive the Community Public Toilet Grant have

been informed that this will be administered by Sarah Brown, Community Development Advisor. Inspections and any maintenance issues that may arise will be dealt with by Mark Dixon and Darcy Lucas.

To streamline processing the five Communities have been contacted individually and updated regarding Public Toilets Grant Budgets, accountability and timelines.

- **Westland Creative Communities Scheme**

Westland District Council supports the wellbeing of Westland Communities by encouraging arts and culture through the Creative Communities funding scheme.

Westland District Council have received \$10,167.00 for Round 2 2021-2022 funding.

We have also received a Delta Top Up \$5,184.38. The next Creative Communities Funding will be advertised with applications opening 1 March 2022 and closing 4 April 2022. The Westland Creative Communities Committee will meet via zoom to allocate funding Tuesday 12 April 2022.

Creative Communities Fund have circulated a new Application Guideline to assist communities to present more robust applications. It is hoped to encourage more diversity in applications that can include exhibitions, workshops, festivals featuring local artists, rehearsal and performances, seminars for local artist development, public artwork include but are not limited to:

Printmaking, writing, dancing, community choirs, hip-hop groups, poetry performances, film, theatre, weaving, pottery, carving, public art, rarangi, tukutuku, whakairo or kowhaiwhai, creation of community film, Artist residencies involving local artists and communities, street art, mural creation, music, and more.

- **Westland Sport NZ Rural Travel Fund**

Westland District Council supports children and young people in Junior Teams to participate in sport and competition through the distribution of the Sport NZ Rural Travel Fund. This funding was allocated in September and accountability forms are now coming in from clubs and organisations.

- **Waitangi Day Funding**

Westland District Council applied to the Waitangi Day Commemoration Fund 2022 and obtained a grant of \$8,000 to commemorate Waitangi Day at the Te Tauraka Waka a Māui Marae in Mahitahi (Bruce Bay) on Sunday 6<sup>th</sup> February 2022. Working together, Westland District Council and Poutini Ngāi Tahu (Te Rūnaka o Makaawhio and Te Rūnanga o Ngāti Waewae) wanted to provide an experience and opportunity for Westlanders to learn about New Zealand's bi-cultural history and participate in this commemoration.



Covid-19 restrictions and a weather event conspired, and the event was postponed. Following discussions with Belinda Chainey, Senior Advisor, Ministry of Culture and Heritage. Culture and Heritage agreed to provide a variation to this funding for Westland to commemorate Waitangi Day on an alternate day of significance. This is scheduled for 21 May 2022 - the anniversary of the Deed of Purchase.

- **Mayoral Taskforce for Jobs**

The Westland Mayors Taskforce for Jobs have to date supported 50 employment opportunities within the District within the 2021/22 Fiscal. This brings the total supported employment opportunities to 167 since the programme commenced in September 2020.

A total of \$445,000.00 has been allocated this fiscal with another 13 positions awaiting approval. All positions are proving successful and the MTFJ continue to work in partnership with the Ministry of Social Development and Development West Coast to ensure employers and employees are sufficiently supported.

Access to housing continues to prove difficult within the Westland Region, this makes it difficult for employers to secure skilled staff from other regions for the purpose of hard to fill positions.

The Westland MTFJ have decided to pause the Youth Employability Programme (YEP) for the remainder of the fiscal. This follows Christine Barton's resignation in January 2022. The programme requires an experienced facilitator who has undertaken the YEP training and unfortunately the MTFJ do not have any candidates to fulfil the position at this time.

Omicron has had a major impact on the Westland MTFJ plans to hold Inspire to Aspire 2022 which was to be held on the 16<sup>th</sup> of February. This event has been postponed to October 2022 when we hope to have a clearer picture of the Pandemic trajectory. Over 50 exhibitors have committed to this event.

The Westland MTFJ is now focussing on support for small to medium enterprises and essential businesses as we enter in to navigating omicron and the red alert setting.

#### **4.4 Hokitika Museum Report**

- **Museum Logo and Icon**

The new Hokitika Museum logo has been developed and launched through print and social media platforms. Our logo is inspired by our vibrant and diverse West Coast-centric museum and archives collection. The logo is formed from two core elements:

**ICON:** Our icons are comprised of elements termed as Taonga/treasures. They are depicted through three geometric shapes – circle, triangle, and a halfpipe. Like many Taonga/treasures, each shape has multiple meanings and stories that connect the Museum to its place in Hokitika and the wider West Coast.

**LOGOTYPE:** the logotype uses a modified version of Cera GR because of its highly geometrical letter forms. The taonga/treasures elements are placed throughout the name to represent the taonga/treasures as they are kept and cared for in the Museum.

Both the logo and icon (and associating graphics and master style guide) have been produced in kind by the internationally recognised graphic designer, Samuel Bunny.

- **Collection Readiness**

An initial audit of the large object collection storage, in Store 2, has been completed. This initial audit has continued throughout Store 1 and uncovered various collection items including a previously unknown kākahu (woven cloak). In addition the initial audit has aided in creating the first pool of deaccession candidates. Deaccession documentation and processes have been created and peer reviewed.

- **Te Paerangi Museum Hardship Fund**

The Hokitika Museum has been successful in receiving the Museum Hardship Fund to create a 2022 financial feasibility study for the Ngā Whakatūranga project. The amount awarded covers the entire cost of the financial feasibility study, of \$11,640 (excluding GST).

- **Hokitika Museum Board Establishment**

The Hokitika Museum proposes that Council supports the development of a Hokitika Museum Board to be established as an incorporated society that is positioned solely for the Hokitika Museum, especially in regard to seeking funding for large projects from funding bodies that do not accept applications from Local Authorities such as Westland District Council.

It is proposed that membership of this Board is limited to five (5) inclusive of the Chair of the Board. If supported by the Committee, a Candidate selection and appointments process, and a Museum Board Terms of Reference will be developed, inclusive of associated fees, and presented to Council for adoption.

- **Exhibition Development-Ngā Whakatūranga**

This project has reviewed potential segmental and thematic proposals for Permanent Gallery 1. Quotes for digital interactives have been received.

- **Westland Heritage and Cultural Tourism Project**

The Hokitika Museum with the Westland Industrial Heritage Park has established a quarterly meeting to discuss updates and potential collaborations.

- **Heritage West Coast Interpretation Panels**

The Museum has both been a major contributor and producer for this external project. All boards have been co-designed with the Museum and the project graphic designer and researcher. Most images have been supplied by the Hokitika Museum Photographic Collection.

#### **4.5 Westland District Library Update**

- **Collection and Resources – Physical and Digital:**

COVID infection hesitancy has continued to affect the community, with some library users reluctant to return to the library spaces, and issues of physical items is lower than expected as a result. Conversely, the use of our digital resources, which can be accessed by patrons anywhere anytime has remained high over this quarter. Additional funding from the New Zealand Libraries Partnership Programme Fund has enabled us to purchase additional e-books and e-audiobooks resources, to help meet the demand.

With the support of NZLPP Funding, the library has subscribed to a new digital platform for Reading Challenges. This will be used to run the annual Summer Reading Challenge for 5-14year olds as well as preschool and adult challenges. The challenges can be designed by library staff and will enable us to run challenges to support specific programmes, events, awareness campaigns and celebrations. The platform provides another way for the library to maintain engagement with patrons without requiring physical access to the library. In the future, as we look towards recovery from the pandemic, it will be used to help encourage patrons back to the library.

- **Events and Programmes for Adults and Children at the Library:**

Ongoing COVID Level 2 restrictions followed by the new traffic light system continued to restrict our ability to deliver our regular programmes and outreach, with many external organisations and venues requiring double COVID-19 vaccination/vaccine passes. A series of library programmes in Franz Josef and Fox Glacier was delivered but attendance was lower than expected. The Digital Discovery Librarian has delivered several successful events online and continues to meet with volunteers working on digital projects, over zoom.

NZLPP funding has enabled us to purchase equipment to support the delivery of online programmes. Over 75 children's activity packs were produced and handed out over the holidays, replacing our usual holiday activity sessions in the library.

- **Funding from the Ministry of Heritage and Culture – Innovation Fund:**

The library and museum teams collaborated and presented, at the Te Urungi: Innovating Aotearoa event, a proposal for seed-funding of \$20,000.00 for the Pakiwaitara Project. Whilst we were successful, the seed-funding has had to be returned to the Ministry. Council has changed the proposed direction of the Pakiwaitara project, and it was no longer possible to meet the criteria for the funding.

- **New Zealand Libraries Partnership Programme:**

An additional \$10,000.00 grant has been awarded to help purchase additional digital content and digital resources to support our community needs, including e-books, e-audiobooks, and video recording equipment.

- **Staff Training and Development:**

Community Engagement Librarian, Rauhine Coakley, was awarded the Helen Schwartz Scholarship from the National Library. The scholarship provides funding for librarians working in a public library serving one of NZ's smaller communities or Māori and Pacific communities, to undertake a residency at the National Library of New Zealand.

Three librarians presented short talks or workshops online at the LIANZA 2021 virtual conference. This was a fantastic opportunity for them to share some of the innovative work they have been doing here in Westland and to learn from other librarians across the country.

Unfortunately, 2 skilled and valued staff have left the library and the remaining staff have been focused on maintaining basic core services and adjusting service delivery to the new COVID-19 traffic light settings. The library will remain short-staffed for an extended period as the Christmas and summer holiday periods are challenging times to recruit.

- **Impact of COVID Lockdown – library response:**

Library staff are continuing to deliver quality services but the rapidly changing COVID environment and guidelines from central government have kept us focused on adapting and maintaining our core services. It has been challenging to provide for the literacy and wellbeing needs of our whole community. We have worked hard to develop alternative ways to deliver our services and to enable continued access to services for those that are more hesitant to enter public spaces at this stage of the pandemic. Restrictions and hesitancy to use public spaces in the library are likely to increase as the number of community cases increases and we have plans in place to ensure core services can be

maintained for as long as possible. Several staff are required to safely open the library to the public and if the number of staff available for work is less, it is likely that we will have to reduce hours or move to contactless service delivery for a brief period.

In addition to the improvement in our 24/7 digital services, we are beginning to offer alternatives to face-to-face programmes and events and expect this to continue to develop. A new range of contactless services will be rolled out in the New Year. Planning for the eventuality that it is safe to encourage people back into library spaces has begun.

## 5 Staffing Update

### Incoming and Outgoing Staff (November 2021 to March 2022)

#### Outgoing:

- Christine Barton, Youth **Employability Facilitator, Mayors Taskforce for Jobs**; 17 December 2021  
Christine left the Council to return to WestReap
- Rauhine Coakley, Community Engagement Librarian (NZLP funding); 14 January 2022  
Rauhine left the Council for personal reasons

#### Incoming:



#### **Louise Dando, Assets Strategy and Development Manager**

Started 17 January 2022

Louise joins the Council from a position as Production Planner at Westland Milk Products. Prior to that, Louise worked as an Engineering Officer for the West Coast Regional Council.



#### **Horano Wilson, Building Control Officer**

Started 21 February 2022

Horano joins the council from working as a qualified carpenter, then foreman within the local building industry. Early in his working life, Horano completed an OE working as handyman and host in resorts in the UK and France.



**Tammy Fraser, Information Officer – Properties and LIMs**

Started 7 March 2022

Tammy joins the Council following a move from Rotorua to the West Coast. Tammy has several years' experience as Officer Administrator/Manager in both the health and travel industries.



**Soozie Johnston, Governance Administrator, CE's Office**

Started **7 March 2022** [Temp to 7 May 2022]

Soozie is contracted to the CE's office while the position is re-advertised.

Soozie joins the Council on a temporary basis while this position is re-advertised. Soozie has been working in an administrative position with the Canterbury District Health Board. Soozie is based in Christchurch, working remotely. Soozie will be on-site for some meetings during her tenure.

**Saskia Sheehan, Administration Officer - Building**

Starting **21 March 2022**

Saskia joins the Council from several years' experience as an administrator in the building industry. Saskia has a Diploma in Construction Management and is looking forward to pursuing further studies in this area.

**Recruitment**

**Recruitment underway for the following roles:**

- Senior BCOs – having run advertisements have been running continuously for one year, the decision was taken to keep the advertisement on the WDC website only.

**Other vacancies:**

- Assets Special Projects Manager – shortlisted, interviews pending recovery of one candidate from COVID.
  - Library Assistant – part-time, fixed term – waiting confirmation from candidate identified from previous advertisement.

**6. Options**

6.1 Option 1: To receive the report.

6.2 Option 2: To not receive the report.

## **7 Risk Analysis**

7.1 Risk has been considered and no risks have been identified.

## **8. Health and Safety**

8.1 Health and Safety has been considered and no items have been identified.

## **9. Significance and Engagement**

9.1 No public consultation is considered necessary.

## **10. Assessment of Options (including Financial Considerations)**

10.1 Option 1 is the preferred option.

10.2 There are no financial implications to this option

10.3 Option 2 is not the preferred option.

10.4 There are no financial implications to this option.

## **11. Preferred Option(s) and Reasons**

11.1 The preferred option is Option 1.

11.2 The reason that Option 1 has been identified as the preferred option is that the report enable Council to be kept fully informed of projects and matters of significance that are underway in the Westland District.

## **12 Recommendation(s)**

12.1 That the Quarterly Report from the Chief Executive dated 18 March 2022 be received.

12.2 That a paper be prepared for the 28 April 2022 Council Meeting regarding the establishment of a Hokitika Museum Board.

**Simon Bastion**  
**Chief Executive**

# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

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## **WEST COAST CIVIL DEFENCE & EMERGENCY MANAGEMENT– REVISED PARTNERSHIP AGREEMENT**

### **1. Summary**

- 1.1. The purpose of this report is to seek Council endorsement of the revised West Coast Civil Defence & Emergency Management – Partnership Agreement.
- 1.2. This issue arises from seeking Council to commit to improving the services the CDEM team provides and to reformalise the relationship and partnership all West Coast councils have in ensuring the communities are resilient and ready for future civil defence emergencies.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the report and endorsement of the West Coast Civil Defence –Partnership Agreement noting the Joint Committee has endorsed it in principal.

### **2. Background**

- 2.1. The reason the report has come before the Council is due to a full independent review of the West Coast Civil Defence Emergency Management as per the resolution of the CDEM Joint Committee on the 11<sup>th</sup> August 2021.
- 2.2. Chris Hawker who was the former manager of CDEM Otago was consulted as the independent reviewer. Chris completed his final report and submitted it via a workshop with the Joint Committee on the 5<sup>th</sup> Nov 2021.
- 2.3. The review resulted in 40 recommendations of which the review of the Partnership Agreement was pivotal foundation for a significant number of the recommendations.

### **3. Current Situation**

- 3.1. The current situation is that a revised Partnership Agreement has been drafted which has been reviewed by the Coordinating Executive Group (CEG) and the Joint Committee West Coast CDEM.
- 3.2. Each council will be seeking endorsement from their councils.
- 3.3. The CDEM Joint Committee received the report on the 2 March and endorsed in principal.



## **4. Options**

- 4.1. Option 1: That Council endorse the draft West Coast Civil Defence & Emergency Management – Partnership Agreement.
- 4.2. Option 2: That Council does not endorse the draft West Coast Civil Defence & Emergency Management – Partnership Agreement.
- 4.3. Option 3: That Council request amendments to the draft West Coast Civil Defence & Emergency Management – Partnership Agreement.

## **5. Risk Analysis**

- 5.1. Risk has been considered and the following risks have been identified:
  - Civil Defence and Emergency Management requires all councils and lifeline partners to be aligned in their effort to be match ready for events as they occur. If one or more councils are not aligned then there is a significant breach in the ability of CDEM to operate effectively.
  - If funding is not made available to ensure resources required to fulfil an optimum structure then there will be gaps in the ability to provide the required level of service.

## **6. Health and Safety**

- 6.1. Health and Safety has been considered and the following items have been identified:
  - The health and wellbeing of our community, including our workforce is paramount particularly when a crisis hits. Having the support for a highly effective and efficient CDEM team will help alleviate support those communities during and post events.

## **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as being moderate.
- 7.2. No public consultation is considered necessary as Council needs to meet its responsibilities as a responsible partner in Civil Defence and Emergency Management Act 2002.

## **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1:
  - 8.1.1. Endorsing the draft West Coast Civil Defence & Emergency Management – Partnership Agreement as it has been reviewed drafted by the Director of Civil Defence West Coast, reviewed independently by a subject matter expert and reviewed by council CE's across the 4 councils.
  - 8.1.2. It has aligned the various roles and responsibilities of each entity to meet the expected outcomes of the CDEM Act and supporting statutory requirements or as agreed by all Parties (Councils and WCEM).
  - 8.1.3. There are no financial implications to this option based on the expectation that the West Coast Regional Council supports the plan and rates accordingly.
- 8.2. Option 2:
  - 8.2.1. Do not endorse the draft West Coast Civil Defence & Emergency Management – Partnership Agreement.
  - 8.2.2. There are no financial implications to this option.

- 8.3. Option 3.

- 8.3.1. If council decides there are modifications required to the document then these can be considered as part of the review however this would then require **ALL** councils to reconsider the document in light of the changes. There would be a time delay in getting the agreement finalised.
- 8.3.2. If there are any changes that affect council financially then this may require an adjustment to the annual planning which may require consultation.

## **9. Preferred Option(s) and Reasons**

- 9.1. The preferred option is Option 1.
- 9.2. The reason that Option 1 has been identified as the preferred option is that the draft plan aligns with the CDEM review outcomes and meets the requirements.

## **10. Recommendation(s)**

- 10.1. That the report be received.
- 10.2. That Council endorse of the West Coast Civil Defence –Partnership Agreement by signing the document.

**Simon Bastion**  
**Chief Executive**

**Appendix 1:** Draft West Coast Civil Defence & Emergency Management – Partnership Agreement



# WEST COAST CIVIL DEFENCE AND EMERGENCY MANAGEMENT GROUP

## PARTNERSHIP AGREEMENT

AGREEMENT dated this @@ day of @@@@

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West Coast Regional Council (“WCRC”)



Buller District Council (“BDC”)



Grey District Council (“GDC”)



Westland District Council (“WDC”)

## 1. Definitions

Terms used in this Agreement (including Schedules) which are defined in the CDEM Act have the same meaning.

- 1.2. Administering Authority means the West Coast Regional Council<sup>1</sup>.
- 1.3. Agreement means this West Coast CDEM Agreement signed by all Parties; and includes Schedules A and B which may be amended from time to time.
- 1.4. CDEM means Civil Defence Emergency Management
- 1.5. CDEM Act means the Civil Defence Emergency Management Act 2002.
- 1.6. West Coast Civil Defence Emergency Management Group region means the area covered by West Coast CDEM Group. This is based on the boundaries of the territorial authority members of the West Coast CDEM Group.
- 1.7. West Coast Civil Defence Emergency Management Group ('Group') means the joint standing committee<sup>2</sup> of representatives of local authorities within the West Coast CDEM Group.
- 1.8. CEG means the Civil Defence Coordinating Executive Group established in accordance with the CDEM Act.<sup>3</sup>
- 1.9. EMWC or Emergency Management West Coast are CDEM career professionals employed by the WCRC, responsible for delivering a range of services on behalf of the Group that enables the Group to fulfil its role and commitment to the wider West Coast Community.
- 1.10. Local Authority means both regional council and territorial authorities that are members of the Group, hereafter also referred to as Parties.
- 1.11. WCRC means the West Coast Regional Council
- 1.12. WCRC Chief Executive means the direct employment supervisor to the Manager and staff of Emergency Management West Coast.
- 1.13. TLA or Territorial Local Authority means a city council or a district council.
- 1.14. Lead means to be either accountable for, organise, direct, deliver or fund CDEM activity.
- 1.15. Support means to give direct or indirect assistance in the development and delivery of CDEM activity.
- 1.16. Coordinate means to bring different elements (resources, activities, or organisation) together for development of efficient and effective delivery of CDEM activity.

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<sup>1</sup> Civil Defence Emergency Management Act, Section 23

<sup>2</sup> Local Government Act 2002, Schedule 7, Clause 30 (1) (b) <sup>3</sup> CDEM Act, Section 20 (1)

## 2. Background

- 2.1. In 2002, each the West Coast's Local Authorities signed a Constituting Agreement following the establishment of the West Coast Civil Defence Emergency Management Group ('Group') being the joint standing committee of the Local Authorities, as required by the CDEM Act'.<sup>3</sup> This was replaced in May 2014 with a new Heads of Agreement.
- 2.2. The Local Authorities individually and the Group collectively have functions, powers, and responsibilities under the CDEM Act.
- 2.3. Following a comprehensive review of CDEM in the West Coast region in 2014, the Group resolved that it's operational responsibilities for CDEM under the CDEM Act be combined and delivered through one body to be known as West Coast Emergency Management, with the intention that each Council is to be an active equal participant in the establishment, development, and control of West Coast Emergency Management.
- 2.4. A subsequent review of the West Coast CDEM Group (October 2021) further informed the Group around issues, challenges, and opportunities, and this agreement is intended to address key recommendations of the review, as endorsed by the Group on 10 November 2021.
- 2.5. This new Agreement, once signed by all Parties, supersedes all previous agreements associated with CDEM Group arrangements for the delivery of joint CDEM services.

## 3. Purpose of Civil Defence Emergency Management

The purpose of CDEM is to:

- 3.1. Improve and promote the sustainable management of hazards in a way that contributes to the social, economic, cultural, and environmental well-being and safety of the public and also to the protection of property
- 3.2. Encourage and enable communities to achieve acceptable levels of risk including, without limitation, identifying, assessing, and managing risks; consulting and communicating about risks; identifying and implementing cost effective risk reduction; and monitoring and reviewing the process.
- 3.3. Provide for planning and preparation for emergencies and for response and recovery in the event of an emergency.
- 3.4. Coordinate through regional groups, planning, programmes, and activities related to CDEM across the areas of reduction, readiness, response, and recovery and encourage co-operation and joint action within those regional groups
- 3.5. Provide a basis for the integration of national and local CDEM planning and activity through the alignment of local planning, with a national strategy and national plan.
- 3.6. Encourage the coordination of emergency management, planning, and activities related to CDEM across the wide range of agencies and organisations preventing or managing emergencies.

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<sup>3</sup> CDEM Act 2002, Section 12

## 4. Legislation

- 4.1 The Civil Defence Emergency Management Act 2002 provides the legislative framework and details the responsibilities of CDEM Groups and their member councils for the delivery of emergency management in their region. Section 17 (1 & 2) details the functions required of the Group and its members and this agreement is intended to deliver on those responsibilities.

## 5. Agreement Purpose

- 5.1 The purpose of this Agreement is to define the roles and responsibilities between the Group, CEG, the WCRC, and TLA's to deliver CDEM responsibilities for the Group's area under the CDEM Act.
- 5.2 WCRC is the Administering Authority for the Civil Defence Emergency Management Group and employs WCEM personnel. This agreement sets out the lines of command and control for WCEM in respect of the relationship between Group, CEG, and WCRC.

## 6. Vision, Goals, and Philosophy

- 6.1 This Agreement is intended to reflect and give effect to WCEM's Vision and goals as detailed in the Group Plan. WCEM's Vision is:

***'To build a resilient and safer West Coast with communities understanding and managing their hazards and risk.'***

- 6.2 WCEM's Goals are to:

- Increase community awareness, understanding, preparedness, and participation in civil defence emergency management.
- Reduce the risks from hazards in the region.
- Enhance the region's ability to respond to emergencies.
- Enhance the region's ability to recover from emergencies.

- 6.3 Further, the Group adopts the philosophy of *"We are Coasters and all in this together"*. We will work jointly to support each district and the communities that make up that district equally and equitably, and that when one is at risk, all possible support will be provided pro-actively.

## 7. Governance

- 7.1 The Group oversees the delivery of the functions, duties, and powers of the Group, under the CDEM Act.
- 7.2 The CEG is established under the CDEM Act to provide operational management oversight to West Coast CDEM.
- 7.3 The CEG is statutorily responsible for providing advice to the Group and implementing as appropriate, the decisions of the Group.

- 7.4 The CEG is statutorily responsible for overseeing the development, implementation, maintenance, monitoring, and evaluation of the West Coast CDEM Groups work programme in delivering the required outcomes of the CDEM Group Plan.
- 7.5 The Group agrees to maintain an Operational Subcommittee with a membership approved by the CEG and with an approved Terms of Reference which will, on completion, be appended to this agreement.
- 7.6 That once re-established, the Operational Subcommittee are directed to develop a recruitment policy which is submitted to the CEG and Group for adoption. On completion the recruitment policy will also be appended to this agreement.

## 8. West Coast Regional Council's Role In relation to CDEM

- 8.1 WCRC has three responsibilities in respect to CDEM. The first is the statutory role as the administering authority for the Group as required by the CDEM Act<sup>4</sup>. The second is the role as employer of the Emergency Management West Coast staff. The third is an equal member of the Group and CEG (The role of WCRC on the CEG and Group is as for all members).
- 8.2 In its role as the Adminstrating Authority, the WCRC is responsible for the provision of administrative and related services that may from time to time be required by the Group.
- 8.3 In its role as the employer and facilitator of Emergency Management West Coast, the WCRC shall provide the following services in support of the entire Group.
  - a) The administration of Group finances and budgets, entering budgeted contracts with service providers, and procurements on behalf of the Group.
  - b) Staff management of WCEM staff, including oversight of Emergency Management West Coast's work programme, performance management, health and safety policy and systems, equipment, and fleet vehicles.
  - c) Provision of a Group Office facility where EMWC will operate from as an identifiable base.
  - d) For the avoidance of any doubt, all WCRC policies including but not limited to staff conduct, performance, health and safety, procurement, financial management and WCRC delegations always apply to all WCEM staff.
- 8.4 In its role as a member of the Group and CEG, the WCRC shall provide the following services in support of the entire Group.
  - a) A Group Emergency Coordination Centre for major regional level responses. This facility must have capacity, workspace, and adequately trained staffing to support 24-hour extended operations when required.
  - b) Expertise in hazard knowledge in the region.

## 9. Recruitment

- 9.1. Recruitment of all WCEM staff will be managed considering the requirements of the Group's Recruitment Policy.

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<sup>4</sup> CDEM Act (2002) Sections 23 & 24

## 10. Parties Specific Obligations

- 10.1 The functions, roles and responsibilities for Parties and West coast Emergency Management are set out in full in Schedule A to this Agreement. The mandate for these roles and responsibilities are in line with the CDEM Act, or as agreed by all Parties.
- 10.2 Schedule B to this Agreement sets out the roles and responsibilities with reference to CDEM revenue and finances.
- 10.3 In partnership with the WCRC (as budget holders), the Group commits to the prudent management of the CDEM annual operating budget (i.e., within a variance of no more than 105% at year-end unless through mutual agreement as a one-off requirement). This commitment is subject to resource demands from civil defence emergencies<sup>5</sup>.

## 11. General Obligations

- 11.1 Each Party must act in accordance with the purpose and principles of this Agreement.
- 11.2 Each Party must do all things necessary to give effect to this Agreement.
- 11.3 Each Party must make all necessary delegations to enable this Agreement to be implemented in full.

## 12. Indemnity

- 12.1 Each party must, on demand, fully indemnify the other parties for any liability or loss whatsoever which they incur because of any act or omission of the first party.

## 13. CDEM Staff Management

- 13.1 West Coast Emergency Management staff are CDEM career staff. All WCEM staff are employees of WCRC on behalf of the Group. West Coast TLA's, under this agreement, will not employ any career CDEM staff outside of this Agreement.
- 13.2 The WCRC Chief Executive will liaise with the CEG chair when conducting performance reviews of the Manager of West Coast Emergency Management so that the operational performance can be fairly assessed and reported on.

## 14. Finance

- 14.1 From the date of signing of this Agreement, the methodology for funding for the West Coast CDEM service to deliver CDEM functions outlined in this Agreement, **specifically Schedule A**, will be through:
- Group CDEM service delivery: CDEM Regional Targeted Rate<sup>6</sup>.
  - TLA CDEM service delivery: Respective Territorial Authority budget.

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<sup>5</sup> Best practice promotes separate financial tracking of individual events should be undertaken

<sup>6</sup> CDEM Regional Targeted Rate means the annual rate set by West Coast Regional Council under the Local Government (Rating) Act 2002 to fund the budget approved by the Group for CDEM services.



14.2 A revenue and financial statement as detailed in Schedule B of this Agreement.

14.3 A review of the financial methodology for funding CDEM services for the West Coast will be undertaken consistent with the duration and review under section 9 and schedules A of this Agreement.

## 15. Duration and Review of this Agreement

15.1 The duration of this Partnership Agreement is 10 years from the date of signing, provided that the provisions of this Agreement shall continue to apply if the Parties agree that it shall continue for a specified period. This Agreement shall bind successors.

15.3 An operational review of this Agreement shall be undertaken at the commencement of each Triennium, or as agreed otherwise by the Parties; the Group shall meet in good faith to negotiate the renewal or extension with or without amendments.

15.4 Review and amendments to the Schedules in this Agreement are to occur on changes to legislation impacting CDEM, or further policy guidance and procedures stemming from the National Emergency Management Systems Reform, CDEM Reviews, emergency event reviews or because of all Parties agreeing amendments for enhanced CDEM service delivery.

15.5 The Parties acknowledge review and amendment to the Schedules in this Agreement will be instigated, considered, and recommended by CEG. Amendments to the Agreement can only be authorised by the Parties in writing.

## 16. DISPUTES

The primary object of this section is to ensure that any dispute between Parties will be resolved as quickly and as informally as possible. Particular regard is to be had to that primary object in the interpretation or implementation of this section.

16.1 The purpose and principles of this Agreement must be applied by all Parties to try and resolve disputes.

16.2 Parties to any dispute must try in good faith to resolve that dispute by direct negotiation.

16.3 One Party must give written notice of a dispute on the other Parties(s).

16.4. If the dispute is not resolved within 10 working days of receipt of the notice of dispute, or such longer time as the Parties may agree, then the dispute must be referred to the Chairperson of CEG.

16.5 The Chairperson of the Group will attempt to facilitate agreement. If no agreement is reached within a further 10 working days, then the dispute must be referred to mediation.

16.6 If referred to mediation, then such mediation will be conducted by a mediator jointly appointed by the Parties. If the Parties fail to agree on a mediator within 10 working days of the expiry of the date in clause 10.7, then the mediator shall be appointed by the President of the New Zealand Law Society, or his or her nominee.

- 16.7. The costs of mediation must be paid equally by the Parties to the mediation.
- 16.8 Nothing in this section precludes any party seeking interim relief from any Court or initiating legal proceedings. However, Parties must utilise the dispute procedures in clauses 10.1 to 10.9 before taking legal action(s).

## 17. NOTICES

- 17.1 Any notice under this Agreement is to be in writing and may be made by email, personal delivery, or post to the address of each Local Authority.
- 17.2 No communication shall be effective until received. A communication shall be deemed to be received by the addressee, unless the contrary is proved:
- 17.3 In the case of a transmission by email on receipt of confirmation of receipt by the sender of the email,
- 17.4 In the case of personal delivery, when delivered, and
- 17.5 In the case of post, on the third working day following posting.

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## 18. COUNTERPARTS

This Agreement may be signed in any number of identical counterpart copies and transmitted in hard copy or electronically, all of which taken together shall make up one agreement.

SIGNED by WESTLAND DISTRICT COUNCIL

By affixing its common seal in the presence of:

Mayor Bruce Smith

Westland District Council

(Name of authorised signatory)

(Signature of authorised signatory)

SIGNED by GREY DISTRICT COUNCIL

By affixing its common seal in the presence of:

Mayor Tania Gibson

Grey District Council

(Name of authorised signatory)

(Signature of authorised signatory)

SIGNED by BULLER DISTRICT COUNCIL

By affixing its common seal in the presence of:

Mayor Jamie Cleine

Buller District Council

(Name of authorised signatory)

(Signature of authorised signatory)

SIGNED by West Coast Regional Council

By affixing its common seal in the presence of:

Alan Birchfield (Chairman)

West Coast Regional Council

(Signature of authorised signatory)

## Schedule A West Coast CDEM Roles and Responsibilities

The functions, roles and responsibilities by function for West Coast CDEM Group member Councils and Emergency Management West Coast (WCEM) are set out in full in this Schedule. The mandate for these roles and responsibilities are in line with the CDEM Act and supporting statutory requirements or as agreed by all Parties (Councils and WCEM).

This Schedule details the following functions and respective roles and responsibilities for each of these functions:

Governance and Management		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<p><b>Joint Committee</b></p> <ul style="list-style-type: none"> <li>Implements the CDEM Group Plan on behalf of the Joint Committee.</li> <li>Coordination, management and preparation of all agendas, reports, supporting papers and presentations on Group matters to the Joint Committee.</li> </ul> <p><b>Coordinating Executive Group (CEG)</b></p> <ul style="list-style-type: none"> <li>Supports the CEG in carrying out its directions from the Joint Committee and its obligations under the CDEM Act.</li> <li>Coordination, management and preparation of all agendas, reports, supporting papers and presentations to CEG.</li> </ul> <p><b>CEG Operations Sub-committee</b></p> <ul style="list-style-type: none"> <li>Coordinates those activities arising from the CEG Sub-Committees and reports to them on a regular basis.</li> <li>Coordination, management and preparation of all agendas, reports, supporting papers and presentations to CEG Operations Sub-committee.</li> </ul>	<p><b>Joint Committee</b></p> <ul style="list-style-type: none"> <li>Active participation through appointed designates.</li> <li>As Administrating Authority provide governance and secretarial support to the Joint Committee.</li> <li>Provide reports and recommendations on Regional Council matters to the Joint Committee.</li> <li>Provide reports, decisions, and recommendations back to Regional Council on CDEM Group matters</li> </ul> <p><b>Coordinating Executive Group (CEG)</b></p> <ul style="list-style-type: none"> <li>Active participation through appointed designates and provide support as agreed to lead delivery of the regional CDEM work programme.</li> <li>Develop and implement specific Regional Council Annual Plan tasking in a Regional Council CDEM work programme with alignment to CDEM Group Annual Plan.</li> </ul> <p><b>CEG Operations Sub-committee</b></p> <ul style="list-style-type: none"> <li>Active participation through appointed designates and support the CEG Sub-committees.</li> <li>Ensure the alignment of CDEM Group Annual Plan and Regional CDEM work programmes.</li> </ul>	<p><b>Joint Committee</b></p> <ul style="list-style-type: none"> <li>Active participation through appointed designates.</li> <li>Provide reports and recommendations on Territorial Authority matters to the Joint Committee.</li> <li>Provide reports, decisions, and recommendations back to Territorial Authorities on CDEM Group matters.</li> </ul> <p><b>Coordinating Executive Group (CEG)</b></p> <ul style="list-style-type: none"> <li>Active participation through appointed designates and provide support as agreed to lead delivery of local CDEM work programme.</li> <li>Develop and implement specific Territorial Authority Annual Plan tasking in a local level CDEM work programme with alignment to CDEM Group Annual Plan.</li> </ul> <p><b>CEG Operations Sub-committee</b></p> <ul style="list-style-type: none"> <li>Active participation appointed designates and support the CEG Subcommittees.</li> <li>Ensure the alignment of CDEM Group Annual Plan and local CDEM work programmes.</li> </ul>

**Finance (Business as Usual)**

The CDEM Group is responsible for the development and approval of an annual CDEM budget sufficient to deliver on the agreed priorities identified in the Group Plan, and Annual Work Plan. The budget is to be developed in accordance with each member council's annual plan requirements and, as the Council responsible for rating and managing the regional CDEM funding, WCRC must take a lead in this process to ensure achievability and sustainability.

Emergency Management West Coast (with support from the Operational Sub-Committee)	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>• Develop and submit draft budgets (OPEX and CAPEX) to the Group and CEG in accordance with Council planning requirements</li> <li>• Administer and report financial activity to CEG at each scheduled meeting</li> <li>• Manage costs in line with budget delivery</li> <li>• Identify, develop, and deliver training programmes for EOC/ECC Staff and Controllers with support from the NEMA National Training Fund</li> <li>• Develop and deliver functional exercises for EOC/ECC staff in accordance with the annual training programme</li> <li>• Deliver community training and exercises in accordance with budget allocation</li> <li>• Provide WCEM staff time, travel, and accommodation costs for training and education in accordance with budget allocation</li> </ul>	<ul style="list-style-type: none"> <li>• Oversee the development of the CDEM budget in line with WCRC requirements, as detailed in Schedule B.</li> <li>• Fund CDEM activities through a regionally targeted rate in accordance with the approved Group budget</li> <li>• Develop and agree WCRC administrative charges to the Group</li> <li>• Provide WCEM support services through agreed Group administrative charges</li> <li>• Provide in kind support services to WCEM, i.e., GIS, technical advice, ICTS etc</li> <li>• Fund all costs associated with training and exercises for WCRC staff involved in CDEM support activities</li> <li>• Provide, resource and fund operational costs of the Group ECC</li> <li>• Engage and fund contractors / consultants from approved budget as necessary to support Group activities</li> <li>• Provide funding for appointment, training, and retention of volunteer Group Controllers and Recovery Manager (as necessary)</li> <li>• Fund all Recovery Manager and recovery costs associated with an event that are not claimable through government support</li> </ul>	<ul style="list-style-type: none"> <li>• Fund the provision, resourcing, and operating costs of the District EOC</li> <li>• Fund direct staff costs associated with the provision of training of local controllers, staff, and volunteers not otherwise covered by the National Training Programme</li> <li>• Provide staff time and travel and accommodation costs of out of district training and education in accordance with local budget allocation</li> <li>• Provide facility and locally required resources to support locally focused EMO</li> <li>• Provide funding for appointment and retention of volunteer Local Controllers and Recovery Manager (as necessary)</li> <li>• Fund all Recovery Manager and recovery costs associated with an event that are not claimable through government support</li> </ul>

# WC CDEM Group Budget Development Process



**Finance (During Emergency Events)**

During emergency events as a general statement, costs fall where they lay with the exception that some response and recovery cost may be met by NEMA, or other relevant agencies, as appropriate. Details of eligible costs are available from [NEMA](#). The following provides an overview of financial responsibilities as it relates to each partner council.

Emergency Management West Coast pay;	West Coast Regional Council pay;	Territorial Authorities pay;
<ul style="list-style-type: none"> <li>All WCEM staff costs in relation to an event</li> <li>Travel, accommodation, meals, and incidentals for WCEM staff supporting any district within the Region</li> <li>Operational costs associated with the active ECC</li> </ul>	<ul style="list-style-type: none"> <li>All WCRC staff costs in relation to an event for core regional council responsibilities (i.e., hydrology, river monitoring etc)</li> <li>Travel, accommodation, meals, and incidentals for WCRC staff deployed within the Region</li> <li>Costs for staff working within the ECC</li> <li>All costs in relation to regional council support staff requested from out of region</li> <li>Establish a new event charge code for each new response event and report implications to the Group</li> </ul>	<ul style="list-style-type: none"> <li>All local staff costs in relation to an event</li> <li>Travel, Accommodation, meals, and incidentals for staff requested from out of District for the event</li> <li>Operational costs for the District EOC</li> <li>Immediate direct costs for community welfare response (prior to reimbursement claim)</li> <li>All other response costs not claimable though Government support</li> <li>Establish a new event charge code for each new response event and report implications to the Group</li> </ul> <p>Note: in the event of staff from one council being sent in support to another district, staff wages would normally be met by the home council.</p>

**Business Continuity Management**

Disruptions are an expected part of business, so it's important to be prepared for when they occur. Disruptions can be internal events that impact on organisation alone (e.g.: IT system failure), or external events that could impact across several organisations and locations (e.g., earthquake).

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Undertake business continuity planning for Emergency Management West Coast to be capable of delivering essential services and a functioning GECC during a crisis / emergency event and through the recovery.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake business continuity planning for West Coast Regional Council to be capable of delivering essential services and a functioning GECC during a crisis / emergency event and through the recovery</li> </ul>	<ul style="list-style-type: none"> <li>Undertake business continuity planning for the territorial authority to be capable of delivering essential services and a functioning EOC during a crisis / emergency event and through the recovery</li> </ul>

Capability Development, Training and Exercises

Training and exercising progressively enhances individuals, local authorities, and the West Coast CDEM Group’s capability to prepare for and manage emergencies and resources, using lessons learnt. The CDEM Group and each member of the Group are to take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management.

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Develop, deliver, and report on training and exercise programmes for all local authority staff with a CDEM role.</li> <li>Coordinate professional development of all CDEM career staff.</li> </ul>	<ul style="list-style-type: none"> <li>Make all staff identified in CDEM roles available for, attend and complete all competencies associated with training and exercises in accordance with the agreed training schedule.</li> </ul>	<ul style="list-style-type: none"> <li>Make all staff identified in CDEM roles available for, attend and complete all competencies associated with training and exercises in accordance with the agreed training schedule.</li> <li>Support community training and exercises</li> </ul>

Hazard and Risk Management

In relation to relevant hazards and risks: identify, assess, and manage those hazards and risks; consult and communicate about risks; identify and implement cost-effective risk reduction. Identification of the hazards and risks in a Group area that may result in an emergency that requires national-level support and co-ordination.

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Ensure effective planning and response to all hazards and risks in line with legislated responsibilities.</li> <li>Develop and monitor the hazard profile for the West Coast CDEM Group as per the hazardscape detailed in the West Coast CDEM Group Plan.</li> <li>Lead effective planning for response through collaboration on hazard risk management for hazards with cross regional and national impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Lead identification of hazards (as required) in accordance with the hazard scape outlined in the CDEM Group Plan at the regional level.</li> <li>Own and manage the hazards (as required) and risk within the appropriate area of responsibility as mandated through the Regional Policy Statement in alignment with the hazardscape detailed in the West Coast CDEM Group Plan.</li> <li>Fund and manage hazard research within the appropriate area of responsibility as mandated through the Regional Policy Statement in alignment with the hazardscape detailed in the West Coast CDEM Group Plan</li> <li>Support effective planning for response through collaboration on hazard risk management for hazards with cross regional and national impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Own and manage the hazards and risk (as required) within the appropriate area of responsibility as mandated through the Regional Policy Statement in alignment with the hazardscape detailed in the West Coast CDEM Group Plan.</li> <li>Fund and manage hazard research within the appropriate area of responsibility as mandated through the Regional Policy Statement in alignment with the hazardscape detailed in the West Coast CDEM Group Plan</li> <li>Support communicating hazards and risks to respective communities.</li> </ul>



Facilities		
Includes any facility to support readiness, response, and recovery activities.		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>• Serve as custodians of the GECC to ensure operational readiness.</li> <li>• Provide guidance on functionality and safety of EOC and GECC facilities.</li> <li>• Activation of GECC facility as required for response.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide and maintain GECC facilities (and alternate facilities) for operational response.</li> <li>• Provide WCEM with fit for purpose office space.</li> <li>• Support the activation of the GECC facility if required for response if requested by the Group Controller.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide council based WCEM staff with fit for purpose office space.</li> <li>• Provide and maintain EOC (and alternate) facilities for operational response.</li> <li>• Provide facilities or enter into agreements for the provision of facilities to serve as Civil Defence Centres (CDCs).</li> <li>• Activation of EOC facility as required for response.</li> </ul>

Community Resilience and Partnership		
Community resilience in the Civil Defence and Emergency Management context, can best be described as the community's ability to cope with, bounce back and learn from adversity encountered during and after disasters. There are activities to support in building community resilience. These activities are community engagement, community planning, public education, monitoring and evaluation to measure community resilience. The integration and inclusion of iwi in community resilience activities cements the West Coast CDEM principles of Iwi / Māori partnership.		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>• Development and implementation of community planning guidance documents and templates to support local CDEM Community Resilience activities and planning processes.</li> <li>• Support regional and local level Community Resilience activities and planning.</li> <li>• Support the development of Community Response Plans for local communities with relevant Territorial Authority as required.</li> <li>• Ensure that the CDEM component of iwi and hapū management plans are coordinated at Group and local level (as required).</li> </ul>	<ul style="list-style-type: none"> <li>• Support WCEM and local level Community Resilience activities by commitment of staff resources and technical information to assist in local Community Resilience activities (hazard specific) as required.</li> <li>• Ensure whole-of-council approach to Regional Council Community Resilience activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Partner with WCEM planning for all Community Resilience activities at the local level.</li> <li>• Commitment of staff resources to conduct Community Resilience activities.</li> <li>• Support CDEM engagement with local communities.</li> <li>• Support the development of Community Response Plans.</li> <li>• Ensure whole-of-council approach to local level Community Resilience activities.</li> <li>• Consider the CDEM component of iwi and hapū management plans and coordination at local level (as required).</li> </ul>

Lifeline Utilities		
Lifeline’s failures can disrupt and endanger the wellbeing of local and regional communities. Effective relationships, priority of response protocols and lead agency role definition can reduce the risk such failures may pose. Lifeline utility means an entity named or described in the CDEM Act 2002 in Part A of Schedule 1, or that carries on a business described in the CDEM Act, Part B of Schedule 1		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Support Lifelines Utilities in the hazard risk assessment and planning for hazard risk reduction activities on lifelines utilities infrastructure in alignment with the hazardscape detailed in the West Coast CDEM Group Plan.</li> <li>Provide administrative and project management support, networking, development opportunities and exercising for to the West Coast Lifelines Group.</li> <li>Represent the West Coast Lifelines Group and West Coast CDEM Group at National forums.</li> </ul>	<ul style="list-style-type: none"> <li>Lead hazard risk assessment and planning for hazard risk reduction and response activities on key Regional Council services and infrastructure.</li> <li>Support lifelines projects and activities.</li> </ul>	<ul style="list-style-type: none"> <li>Lead hazard risk assessment and planning for hazard risk reduction and response activities on key Territorial Authority services and infrastructure defined as Lifeline Utilities under Schedule 1 of the CDEM Act.</li> <li>Support lifelines projects and activities through appointing a lifelines representative to the West Coast Lifelines Group and active participation of its key lifelines managers.</li> <li>Provide LUCs for services defined under the CDEM Act.</li> <li>Activate staff to lead, coordinate and support the delivery of Lifeline Utilities (Territorial Authority) functions in response and recovery at the local level.</li> </ul>

Equipment		
All equipment to support readiness, response, and recovery activities.		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Provide and implement guidance and set policy on minimum specifications and standards, and functionality of CDEM equipment required for EOCs/ GECC across the region.</li> <li>Ensure procurement and maintenance of equipment, software and Information Communications and Technology (ICT) systems owned by West Coast Regional Council in accordance with West Coast Regional Council policies.</li> <li>Coordinate all CDEM Group responsibilities for effective interoperability with National CDEM systems</li> </ul>	<ul style="list-style-type: none"> <li>Fit out and provide associated Information Technology (IT) equipment and infrastructure for WCEM staff and GECC facilities (and alternate sites).</li> <li>Implement minimum equipment standards required for GECC in line with CDEM Group policy.</li> <li>Own equipment and associated infrastructure, to cover costs to maintain it to an operational standard and to manage and conduct maintenance programme.</li> <li>Provide WCEM with furniture and equipment for staff located at West Coast Regional Council offices.</li> <li>Undertake fleet management of all Emergency Management West Coast vehicles.</li> <li>Procure any priority equipment required by the activated GECC to ensure effective operational capability of the GECC</li> </ul>	<ul style="list-style-type: none"> <li>Fit out and provide associated Information Technology (IT) equipment and infrastructure for EOC facilities (and alternate sites).</li> <li>Implement minimum equipment standards required for EOC, ICPs and CDCs as required in line with CDEM Group policy.</li> <li>Own equipment and associated infrastructure, to cover costs to maintain it to an operational standard and to manage and conduct maintenance programme.</li> <li>Provide WCEM with furniture and equipment for Emergency Management Officer staff embedded within districts.</li> <li>Provide ICT and property support, procure any priority equipment required to the EOC or Recovery Office in activation to ensure effective operational capability of the EOC equipment.</li> </ul>

**Planning**

Fundamental to any successful undertaking is attention to planning and preparation. Whilst we pay attention to the plans that are produced, the process of planning is important to ensure that the plans developed meet the needs of the people affected.

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
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CDEM Groups and agencies are expected to routinely incorporate CDEM arrangements into their business planning and risk management processes, and to regularly monitor and report on their progress as appropriate. This is an important role to play in making progress towards the vision of a 'Resilient New Zealand'.

<p><b>West Coast CDEM Group Plan</b></p> <ul style="list-style-type: none"> <li>Lead the development, implementation, maintenance, monitoring and evaluation of the West Coast CDEM Group Plan using approved processes.</li> </ul> <p><b>West Coast CDEM Business Plan</b></p> <ul style="list-style-type: none"> <li>Lead the development, implementation, maintenance, monitoring and evaluation of the West Coast CDEM Business Plan.</li> <li>Provide advice and guidance on the development of regional and local level CDEM work programmes in alignment to the West Coast CDEM Business Plan.</li> </ul> <p><b>Pre-event response action planning</b></p> <ul style="list-style-type: none"> <li>Lead CDEM Group response planning.</li> <li>Support the development, implementation, maintenance of consistent regional and local level response plans.</li> </ul> <p><b>Standard Operating Procedures</b></p> <ul style="list-style-type: none"> <li>Lead the development, implementation, maintenance of CDEM Group Standard Operating Procedures as required.</li> </ul> <p><b>Recovery planning</b></p> <ul style="list-style-type: none"> <li>Lead the development, implementation, maintenance of the West Coast CDEM Group Recovery Plan.</li> <li>Provide advice and guidance on the development of the Local Recovery Plan.</li> </ul> <p><b>Financial planning</b></p> <ul style="list-style-type: none"> <li>Lead the development, implementation, maintenance of a CDEM Group policy on the management of response and recovery claims.</li> </ul>	<p><b>West Coast CDEM Group Plan</b></p> <ul style="list-style-type: none"> <li>Support, the development, implementation, maintenance, monitoring and evaluation of the West Coast CDEM Group Plan.</li> <li>Ensure alignment between the West Coast CDEM Group Plan and Regional Council Long Term Plans.</li> </ul> <p><b>Pre-event response action planning</b></p> <ul style="list-style-type: none"> <li>Support development, implementation, maintenance of CDEM response planning for Regional Council.</li> </ul> <p><b>Standard Operating Procedures</b></p> <ul style="list-style-type: none"> <li>Support the development, implementation, maintenance of CDEM consistent Standard Operating Procedures as required</li> </ul> <p><b>Recovery planning</b></p> <ul style="list-style-type: none"> <li>Support the development, implementation, maintenance of Regional Council Recovery Plan for key council infrastructure and assets.</li> </ul> <p><b>Financial planning</b></p> <ul style="list-style-type: none"> <li>Support the development, implementation, maintenance of CDEM Group policy on the management of response and recovery claims.</li> </ul>	<p><b>West Coast CDEM Group Plan</b></p> <ul style="list-style-type: none"> <li>Support, the development, implementation, maintenance, monitoring and evaluation of the West Coast CDEM Group Plan.</li> <li>Ensure alignment between the West Coast CDEM Group Plan and Territorial Authority Long Term Plans.</li> </ul> <p><b>Pre-event response action planning</b></p> <ul style="list-style-type: none"> <li>Support development, implementation, maintenance of CDEM response planning for Territorial Authorities.</li> </ul> <p><b>Standard Operating Procedures</b></p> <ul style="list-style-type: none"> <li>Support the development, implementation, maintenance of consistent CDEM Standard Operating Procedures as required.</li> </ul> <p><b>Recovery planning</b></p> <ul style="list-style-type: none"> <li>Support the development, implementation, maintenance of Local Recovery Plan with alignment to Group Recovery Plan.</li> </ul> <p><b>Financial planning</b></p> <ul style="list-style-type: none"> <li>Support the development, implementation, maintenance of CDEM Group policy on the management of response and recovery claims.</li> </ul>
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Public Education		
<p>Engaging with communities is a critical component to building resilience. An effective public education programme needs to be targeted, evidence based and provide clear information and recommendations for the community prior to, during, and after adverse events. A Coast wide, consistent, and pro-active engagement programme must be developed to achieve this.</p>		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Lead the planning for and coordination of Public Education activities at the Group level.</li> <li>Support local level Public Education activities.</li> <li>Fund and maintain Group resources for Public Education.</li> <li>Develop and maintain a West Coast CDEM Group website and social media presence.</li> </ul>	<ul style="list-style-type: none"> <li>Support the infrastructure provision of public education channels               <ul style="list-style-type: none"> <li>Ensure WCRC’s messaging around natural hazards and risks are joined up and consistent with WCEM’s programme</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Support Public Education activities at the local level.               <ul style="list-style-type: none"> <li>Ensure messaging is consistent with WCEM’s programme.</li> <li>Fund and maintain local resources for Public Education.</li> </ul> </li> </ul>

Public Information Management		
<p>Public information management (PIM) enables people affected by an emergency to understand what is happening and take the appropriate actions to protect themselves. This is achieved by making sure that timely, accurate, and clear information is shared with the public in an emergency. Strategic communications are a core component of Public Information Management activities.</p>		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Work with the Territorial authorities to develop a cadre of public information managers</li> <li>Coordinate the provision of a 24/7 duty Group PIM function.</li> </ul> <p>Public Information Management planning</p> <ul style="list-style-type: none"> <li>Lead and manage all Group level PIM activities.</li> <li>Develop and implement consistent messages in line with national messaging and where required develop SOPs for the Group and provide coordination and advice for Group and Local PIMs.</li> <li>Administer and maintain Group level PIM forums and meetings.</li> <li>Conduct PIM for CDEM Group and support local PIMs (if established) during response and recovery.</li> </ul>	<ul style="list-style-type: none"> <li>Alternate Group Public Information Managers provided by Regional Council.</li> <li>Provide staff to support a 24/7 duty Group PIM function.</li> <li>Provide communications/ media staff to receive training and support the Group and local PIM functions, including strategic communications.</li> </ul> <p>Public Information Management planning</p> <ul style="list-style-type: none"> <li>Support all CDEM Communications and Social Media activities at the Group and local level as required.</li> <li>Support consistent CDEM messaging across all Regional Council social media platforms and websites.</li> <li>Provide communications/ media staff to support the Group and Local PIM function during response and recovery if required.</li> </ul>	<ul style="list-style-type: none"> <li>Local Public Information Manager and alternates provided by Territorial Authorities.</li> <li>Contribute to the creation of a cadre of PIM staff for Group level responses</li> <li>Provide the agreed number of PIM staff to receive training and assist with the dissemination of CDEM information via any platform as required.</li> </ul> <p>Public Information Management planning</p> <ul style="list-style-type: none"> <li>Lead and manage all local level PIM activities.</li> <li>Support all CDEM Communications and Social Media activities at the Group and local level as required.</li> <li>Support consistent CDEM messaging across all Territorial Authority social media platforms and websites.</li> <li>Ensure effective delivery of PIM in response and recovery at the local level.</li> </ul>

**Reporting, Monitoring and Evaluation**

All members of the CDEM Group must provide reports that may be required by the Group. Monitoring and evaluation provide a method for learning from experience, analysing capability, planning and allocating resources, and demonstrating results as part of accountability to stakeholders.

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<p><b>Reporting</b></p> <ul style="list-style-type: none"> <li>Facilitate agreed reporting to Joint Committee, CEG and CEG Operations Subcommittee.</li> <li>Coordinate and publish annual report against the West Coast CDEM Group Annual Plan and the West Coast CDEM Group Plan.</li> <li>Provide reporting to Territorial Authorities and Regional Council on staff training registration, attendance and completion of competencies associated with training.</li> </ul> <p><b>Monitoring and Evaluation</b></p> <ul style="list-style-type: none"> <li>Lead and implement Monitoring and Evaluation process for CDEM Group.</li> <li>Monitor progress against the goals, objectives and outcomes of the CDEM Group Plan on behalf of the Joint Committee.</li> <li>Develop and implement a framework for conducting post-event reviews and corrective action plans for the CDEM Group.</li> </ul>	<p><b>Reporting</b></p> <ul style="list-style-type: none"> <li>Ensure Elected Officials and Leadership Team are informed of Joint Committee and CEG resolutions, directions, and decisions.</li> <li>Provide reporting to Joint Committee, CEG and CEG Subcommittee on specific Regional Council Annual Plan tasks related to CDEM.</li> </ul> <p><b>Monitoring and Evaluation</b></p> <ul style="list-style-type: none"> <li>Support, contribute and implement a lessons learned/ knowledge management process for CDEM Group.</li> <li>Support Monitoring and Evaluation process for CDEM Group.</li> </ul>	<p><b>Reporting</b></p> <ul style="list-style-type: none"> <li>Ensure Elected Officials and Leadership Team are informed of Joint Committee and CEG resolutions, directions and decisions.</li> <li>Provide reporting to Joint Committee, CEG and CEG Sub-Committee on specific territorial authority Annual Plan tasks related to CDEM.</li> </ul> <p><b>Monitoring and Evaluation</b></p> <ul style="list-style-type: none"> <li>Support, contribute and implement a lessons learned/ knowledge management process for CDEM Group.</li> <li>Support Monitoring and Evaluation process for CDEM Group.</li> </ul>

**Warning Systems**

When there is an imminent threat to life, health, or property from hazard events the issue of official warnings is the responsibility of CDEM agencies.

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>Develop, implement, and maintain CDEM Group warning systems and protocols.</li> <li>Procure, maintain, promote, test, and activate CDEM Group public alerting systems.</li> <li>Ensure the functioning of an effective GECC/ EOC staff activation system. Monitor and respond to emergencies 24/7 on behalf of the CDEM Group including the dissemination of warnings and coordinating response in accordance with CDEM Group warning systems and protocols.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure an effective flood event monitoring and information system.</li> </ul> <p>Promote the flood warning system to partners, emergency services and communities.</p> <ul style="list-style-type: none"> <li>Support the dissemination of warnings from the CDEM Group to communities.</li> </ul>	<ul style="list-style-type: none"> <li>Support West Coast CDEM Group in promoting the public alerting systems.</li> <li>Maintain, test, and activate local public alerting systems.</li> <li>Support the dissemination of warnings from the CDEM Group to communities.</li> </ul>

**Welfare Management**

Management of welfare across all welfare services and clusters: Registration, Needs Assessment, Inquiry, Care and protection services for children and young people, Psychosocial support, Household goods and services, Shelter and accommodation, Financial Assistance and Animal welfare.

The objective of the welfare services function is to carry out activities across the 4Rs to provide for the needs of people affected by an emergency and to minimise the consequences of the emergency for individuals, families and whānau, and communities.

Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<ul style="list-style-type: none"> <li>• Lead planning for the delivery of welfare services for the West Coast CDEM Group. in accordance with Director's Guidelines.</li> <li>• Appoint Group Welfare Manager to deliver and coordinate Group welfare functions across the '4Rs'.</li> <li>• Lead the development, implementation, maintenance of the West Coast CDEM Group Welfare Plan.</li> <li>• Support local welfare planning.</li> <li>• Provide relevant reporting and recommendations at Group level on Welfare to CEG and Joint Committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Support Group (GECC) and local (EOC) welfare activities in response.</li> </ul>	<ul style="list-style-type: none"> <li>• Lead planning and delivery of local welfare arrangements in accordance with Director's Guidelines.</li> <li>• Appoint Local Welfare Managers (Primary and Alternates) to deliver and coordinate welfare functions to local communities across the '4Rs'.</li> <li>• Support, contribute and implement the West Coast CDEM Group Welfare Plan.</li> <li>• Ensure coordination for the delivery of welfare at the local level in accordance with the National CDEM Plan Order and Group Welfare Plan.</li> <li>• Ensure coordination and delivery of welfare at the local level in response and recovery.</li> </ul>

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Staff		
<p>The CDEM Group and each member of the Group are to take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management.</p> <ul style="list-style-type: none"> <li>“Staff” means, all staff with CDEM responsibilities including CDEM career staff, CDEM appointed staff, Regional Council and Territorial Authority staff fulfilling CIMS functions as part of an Emergency Coordination Centre (ECC) or Emergency Operations Centre (EOC), and any CDEM volunteers providing support to any CDEM function.</li> </ul>		
Emergency Management West Coast	West Coast Regional Council	Territorial Authorities
<p>CDEM career staff</p> <ul style="list-style-type: none"> <li>Manager WCEM to appoint CDEM career staff to deliver CDEM outlined in the CDEM Group Plan and this Agreement in accordance with Group and WCRC Policies.</li> </ul> <p>24/7 Duty staff</p> <ul style="list-style-type: none"> <li>Provide adequate 24/7 staff cover for duty roster for the West Coast CDEM Group.</li> <li>Ensure support to 24/7 Local Duty Controller capability.</li> </ul> <p>Business Planning</p> <ul style="list-style-type: none"> <li>With the support of relevant committees, develop the annual business plan and supporting work programme and submit for approval by CEG by 30 May annually for commencement on 1 July.</li> </ul> <p>CDEM Forums</p> <ul style="list-style-type: none"> <li>Appoint staff to represent the West Coast CDEM Group at national, regional and local CDEM forums as required.</li> </ul> <p>Staff for CIMS functions</p> <ul style="list-style-type: none"> <li>Lead the development and implementation of the competency, capability and capacity criteria for EOC/GECC staff in CIMS functions.</li> <li>Make recommendations on staff to fulfil GECC CIMS functions.</li> <li>Provide CDEM career staff to support Group and Local Controllers.</li> <li>Management and coordination of a database of all CDEM personnel at the Group and local level.</li> </ul> <p>Activation in response / recovery</p> <ul style="list-style-type: none"> <li>Activate CDEM career staff to support delivery of response.</li> <li>Ensure a surge plan is in place with NEMA for when local resources are exhausted.</li> </ul>	<p>CEG Operations Sub-committee</p> <ul style="list-style-type: none"> <li>Appoint a Senior Manager as CDEM designate to represent Regional Council.</li> </ul> <p>CDEM career staff</p> <ul style="list-style-type: none"> <li>The West Coast Regional Council is the employer of CDEM career staff (WCEM) to deliver CDEM outlined in the CDEM Group Plan and this Agreement.</li> </ul> <p>24/7 Duty staff</p> <ul style="list-style-type: none"> <li>Provide staff to support a 24/7 duty Group Controller capability.</li> </ul> <p>Staff for CIMS functions</p> <ul style="list-style-type: none"> <li>Group Emergency Coordination Centre Incident Management Team and alternates provided by Regional Council.</li> <li>Provide staff to CIMS functions within the GECC.</li> <li>Consult with WCEM on appointments of staff to CIMS functions for the GECC.</li> <li>Ensure all CDEM GECC staff have respective CDEM role included in Job Description, KPI in annual performance plan, required training and exercising in annual professional development plan and be allocated the time for active participation.</li> </ul> <p>Activation in response / recovery</p> <ul style="list-style-type: none"> <li>Ensure availability and prioritisation of staff to conduct GECC operations and deliver 24/7 response.</li> <li>Support the provision and deployments of surge regional council CDEM staffing to support Group and Local level response and recovery within the West Coast or across New Zealand.</li> </ul>	<p>CEG Operations Sub-committee</p> <ul style="list-style-type: none"> <li>Appoint a Senior Manager as CDEM designate to represent Territorial Authority.</li> </ul> <p>24/7 Duty staff</p> <ul style="list-style-type: none"> <li>Provide a 24/7 Duty Local Controller capability.</li> </ul> <p>Staff for CIMS functions</p> <ul style="list-style-type: none"> <li>Local Incident Management Team and alternates provided by Territorial Authorities.</li> <li>Provide staff to all CIMS functions within the EOC. Consult with WCEM on key appointments to their EOCs.</li> <li>Ensure all CDEM EOC staff have respective CDEM role included in Job Description, KPI in annual performance plan, required training and exercising in annual professional development plan and be allocated the time for active participation.</li> </ul> <p>Activation in response / recovery</p> <ul style="list-style-type: none"> <li>Ensure availability and prioritisation of staff to conduct local EOC operations and deliver 24/7 response.</li> <li>Support the provision and deployment of surge territorial authority CDEM staff to support Group and/or Local level response and recovery within the West Coast, or across New Zealand, as capability allows.</li> </ul> <p><b>Note:</b> If local capability has reached its limits, support is coordinated and provided through the Group Emergency Coordination Centre (ECC) in conjunction with NEMA. Local authorities are not required or encouraged to seek support outside that structure.</p>



Schedule B – Operational Sub-Committee Terms of Reference

# West Coast Civil Defence Emergency Operational Sub-Committee

## Terms of Reference 2022



Approved by CEG 22/02/2022



### 1. Name

The Operational Sub-Committee (OSC) of the West Coast Civil Defence Emergency Management Group's Coordinating Executive Group (CEG).

### 2. Purpose and Objective of the Operational Sub-Committee (OSC)

Civil Defence Emergency Management involves everyone contributing where they can, from individuals creating their household preparedness plans, communities uniting to build their community response plan, businesses practicing their business continuity plans, through to local authorities, emergency services, and partner agencies, doing their part.

The Purpose of the Operations Subcommittee is to provide operational support and advice to the Group Manager – West Coast Emergency Management (WC CDEM), and to the Coordinating Executive Group to help achieve positive and effective outcomes for the West Coast's communities.

The Objective of the Committee is to ensure an effective and operationally focused Coast-wide inter-agency/organisation support structure to deliver on the legislative requirements of the New Zealand Civil Defence Emergency Management Act (2002) and the intent and priorities of the Group, as detailed in the Group Plan.

### 3. Membership

Membership of the OSC consists of:

- Senior Manager – Buller District Council (with EM oversight responsibilities)
- Senior Manager – Grey District Council (with EM oversight responsibilities)
- Senior Manager – Westland District Council (with EM oversight responsibilities)
- Senior Manager – West Coast Regional Council (with EM oversight responsibilities)
- A senior officer of the New Zealand Police
- A senior officer of Fire and Emergency New Zealand
- A senior manager of St John
- A senior manager of the Department of Conservation
- The Emergency Management Officer from the West Coast District Health Board
- The Group Manager – West Cost Emergency Management

In addition, representation from Te Rūnanga o Ngāti Waewae and/or Te Runanga o Makaawhio is welcomed on an open invitation basis.

Chair of the OSC will be appointed from a Partner Agency and voted on by the full Committee.  
The term of the Chair will be determined by the Committee.

#### 4. Functions

The OSC is constituted as a composite committee where, due to resource constraints, it will provide the following delegated functions across all aspects and focus areas<sup>7</sup> of Civil Defence Emergency Management:

- Providing operational support and advice to,
  - the CDEM Group Manager and staff
  - the CEG, and
  - any additional subgroups or subcommittees of the Group
- Supporting the implementation, as appropriate, the decisions of the CDEM Group

#### 5. Deliverables

Key deliverables of the Sub-Committee include,

- Overseeing development, implementation, maintenance, monitoring, and evaluation of the WC CDEM Group Plan
- Overseeing development, implementation, maintenance, monitoring, and evaluation of the Annual Work Plan
- Promotion and integration of CDEM objectives and initiatives into each members agency/organisation, as appropriate
- Reporting quarterly to the CEG

#### 6. Resources and Budget

All projects recommended in the Annual Work Programme must be supported by the Operational Sub-Committee and approved by the CEG. Where the insertion of an additional project or re-prioritisation of a project is requested outside of the approved Annual Work Programme, the project must first pass through CEG for approval within the West Coast Civil Defence Emergency Management Group Plan and approved budget.

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<sup>7</sup> Areas of focus include Reduction, Readiness and Response, Recovery, Lifelines, and Welfare,

Group projects delivered through the Group Emergency Management Office will be funded directly from the Group budget.

Locally or agency focused activities and initiatives promoted by the OSC must be taken to the relevant agency/organisation for consideration and funding, if approved.

The costs of completing any specific agency/organisation actions as outlined in the annual work plan will be met by the local authority or agency concerned, subject to available resources and funding, unless agree otherwise.

## 7. Terms of Reference

The OSC terms of reference will be approved by the West Coast Civil Defence Emergency Management Group Co-ordinating Executive Group.

These OSC terms of reference will be valid for a period of 3 years and will be reviewed at the first meeting of each new Triennium, or earlier if required.

## 8. Definitions

For these Terms of Reference:

- "Act" means the Civil Defence Emergency Management Act 2002.
- "CDEM Group" means the West Coast Region CDEM Group.
- "Co-ordinating Executive Group" (the CEG) means the Co-ordinating Executive Group to be established under section 20 of the Civil Defence and Emergency Management Act 2002 and clause 10.7 of this Terms of Reference.
- "West Coast Region" means the West Coast Region as defined by the Local Government Act 2002.

# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

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## **STEWARDSHIP LAND IN AOTEAROA NEW ZEALAND DISCUSSION DOCUMENT: OPTIONS TO STREAMLINE PROCESSES FOR RECLASSIFICATION AND DISPOSAL**

### **1. Summary**

- 1.1. The purpose of this report is to provide a copy of the joint submission by the West Coast Regional Council, Buller District Council, Grey District Council and Westland District Council on the Department of Conservation (DOC) proposed options to streamline processes for reclassification and disposal of Stewardship land.
- 1.2. This issue arises from DOC releasing a discussion document for feedback on streamlining the stewardship land reclassification process. Feedback has been sought on:
  - i. Improving consistency of public notification and submission processes.
  - ii. Enabling the national panels to carry out the public notification and submission process.
  - iii. Clarifying responsibilities for making recommendations to reclassify stewardship land as national park.
  - iv. Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of.
  - v. Enabling the Minister of Conservation to direct proceeds from the sale of stewardship land to DOC.
  - vi. Clarifying the status of concessions on reclassified stewardship land.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council endorse the joint submission by the West Coast councils on DOC's proposal to streamlining the stewardship land reclassification process.

### **2. Background**

- 2.1. On the 19<sup>th</sup> Nov 2021 DOC advised that the Minister of Conservation, Hon Kiritapu Allan, is proposing a law change to make it easier to reclassify stewardship land held by the Department of Conservation (DOC), and make sure it is managed appropriately.
- 2.2. The basis for this review was:
  - The goal is to speed up and simplify the reclassification process so land with conservation value is identified and managed appropriately, while land with low or no conservation value can be made available for other uses.

- Land with conservation value must be classified correctly so that it is protected for its natural and cultural heritage, and managed for future generations to enjoy.
  - The proposed law change will see more efficient public consultation and ensure the process to reclassify stewardship land is fit-for-purpose.
- 2.3. Following that notification the West Coast councils commissioned Mark Christensen to prepare and submission and advise councils on the impacts of the proposed changes.
- 2.4. The reason the report has come before the Council is through the review the Councils consider the review fails to give effect to Section 4 of the Conservation Act. The effect of reclassification on Mana whenua cultural, economic and social values should be considered. The alternative is that the land is held until a review of the Conservation Act and Conservation General Policy occurs in a manner which gives effect to Section 4 of the Conservation Act.
- 2.5. On the West Coast, there are significant areas of stewardship land where the relevant conservation values would likely be better protected overall if they were in private ownership. Protection of land through private ownership can be achieved through a combination of the RMA and its replacement legislation, the recently operative Regional Policy Statement, the proposed National Policy Statement of Indigenous Biodiversity, and the willingness and ability of private landowners to manage their land in this way. Private land, where the conservation values are managed and enhanced by landowners, will also have the social and economic advantages which accrue to the community through the ability of the Councils to add to their rating base.
- 2.6. Some areas such as South Westland would benefit by a process similar to the Crown's tenure review process. Whereby, a voluntary process is adopted that gives pastoral lessees an opportunity to buy land capable of economic use, while land with high conservation values is protected and restored to full Crown ownership as conservation land.

### **3. Current Situation**

- 3.1. The current situation is that the Conservation Estate comprises 84.17% of land area within the West Coast Region, with 1.55% under Land information New Zealand (LINZ) administration. This leaves 14.28% available for private ownership. The land in Conservation Estate and Crown ownership is not rateable by local authorities.
- 3.2. The West Coast has received past Government support to transition from an extractive economy to tourism. This transition has made the West Coast economy hugely reliant on international visitors. With the current border closures, the West Coast economy is suffering, to further erode the West Coast economy by restricted use of land due to Conservation values is unjust.
- 3.3. Local West Coast communities are affected communities and should have the opportunity to participate meaningfully in this fundamental government decision, which will affect them.
- 3.4. It is our submission that to be meaningful to the West Coast Region, the result of this consultation must evidence "no further harm" to environmental, economic, social and cultural well-being. Every stewardship land decision that impacts local farming or business there must be an "offsetting" business opportunity within the region.
- 3.5. The Councils are supportive of measures to streamline the process for the reclassification, exchange and disposal of existing stewardship land.
- 3.6. Submissions closed at 5pm March the 18th 2022 and the submission has been lodged. The approval for this submission is retrospectively made.

### **4. Options**

- 4.1. Option 1: To receive the report and adopt the recommendation.
- 4.2. Option 2: To receive the report and not adopt the recommendations.

## **5. Risk Analysis**

- 5.1. Risk has been considered and the following risks have been identified:
  - By not voicing our concerns through a submission in regards to the proposal legalisation changes the West Coast will be negatively impacted if they pass as proposed.

## **6. Health and Safety**

- 6.1. Health and Safety has been considered and no items have been identified in adopting the agreement.

## **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as being moderate as not making a submission could mean that the views of the West Coast community are not considered
- 7.2. There is no public consultation required in terms of this report to Council.

## **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 – Receive the report and adopt the recommendation.
- 8.2. There are no financial implications in adopting Option 1.
- 8.3. Option 2 – Do not receive the report or recommendations. This would mean that Council could be seen to be not supporting the local West Coast communities who are affected and ensuring that there is no further decline in economic, social and cultural wellbeing on the West Coast. Note that other councils could also submit the submission without Westland District Council endorsement.

## **9. Preferred Option(s) and Reasons**

- 9.1. The preferred option is Option 1.
- 9.2. The reason that Option 1 has been identified as the preferred option is to ensure that if the reclassification of stewardship land proceeds under the existing Conservation General Policy, it is likely to derogate from Section 10 of the of the Local Government Act which sets out the purpose of local government which is:
  - a) enabling democratic local decision-making and action by, and on behalf of, West Coast communities; and
  - b) promoting the social, economic, environmental, and cultural well-being of West Coast communities on the West Coast in the present and for the future.

## **10. Recommendation(s)**

- 10.1. That the report be received.
- 10.2. That Council endorse the joint submission retrospectively by the West Coast councils on DOC's proposal to streamlining the stewardship land reclassification process.

**Simon Bastion**  
**Chief Executive**

**Appendix 1:** Stewardship Land Process Review – Submission West Coast Councils

**Appendix 2:** Stewardship Land in Aotearoa New Zealand Discussion Document

# Stewardship land in Aotearoa New Zealand discussion document: Options to streamline processes for reclassification and disposal

## Submission by West Coast Regional Council, Buller District Council, Grey District Council and Westland District Council

To:

Stewardship Land Consultation  
Department of Conservation  
P. O. Box 10420 Wellington 6143

[stewardshiplandpolicy@doc.govt.nz](mailto:stewardshiplandpolicy@doc.govt.nz)

### Introduction and summary

This joint submission is made by the West Coast Regional Council, Buller District Council, Grey District Council and Westland District Council ("the Councils").

**The Councils request a meeting with the Minister to discuss this submission.**

The West Coast Region covers a vast area with a sparse population: it extends from Kahurangi Point in the north, and south to Awarua Point, a distance of 600 kilometres. This distance is the equivalent from Wellington to Auckland (see map in Appendix 1). The Region is predominantly rural.

The Conservation Estate comprises 84.17% of land area within the West Coast Region, with 1.55% under Land information New Zealand (LINZ) administration. This leaves 14.28% available for private ownership. The land in Conservation Estate and Crown ownership is not rateable by local authorities.

The West Coast has received past Government support to transition from an extractive economy to tourism. This transition has made the West Coast economy hugely reliant on international visitors. With the current border closures, the West Coast economy is suffering, to further erode the West Coast economy by restricted use of land due to Conservation values is unjust. Local West Coast communities are affected communities and should have the opportunity to participate meaningfully in this fundamental government decision, which will affect them. It is our submission that to be meaningful to the West Coast Region, the result of this consultation must evidence "no further harm" to environmental, economic, social and cultural well-being. Every stewardship land decision that impacts local farming or business there must be an "offsetting" business opportunity within the region.



### **Failure to allow consideration of wider economic, cultural, and social values**

The proper reclassification, disposal, or exchange of stewardship land is a significant issue impacting on the environmental, economic, social and cultural wellbeing of the West Coast and all our communities.

In general terms, the Councils are supportive of measures to streamline the process for the reclassification, exchange and disposal of existing stewardship land. However, for the reasons set out in the submission, the Discussion Paper fails to have proper regard to the conservation, economic and social context within which stewardship land is administered by the Department on behalf of all New Zealanders. This includes the potential use of stewardship land to support the West Coast's resilience and adaptation to climate change. The Discussion Paper also fails to acknowledge the Government's stated intention to review all conservation legislation and national policy as a priority. Proceeding with the reclassification of large areas of land in advance of that review risks undermining, or being inconsistent with, the more fundamental review of the Conservation Act and other relevant legislation.

Large-scale reclassifications should not be progressed until the criteria for reclassification have been reconsidered as part of this review. Unless the criteria are amended to enable these wider considerations to be taken into account there is no compelling reason to rush the reclassification process in the meantime, notwithstanding the Government's desire for speed. Resources would be better spent first on a strategic review of conservation legislation and policy, of which stewardship land is an important part.

Having said that, the Councils agree that the Panels can perform an important role in the meantime, and that certain changes to the reclassification process can usefully be made. The Councils wish to highlight the importance of finding the right balance by ensuring that there is no further decline in economic, social or cultural wellbeing on the West Coast.

### **Lack of clarity about the reasons for this reclassification process**

The Councils remain unconvinced from the reasons set out in the Discussion Paper that the delays to date in the reclassification process are the result of the current statutory provisions. The Councils consider that significant progress could be made if the non-legislative suggestions in the paper (which the Councils support) are implemented. The Discussion Paper fails to mention that in 2018 the New Zealand Conservation Authority and the Department requested all Conservation Boards to provide their recommendations as to priorities for stewardship land reclassifications. There is no comment in the Discussion Paper or in the NZ Conservation Authority minutes of why these recommendations have not been progressed.

The paper also fails to refer to the March 2018 advice and recommendations from the NZ Conservation Authority about the concept of net conservation benefit arising from reclassifications and exchanges of stewardship land. Proceeding with the stewardship reclassification process prior to the Government's strategic review would be contrary to that advice.

## **The test of 'no or very low' conservation values is uncertain and no longer fit for purpose**

There is an unstated assumption in the Discussion Paper that the objective of this review is to reclassify all stewardship land with conservation values which have the potential to have greater than 'no or very low' conservation values to some form of specially protected areas under Part 4 of the Conservation Act as easily as possible. The Paper also implies that the test of 'no or very low conservation values' is a statutory one, whereas that requirement is found in Policy 6 of the 2005 Conservation General Policy. The Councils consider that the 2005 Conservation General Policy, and Policy 6 in particular, should be the subject of fundamental review as part of the overall review of conservation legislation, and that wholesale reclassifications of stewardship land which contain more than very low conservation values should not proceed until such a review is finalised.

The Councils consider that a test for reclassification of stewardship land having the 'potential'<sup>1</sup> for more than 'no or very low conservation values' is no longer fit for purpose. Consequently, the Councils generally oppose a streamlined process which further enables the Panels to apply such a test in reclassifications.

Moreover, even if a review decided that this is the appropriate test, there is no clear definition of what 'very low' or 'low' conservation values mean. That should be clarified prior to the Panels undertaking any work.

The Councils consider that simply reclassifying additional stewardship land as specially protected areas under Part 4 of the Conservation Act would fail to have regard to the different conservation values and priorities of different regions. Not all regions are the same, and in general terms the West Coast already has significant levels of conservation land. Rather, the Councils consider that a strategic approach should be taken about what level of statutory protection should be provided to different types of ecosystems in different ecological districts and regions. If that were done, decisions about how much stewardship land might therefore be available for exchange or disposal could be made within that broader context. This is known as a 'target' based approach' to conservation.<sup>2</sup>

There is also an unstated assumption that all land with more than very low conservation values should be held as specially protected areas under the Conservation Act because that will give that land better protection. The Councils consider that such an assumption is unwarranted and not supportable. On the West Coast there are large areas of existing conservation land which the Department does not have the resources to effectively manage for animal pests and weeds.

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<sup>1</sup> The Councils have received advice that this is a valid interpretation of the Supreme Court's decision in the Ruataniwha case, and is referred to in the March 2018 report to the Minister from the NZ Conservation Authority.

<sup>2</sup> See for example, 'Moving from biodiversity offsets to a target-based approach for ecological compensation' Simmonds et al. *Conservation Letters* 2020;13:e12695.

The Council's consider the review fails to give effect to Section 4 of the Conservation Act. The effect of reclassification on Mana whenua cultural, economic and social values should be considered. The alternative is that the land is held until a review of the Conservation Act and Conservation General Policy occurs in a manner which gives effect to Section 4 of the Conservation Act.

On the West Coast, there are significant areas of stewardship land where the relevant conservation values would likely be better protected overall if they were in private ownership. Protection of land through private ownership can be achieved through a combination of the RMA and its replacement legislation, the recently operative Regional Policy Statement, the proposed National Policy Statement of Indigenous Biodiversity, and the willingness and ability of private landowners to manage their land in this way. Private land, where the conservation values are managed and enhanced by landowners, will also have the social and economic advantages which accrue to the community through the ability of the Councils to add to their rating base.

There are also intraregional differences in types and uses of stewardship land. Some existing economic land uses can occur alongside conservation values and can have a net effect of improving land with high conservation value. Uses like extensive grazing serve to control weeds and prevent invasive species spreading to conservation areas.

Some areas such as South Westland would benefit from a process similar to the Crown's tenure review process. Whereby, a voluntary process is adopted that gives pastoral lessees an opportunity to buy land capable of economic use, while land with high conservation values is protected and restored to full Crown ownership as conservation land.

For example, grazing leases, as it is not clear how these some parcels came to be stewardship land. Some grazing runs are held by original settler families, and have been taken over in succession, e.g., in South Westland the Sullivan family has held a grazing lease successively for 125yrs, Haast families for 130 years. Grazing lease terms have been reduced since DOC was formed, in 1987 term was 5+5+5; the renewed for only 5+5; etc. This gives no certainty for the run holders as farming is multi-generational.

The Councils consider that, in the context of the forthcoming general review, changes should be made to the Conservation General Policy (and the Conservation Act if necessary) which would require the Panels to have regard to:

- (a) the social, economic benefits of stewardship land with more than low conservation values becoming private land by way of disposal or exchange;
- (b) The means by which conservation values can be protected and enhanced if the land is exchanged or disposed of; and
- (c) the value of any Crown owned minerals in the stewardship land as part of the reclassification process (in a similar manner to s61(6) of the Crown Minerals Act).
- (d) The cultural, economic and social values of mana whenua.

The review of the Conservation General Policy must also give effect to Section 17B (2) of the Conservation Act:

*Nothing in any such general policy shall derogate from any provision in this Act or any other Act.*

If the reclassification of stewardship land proceeds under the existing Conservation General Policy, it is likely to derogate from Section 10 of the Local Government Act which sets out the purpose of local government which is:

- a) enabling democratic local decision-making and action by, and on behalf of, West Coast communities; and
- b) promoting the social, economic, environmental, and cultural well-being of West Coast communities on the West Coast in the present and for the future.

### **Failure to provide for exchanges of stewardship land**

The Discussion Paper also fails to discuss exchanges of private land for stewardship land, as distinct to disposals. The Conservation General Policy (and the Conservation Act if necessary) should be amended to reverse the unanticipated result of the Supreme Court's decision in the Ruataniwha case that an exchange is deemed to be a disposal and therefore can only occur where there is not the potential for greater than very low conservation values.

### **Need for independent advice on wider values to be provided to the Panels**

Given the importance of stewardship land to the economic, social, and cultural wellbeing of the West Coast, the Councils consider that there should be a process by which independent advice (that is, not from the Department) on these values are provided to the Panels.

### **Section 4 Conservation Act obligations**

The Councils are concerned that the review fails to consider Mana Whenua values as required to give effect to the Treaty of Waitangi under section 4 of the Conservation Act<sup>3</sup>. The Councils are aware of discussions between Te Runanga o Ngai Tahu and the Minister of Conservation, including halting the land reclassification process until the Conservation Act can be fully reviewed. The land classification review fails to recognise the role of customary practices on conservation land, and the Councils support the position of Poutini Ngai Tahu in their discussion through Te Runanga o Ngai Tahu with the Minister of Conservation. The effect of reclassification on Mana Whenua cultural, economic and social values should be considered. The alternative is that the land is held until a review of the Conservation Act and Conservation General Policy occurs in a manner which gives effect to Section 4 of the Conservation Act.

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<sup>3</sup> *Ngāi Tai Ki Tāmaki Tribal Trust v Minister of Conservation* [2018] NZSC 122

In summary, the Councils submit that unless the concerns set out in this submission can be addressed, until these wider issues and concerns are considered as part of a more general review of conservation legislation as signalled by the Government, there is no pressing reason at this stage to progress major reclassifications on the basis of the policy set out in the Conservation General Policy 2005.

Rather, in the interim, the non-legislative changes proposed in the Discussion Paper should be made and the Panels should be directed to focus on:

1. Progressing the priorities identified in 2018 by the West Coast Conservation Board (unless a proposal relates to an addition to a national park which should be progressed by the NZCA); and
2. Progressing the exchange or disposal of stewardship land which clearly has no or very low conservation values (subject to that term being clearly defined in advance after input from stakeholders); and
3. Undertaking a review of the cultural, social and economic value of stewardship land not falling under 1 and 2 above, with the purpose of being able to make recommendations on such land once the Conservation General Policy has been amended as described above; and
4. Ensuring Section 4 of the Conservation Act is given effect.

## Discussion document proposals

### *A. Introduction and objectives*

#### **1. Do you agree with the objectives listed in the discussion document? Do you think there are any other objectives that should be included in this review?**

The Councils agree with the objectives listed on page 6, except for bullet point 2 (“delivering clarity for everyone on the status of land, the appropriate level of protection/use and the reclassification process”). While that is an appropriate objective in itself, the proposed changes set out in the Discussion document are inadequate to properly achieve that objective. Moreover, the Councils consider that it is inappropriate and unrealistic to try to achieve this objective through this limited review which is focussed on efficiency of the reclassification process. An objective of delivering clarity for everyone on the status of land and the appropriate level of protection/use requires considerably greater strategic analysis and should be a fundamental part of the overall review of conservation legislation proposed by the Government.

Bullet point 2 should be deleted and replaced with an overall objective of this review which is to enable a more efficient process for reclassification, exchange and disposal of stewardship land in a manner which meets bullet points 3, 4 and 5 in the interim, pending a review of conservation legislation and the Conservation General Policy, but in a manner which also does not run the risk of undermining or being inconsistent with the results of the forthcoming conservation review.

#### **2. Do you agree with the description of the problem in the discussion document? If no, please provide reasons to support your answer?**

The Councils accept that the reclassification process to date has been time consuming and unwieldy. However, the Councils do not agree that the description of the problem of time delays is necessarily because of the existing legislation. The minutes of the NZ Conservation Authority throughout 2018 when this topic was considered at each of the Authority’s meetings do not support an argument that the delays and inefficiencies in the reclassification processes were caused by the legislation or the Conservation General Policy provisions.

The discussion paper implies that the second and third bullet point issues set out on page 10 of the document are ‘problems’ which cause “time, cost and complexity”. If the discussion paper is proposing that changes are made to the process which are intended to lessen or avoid these considerations, then the Councils do not agree with that fundamental proposition. Rather, the Councils consider that these issues are appropriate ones that need to be fully assessed in a strategic manner within the context of legislation and regulatory policy which is fit for purpose in the 2020s. As the Government has acknowledged, existing conservation legislation and policy are not

currently fit for purpose. This review, which is said to be for the purpose of streamlining the stewardship land reclassification process, is not the appropriate place to be enabling significant reclassifications based on criteria which are acknowledged by the government to no longer be fit for purpose.

The Councils do not accept that “failure to provide the level of protection appropriate to the area risks the loss of biodiversity, cultural and other values that DOC is charged with protecting”. (p 9). The unstated presumption that a reclassification to a specially protected area itself provides greater protection, or indeed that conservation land in itself ‘protects’ conservation values is incorrect.<sup>4</sup> Consideration should be given to the possibility that, in some situations, conservation values which are presently on stewardship land may be better protected if that land is exchanged or disposed of to become private land.

The discussion paper has conflated issues of process efficiency with strategic policy issues. The August 2021 Cabinet Paper was focussed on improving the efficiency of the reclassification process. However, the suggested legislative changes in the discussion paper would result in increasing actions which are based on legislation and policy which the Government has described as not fit for purpose.

The Councils are also concerned about the lack of comment about the Government’s obligations to iwi Maori under section 4 of the Conservation Act. Other than appearing to treat areas which are of great significance to tangata whenua as part of the problem (p 10), there is no indication of how ‘the complex partnership arrangements’ will be developed and what they may look like. These are indeed complex issues but need to be worked through as part of the overall strategic review of conservation legislation and policy in accordance with the principles of the Treaty, and not in an ad-hoc and non-transparent manner.

This review has stated that some stewardship land is subject to competing interests. However, the terms of reference limit the Panels’ consideration to conservation and cultural values. This creates a prioritisation of conservation values, over other values and is potentially a derogation from the purpose of local government in the Local Government Act which is:

- a) enabling democratic local decision-making and action by, and on behalf of West Coast communities; and
- b) promoting the social, economic, environmental, and cultural well-being of West Coast communities on the West Coast in the present and for the future.

For this reclassification process to be accepted by the local West Coast communities, these wider values should be considered alongside conservation values.

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<sup>4</sup> See for example ‘What does ‘protection’ of biodiversity mean?’ J Craig and S Christensen, November 2021 RMJ (Resource Management Journal).

**3. Do you think there are any additional factors that have contributed to stewardship land reclassification not being progressed on a large scale? If so, please describe them.**

The Councils are not able to speculate on additional reasons. The NZCA minutes do not disclose any real reasons for the inefficiencies and lack of progress to date.

**4. Do you think there any other issues or impacts caused by the failure to reclassify stewardship land on a large scale that have not been described here? If so, what are they and who/what do they affect?**

While it may be Government policy to proceed quickly with reclassifications, the discussion paper does not disclose any pressing conservation reasons why that needs to be done with haste, or in advance of a full review of conservation legislation and policy.

The status quo in terms of not being able to exchange or dispose of any stewardship land which has the potential to have more than very low conservation value has impacted negatively on opportunities for the West Coast ratepayers to own and make use of land in a manner which nonetheless protects those conservation values.

This has in turn created uncertainty for many users of stewardship land on the West Coast. The review affects helicopter operators, moss pickers, miners as well as concessioners and grazing run holders. Adding to a failure to consult with users prior to undertaking the review, there have been impacts on economic and social wellbeing in terms of financial uncertainty affecting health and the inability to plan for future generations. This is contrary to the fundamental rights of the West Coast community to provide for their economic, cultural, social and environmental wellbeing.

There is an assumption that all the former Timberlands land which was classified as conservation land following the West Coast Accord has conservation values



such as to warrant conservation land status. Many grazing concessions and leases are historic, and it is not clear how the land came to be stewardship land. The Councils do not accept that assumption in all instances.

Having said that, there are many examples of stewardship land on the West Coast which clearly have no or very low conservation values (such as land used for buildings, or land which has been grazed for many years). The Panels should, and can, proceed directly with proposal to dispose of such land.

## *B. Improving consistency of public notification and submission processes*

### **5. The discussion document sets out three possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.**

The Councils support Option 1.1 – shortening the submission period to 20 working days. That is consistent with public processes under both the RMA and the Reserves Act.

However, if the submission process is shortened current users of land should be consulted with prior to the notification process, i.e., lease or concession holders. These are the people whose economic or social wellbeing will be most affected by the process.

### **6. Do you think 20 working days (one month) is adequate to prepare a written submission? If not, what time period would be adequate?**

Yes.

### **7. What role or function do you consider hearings play?**

Pending the outcome of the review of conservation legislation, public hearings are important to ensure transparency and accountability. That is particularly so when the ‘tests’ around reclassification remain unclear and are unrelated to any strategic objectives.

Hearings should be held without formality and current users should be provided resourcing to participate in the process. The process should take into account that

some land users live in remote locations without adequate internet access to participate via video link.

**8. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?**

To ensure the Department meets its obligations under the Conservation Act, the Conservation General Policy should be reviewed, and that review must give effect to Section 17B (2) of the Conservation Act, and thereby not derogate from the purposes of local government.

*C. Enabling the national panels to carry out the public notification and submission process*

**9. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.**

The Councils support option 2.2. The justification in the discussion document for a change to the status quo is weak. If DoC does not provide a secretariat and administrative role, then that will have to be created for the Panels, so the Councils see no administrative efficiency in a change. Issues of the independence of Panels can be managed in the same way that independent hearing commissioners undertake work for councils under the RMA.

The discussion paper makes it clear that the Panels are not given powers to make decisions on matters that relate to non-conservation values. The terms of reference state that the panel has been appointed to make recommendations on conservation and cultural values<sup>5</sup> and do not have expertise to be considering other wider values. The composition of the Panels is fundamentally flawed by not providing for members with expertise or experience to enable the proper assessment of the social or economic value of stewardship land to users and the wider community. This should

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<sup>5</sup> Section 13 Terms of Reference

include the assessment of such matters as biosecurity from managed grazing areas, appropriate net conservation or biodiversity gain from alternative uses of parcels of land, community sustainability and resilience, and wider cultural and social values.

**10. If the national panels carried out the public notification and submissions process, what impact do you think this would have on the reclassification or disposal process?**

The Councils anticipate that this will duplicate resources, and result in less efficiencies.

If the Panel carries out the process under the existing terms of reference, there will be an inappropriate bias toward conservation values. The Panels have no ability to consider social or economic, or other cultural values when hearing submissions and making recommendations.

This will result in a process and outcomes which are unlikely to be accepted by West Coast communities.

**11. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?**

Yes.

The Panels' recommendations on any stewardship land should be further considered by local conservation boards and the NZCA against alternative land uses under a revised Conservation General Policy which allows consideration of wider values.

The Councils are concerned that the only information available to the Panels is provided by Department officials. Given the importance of stewardship land to the economic, social, and cultural wellbeing of the West Coast, the Councils consider that there should be a process by which independent advice (that is, not from the Department) on these values are provided to the Panels.

*D. Clarifying responsibilities for making recommendations to reclassify stewardship land to national park*

**12. What particular expertise/experience do you consider the national panels could bring to the process?**

The Councils consider that the Panels should not have a role in making recommendations to reclassify stewardship land to national park. Decisions about adding land to national parks should continue to be made by the NZCA and not by the Panels. There is no evidence that the NZCA has not undertaken that role efficiently and effectively to date. The NZCA is experienced in that process, and the Councils consider it is important that the requirements in the National Parks Act be properly adhered to, unless and until they are changed as part of the overall review of conservation legislation.

The broad experience and expertise of NZCA members as mentioned on p 25 is a reason for the NZCA to retain that role. The membership of the Panels is not an improvement on the membership of the NZCA.

**13.If the national panels were responsible for making recommendations to reclassify land to national parks, do you consider this would create any risks?**

The Councils consider that this is a strategic policy issue which should only be made as part of the strategic review of conservation legislation and policy. It raises the issue of the role (if any) of both local conservation boards and the NZCA. These bodies were created by legislation to provide strategic local level input into conservation decision making by the Department and the Minister (who are making decisions on behalf of all New Zealanders). There is no pressing need to change the status quo in advance of a full review of the role of conservation boards and the NZCA.

The Councils do not accept that the Panels replacing the role of the NZCA would in itself result in efficiencies.

For the West Coast, the reclassification of some stewardship land to national parks may have perverse outcomes. For example, grazing runs, and national parks do not go together, it is a review risk for lease holders if the grazing runs are to be put into National Parks, as they can no longer graze them. Broader consideration of potential stewardship land to national parks needs to be allowed. The Councils consider the terms of reference of the Panel is too narrow to allow them to fully consider the implications of such a reclassification.

**14.Are there any further options you think DOC should consider that would meet the objectives set out above?**

Unlike reclassifications and disposals of stewardship land for other purposes, the criteria for adding land to a national park is clear in the National Parks Act. No changes are required to the process or the criteria.

The Councils are concerned that the only information available to the Panels is provided by Department officials. Given the importance of stewardship land to the economic, social, and cultural wellbeing of the West Coast, the Councils consider that there should be a process by which independent advice (that is, not from the Department) on these values are provided to the Panels. There should be a mechanism for this to be done alongside Departmental advice and before a proposal is notified, and not solely left to submitters once a proposal has been notified.

*E. Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of*

**15. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.**

The Councils support option 4.1, however there is a concern in the Community that the assessment process will not be undertaken fairly or equitably.

**16. Are there any alternative options that have not been discussed here? Please provide analysis or comments to explain your answer.**

The West Coast community remains sceptical about whether much of the stewardship land should have been allocated as conservation land when the Department was formed in 1987. That relates to what is perceived to be a failure at that stage to considered historical use of the land, including present and future economic value. River run grazing farms in South Westland, for example, have been used for generations, and the community feels are part of “their culture”. Some are still held by original settler families, and have been taken over in succession, e.g., the Sullivan family 125yrs, Haast families for 130 years. There are also areas of stewardship land the community would like to use for micro hydro electricity generation, to improve their energy and climate change resilience, and to transition to a low carbon future. A low carbon future is a government priority. These are all examples of the wider values and considerations that need to be part of the reclassification process. Simply restricting the Panels to considering conservation values will result in outcomes

which may be contrary to the wider social, economic and cultural, as well as environmental, wellbeing of existing and future West Coast and wider New Zealand generations.

**17. Do you think that there are any other risks or impacts associated with declaring all section 62 stewardship land to be held for a conservation purpose via a legislative change that have not been identified here?**

The risk is not providing for the community's wellbeing and not allowing local decision-making processes to occur.

The consideration of kaitiaki also needs to be considered. The risk is that Department sufficiently resources to have more land come into strict conservation classification that may restrict other economic uses. This may mean there is less option for economic gain to the Department from leases and concessions, and unforeseen risks from poorly managed land. For example, biosecurity and weed control in river run blocks that are currently grazed.

*F. Enabling the Minister of Conservation to direct the proceeds of sale from stewardship land to DOC*

**18. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.**

The Councils support Option 5.1.

**19. What are the risks or impacts associated with allowing the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC that have not been identified here?**

None that the Councils are aware of.

**20. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?**

Not that the Councils are aware of.

*G. Clarifying the status of concessions on reclassified stewardship land*

**21. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.**

The Councils support option 6.2. This is consistent with Section 64 of the Conservation Act which provides for existing licences and leases etc.

**22. If a concession is inconsistent with a new land classification or on land that has been recommended for disposal, should it be allowed to continue? Please explain your answer.**

Yes. This would be similar to existing use rights under the RMA but will only operate for a defined period (even if there are renewal rights). The Councils do not accept the statement in the discussion document that this option ‘may not ensure conservation values are adequately protected in every case’ (p 33). In granting the concession, the Department should have had regard to the conservation values as they exist, and not just to the classification of the conservation land. Those values will be the same irrespective of a change in the classification of the land.

This option is essential to create certainty for existing occupiers and users of this land. Tenure is an important consideration in business planning, the Department

cannot expect economic gain from leases and concession holders if no security of investment is offered in return.

**23. Are there any other risks or impacts associated with allowing inconsistent concessions to continue?**

The concessions should not be inconsistent because they were granted having regard to the actual conservation values of the land and they will not have changed with a reclassification.

**24. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?**

Not that the Councils are aware of.

*H. Non-regulatory options to improve stewardship land reclassification*

**25. Are there any other non-regulatory options to help streamline the process for reclassifying stewardship land that we should consider? Please explain your answer.**

The Councils support the three non-regulatory changes proposed.

If the Panels are to be holding public hearings, they should receive training and be qualified in the same way as hearing commissioners under the RMA. This is important for consistency of decision making, transparency, accountability, and to ensure natural justice, as well as competence in weighing and assessing technical evidence in order to make competent recommendations.



## *1. Implementing changes*

### **26. Are there any additional evaluation or monitoring measures that you think should be implemented? Please explain your answer.**

Unless the concerns set out in this submission can be addressed, then until the review of conservation legislation and policy is completed, the scope of the Panels' work should be restricted to:

1. Progressing the priorities identified in 2018 by the West Coast Conservation Board (unless a proposal relates to an addition to the national park which should be progressed by the NZCA); and
2. Progressing proposals (on a non-notified basis) for the exchange or disposal of stewardship land which clearly has no or very low conservation values (subject to that term being clearly defined in advance after input from stakeholders); and
3. Undertaking a review of the social and economic value of stewardship land not falling under 1 and 2 above, with the purpose of being able to make recommendations on such land once the Conservation General Policy has been amended as described above; and
4. Ensuring Section 4 of the Conservation Act is given effect.

The judicial review process is the only option for contesting any decision made on the reclassification of Stewardship land. This option is mostly unaffordable to some current occupiers of Stewardship Land who may be affected by the Panels' decision making. A formal objection and reconsideration process should be provided to those persons who are directly affected by a reclassification decision (similar to the objection process in section 357 of the Resource Management Act).

Mayor Bruce Smith Westland District Council	Mayor Tania Gibson Grey District Council
Chair Allan Birchfield West Coast Regional Council	Mayor Jamie Cleine Buller District Council



# Stewardship land in Aotearoa New Zealand

Options to streamline processes  
for reclassification and disposal

Discussion document  
November 2021



Department of  
Conservation  
*Te Papa Atawhai*

24.03.22 - Council Agenda

New Zealand Government

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### **Privacy statement**

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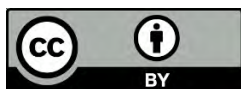
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<sup>1</sup> You can find out more about DOC's privacy statement from the Privacy webpage on DOC's website at: [www.doc.govt.nz/footer-links/privacy-and-security](http://www.doc.govt.nz/footer-links/privacy-and-security)

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# Foreword by the Minister of Conservation

Ensuring that public conservation land is appropriately managed, protected and preserved is one of the key functions of the Department of Conservation (DOC). Public conservation land allows New Zealanders to connect with nature, provides important habitats for native species, and gives protection to key historical and cultural places.

Stewardship land is one of the categories of public conservation land. It includes land that was given to DOC to manage when the department was formed in 1987 and makes up 2.5 million hectares across Aotearoa, about one-third of the land DOC manages.

Most stewardship land is held by DOC because of its conservation value; however, 'stewardship' areas have the lowest level of protection. Stewardship land was intended to be a temporary category until the land could be assessed and the right classification awarded. This work is complex and time consuming because of the sheer amount of land needing to be reclassified, so in 2021, very few parcels of stewardship land have been assessed and reclassified.

I want to simplify the reclassification process so that land with conservation value is identified and managed appropriately, to ensure it is protected for its natural and cultural heritage and safeguarded for future generations to enjoy. Land with very low or no conservation value can then be made available for other uses where appropriate.

With this in mind, I have commissioned the stewardship land reclassification project, which aims to speed up the reclassification of stewardship land in two ways.

- Convening two national panels of experts to assess the values of the land and provide me with technical assessments and recommendations for the future land classifications of stewardship land.
- Legislative amendments to ensure that the process for reclassifying stewardship land is efficient and fit-for-purpose.

This document looks solely at the proposed legislative amendments and sets out the options for addressing areas in the current process where efficiencies can be achieved or where changes are needed to ensure the national panels can carry out their work effectively.

I would encourage any New Zealander with views on the process for assessing and reclassifying stewardship land to contribute to this process and provide your views.



Hon Kiritapu Allan  
Minister of Conservation

# Executive summary

Stewardship land is a category of public conservation land that includes land that was allocated to Te Papa Atawhai Department of Conservation (DOC) when DOC was first formed. It was intended that the conservation values of this land would be assessed and the correct classification would then be assigned. However, due to a number of factors, including the time and resources needed to reclassify this land, the majority of stewardship land has not been reclassified.

Stewardship land amounts to 2.5 million hectares or 30% of public conservation land. To ensure that this land is reclassified promptly and effectively, the government has announced a stewardship land reclassification project comprising:

- national panels that will assess the conservation values of parcels of stewardship land and provide a recommendation as to their new classification to the Minister of Conservation
- legislative amendments to ensure that the process for reclassifying stewardship land is fit-for-purpose.

This discussion document sets out the following six areas in the current process where efficiencies could be achieved or where changes could be made to ensure a better process.

1. Improving consistency of public notification and submission processes
2. Enabling the national panels to carry out the public notification and submission process
3. Clarifying responsibilities for making recommendations to reclassify stewardship land as national park
4. Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of
5. Enabling the Minister of Conservation to direct proceeds from the sale of stewardship land to DOC
6. Clarifying the status of concessions on reclassified stewardship land.

DOC is seeking feedback on the options for legislative change to help inform decisions on what the process for reclassifying stewardship land should be.

# Introduction

## Purpose

DOC is undertaking a review of the legislation relating to stewardship areas (referred to as 'stewardship land' in this document) as part of the broader stewardship land reclassification project. The review seeks to streamline the processes for reclassifying and disposing of stewardship land to resolve issues that have led to delays in the past. The Government wants stewardship land with a high conservation value to be reclassified appropriately (to improve its legal protection). There may also be some areas that have little or no conservation value and could potentially be disposed of.

## Objectives

Through this review we are seeking to meet the following objectives.

- enabling a more efficient process for reclassifying stewardship land
- delivering clarity for everyone on the status of the land, the appropriate level of protection/use and the reclassification process
- ensuring DOC meets its wider obligations under conservation legislation and the Conservation General Policy (such as section 4 of the Conservation Act 1987)
- ensuring conservation values are adequately protected
- enabling the national panels to carry out their work efficiently and effectively, to make recommendations to the Minister of Conservation (for more information about the national panels please refer to page 13).

The options for changes to legislation that are described in this paper have been assessed against these objectives to determine how well they achieve the purpose of the review. DOC considers each objective to be equally important, and no objective has been given more weight over the other objectives. However, some objectives may not be relevant to every option.

## Questions

1. Do you agree with the objectives listed above?
2. Should any other objectives be included in this review?



## What is 'stewardship land'?

Conservation land is categorised into different land status/classifications to protect the natural and historic resources of that land. The land status/classification is determined by the conservation values of that parcel of land and provides the settings for how the land should be managed to best protect and preserve those values. It also is used to identify areas where additional or higher protections are needed.

'Stewardship land' is a category of public land created under the Conservation Act 1987. At that time, the Government transferred responsibility for large areas of land to the Department of Conservation (DOC) to act as a steward of the land until its conservation value had been assessed. About 30% of public conservation land is categorised as stewardship land. This equates to over 2.5 million hectares. Most stewardship land is in the South Island, with approximately 1 million hectares on the West Coast (see the maps on page 15 and 16). There are smaller parcels of stewardship land across the North Island, primarily in Waikato, Taranaki and across the Central North Island.

DOC is legally required to manage this land so that its natural and historic resources are protected. This is considered a weak legal protection when compared with other categories of conservation land which have stronger management requirements, meaning that some stewardship land with high conservation value may not be adequately protected.

# Current legislative framework

DOC's roles and responsibilities in relation to public conservation land, including stewardship land, are covered in several pieces of legislation including: the Conservation Act 1987 (the Conservation Act), the Reserves Act 1977 (the Reserves Act), and the National Parks Act 1980 (the National Parks Act).

This legislative framework sets out the processes for establishing, reclassifying and disposing of stewardship land. In particular:

- the public notification, submission and hearing requirements (including responsibilities) for reclassification of stewardship land (section 49 of the Conservation Act and section 119 and 120 of the Reserves Act)
- the process and responsibilities for classifying stewardship land as a national park (section 7 of the National Parks Act)
- land allocated to DOC when the department was first formed is managed as stewardship land (section 62 of the Conservation Act)
- how other land is acquired and declared to be held for conservation purposes (section 7 of the Conservation Act)
- the disposal of stewardship land with very low or no conservation value (section 26 of the Conservation Act as well as the Conservation General Policy) and how the proceeds of sale of this land are dealt with (section 33 of the Conservation Act)
- the system for concessions on public conservation land, including stewardship land (part 3B Conservation Act).

DOC also has a particular responsibility under section 4 of the Conservation Act to interpret and administer the Conservation Act (and any statutes included in Schedule 1 of the Conservation Act) to give effect to the principles of the Treaty of Waitangi.

# Why are we reviewing the legislation for reclassifying stewardship land?

Around 30% of public conservation land is held as stewardship land – over 2.5 million hectares or 9% of Aotearoa New Zealand’s total land area. There are over 3,000 parcels of stewardship land of varying sizes across the country. Many of these areas are home to threatened species and high-priority ecosystems and hold significant cultural, historical and recreation value.

‘Stewardship land’ is a category of public conservation land that was established by the introduction of the Conservation Act in 1987 (see Appendix 1 for a glossary of key terms used in this document). At that time, the Government transferred responsibility for large areas of land to DOC, with the provision that DOC was to act as a steward of the land until its conservation value had been assessed and the land was reclassified or disposed of accordingly.

However, in the 30 years since the category of stewardship land was created, most areas have not been classified. Since DOC was established, only 100,000 hectares of stewardship land have been assessed and reclassified. This has occurred through processes such as:

- transfers through Treaty settlements
- additions to existing national parks or conservation parks
- the creation of new national parks (eg, Kahurangi National Park and Rakiura National Park both included stewardship land)
- new conservation parks.

During the same period, over 40,000 hectares of stewardship land has also come under DOC management through processes such as tenure review and Nature Heritage Fund purchases.

The fact so much stewardship land remains unassessed is an issue because it means that these parcels of land may not have the appropriate level of protection and management as their conservation values have never been fully assessed. This means the following.

- While stewardship land is managed by DOC for conservation purposes, some areas of stewardship land have significant values, requiring the greater level of management and protection afforded by other categories of land classifications. Failure to provide the level of protection appropriate to the area risks the loss of biodiversity, cultural and other values that DOC is charged with protecting. We are in the midst of a biodiversity crisis and cannot afford further degradation of ecosystems or species.
- It is likely that there will be some stewardship areas that are currently managed for conservation purposes but would be assessed as having very low or no conservation value. Continuing to manage these areas as public conservation land means that alternative uses for the land cannot be pursued, and public resources are not being used efficiently.
- The uncertainty around which areas of stewardship land deserve greater levels of protection or could be better used for other purposes has created tension for and

between people who have rights or interests in the land and want it to be used appropriately.

There are multiple barriers that have prevented large-scale reclassification of stewardship land, and they largely stem from the sheer amount of land that needs to be reclassified through a process that is complex, time consuming and expensive. The process for reclassifying stewardship land is set out in conservation legislation and spans multiple statutes.<sup>2</sup> A diagram of this process is on page 21. The process usually involves:

- surveying the land
- analysis of the conservation values of the land including the species and ecosystems present
- working in partnership with tangata whenua; iwi, hapū, and whānau
- consulting the public (which may include submissions and public hearings).

All the conservation values of the land (including natural, cultural, historic, landscape and recreational values) must be considered before a decision can be reached. Most decisions are made by the Minister of Conservation, but some (eg, for reclassifying land to national parks) require wider government consultation and approval, adding to the complexity and timeframes. Where land is identified as suitable for disposal, further processes add additional complexity, expense, and time.

Reclassifying all stewardship land will require every one of the more than 3,000 parcels of stewardship land (9% of Aotearoa New Zealand's land area) to go through this process. The specific time, costs and complexity associated with reclassifying a parcel of land are highly variable and can be impacted by many factors.

- Many areas of stewardship land are large and very remote. These areas tend to be difficult and expensive to accurately survey and assess.
- There are areas that are of great significance to tangata whenua; iwi, hapū, and whānau where extensive engagement is appropriate and complex partnership arrangements need to be developed.
- Some places are subject to competing interests, where tangata whenua, private individuals, commercial operators and businesses, and environmental and recreational advocacy groups may disagree on a proposed reclassification. This can lead to lengthy and complex consultation and even litigation.

The Minister of Conservation and DOC have responsibilities for reclassifying stewardship land, which DOC resources through its baseline funding. The resources required to manage the complexity, expense and time of stewardship land reclassification has made it difficult to prioritise large-scale reclassification above DOC's other urgent statutory responsibilities.

The legislative process for assessing and reclassifying stewardship land ensures an evidence-based approach to reclassifying stewardship land that is rooted in DOC's wider responsibilities for protecting and restoring public conservation land. Due to the complexity and age of much of the legislation related to reclassifying stewardship land, some of the requirements within the

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<sup>2</sup> This includes the Conservation Act 1987, the Reserves Act 1977 and the National Parks Act 1980.

legislation could be simplified and modernised to create a streamlined approach, while still maintaining the stringent oversight required to give confidence that stewardship land is being assessed and reclassified appropriately. This would reduce the cost and time associated with assessing and reclassifying stewardship land areas and disposing of them where appropriate.

While the current legislative provisions do not prevent stewardship land from being reclassified, streamlining the legislative process would achieve considerable economies of scale in reclassifying all 2.5 million hectares of remaining stewardship land. This would significantly reduce the time, cost and complexity of progressing large scale stewardship land reclassification. Without the cumulative savings afforded by a streamlined process, it will be challenging to achieve large-scale reclassification of stewardship land in the near future.

Even without legislative changes to streamline stewardship land reclassification, more stewardship land reclassifications than have occurred historically would likely progress. This is due to dedicated resource and focus that will be afforded by the Government's other measures for improving stewardship land reclassification that are outlined in the next section. However, without the proposed streamlining of relevant legislation, it is likely that the recommendations, final decisions and actual reclassifications and disposals regarding stewardship land will be subject to unwarranted complexity, lengthier time frames and greater expense than could otherwise be achieved. This is at odds with the Government's intent that stewardship land reclassification be progressed quickly and at scale. It also means that negative impacts associated with current arrangements will continue for longer.

## Questions

3. Do you agree with the description of the problem? If not, please provide reasons to support your answer.
4. Do you think there are any additional factors that have contributed to stewardship land reclassification not being progressed on a large scale? If so, please describe them.
5. Do you think there any other issues or impacts caused by the delay in reclassifying stewardship land on a large scale that have not been described here? If so, what are they and who/ what do they affect?

# Measures to improve how stewardship land is reclassified

This legislative review is just one part of a larger package of measures to improve how stewardship land is reclassified.

In May 2021, the Government announced a package of measures to remove barriers to reclassifying stewardship land on a large scale. This package includes:

- establishing two national expert panels (the national panels) to make recommendations to the Minister of Conservation on revised classifications for stewardship land
- undertaking a review of the legislation relating to reclassifying stewardship land.

The first of these measures (establishing national panels) is already underway. The national panels have been established under section 56(1) of the Conservation Act. They are appointed by the Minister of Conservation and have an advisory role to the Minister, the Director-General of DOC, and officers of DOC. They hold no statutory decision-making powers.

The Government have approved the Terms of Reference for the national panels.<sup>3</sup> The national panels have been tasked with undertaking technical assessments of stewardship land and making recommendations to the Minister of Conservation about the land's revised status. Final decisions on reclassification of individual **areas** of stewardship land sit with the Minister of Conservation.

The national panels are non-partisan and members were chosen based on their expertise in:

- a) Ecology
- b) Landscape
- c) Earth sciences
- d) Recreation
- e) Heritage
- f) Mātauranga Māori.

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<sup>3</sup> See the Terms of Reference and Procedures for the national panels to provide recommendations on the reclassification of stewardship land at: <https://www.doc.govt.nz/globalassets/documents/about-doc/role/managing-conservation/stewardship-land-tor.pdf>

DOC is funding the national panels' work and will support that work by providing:

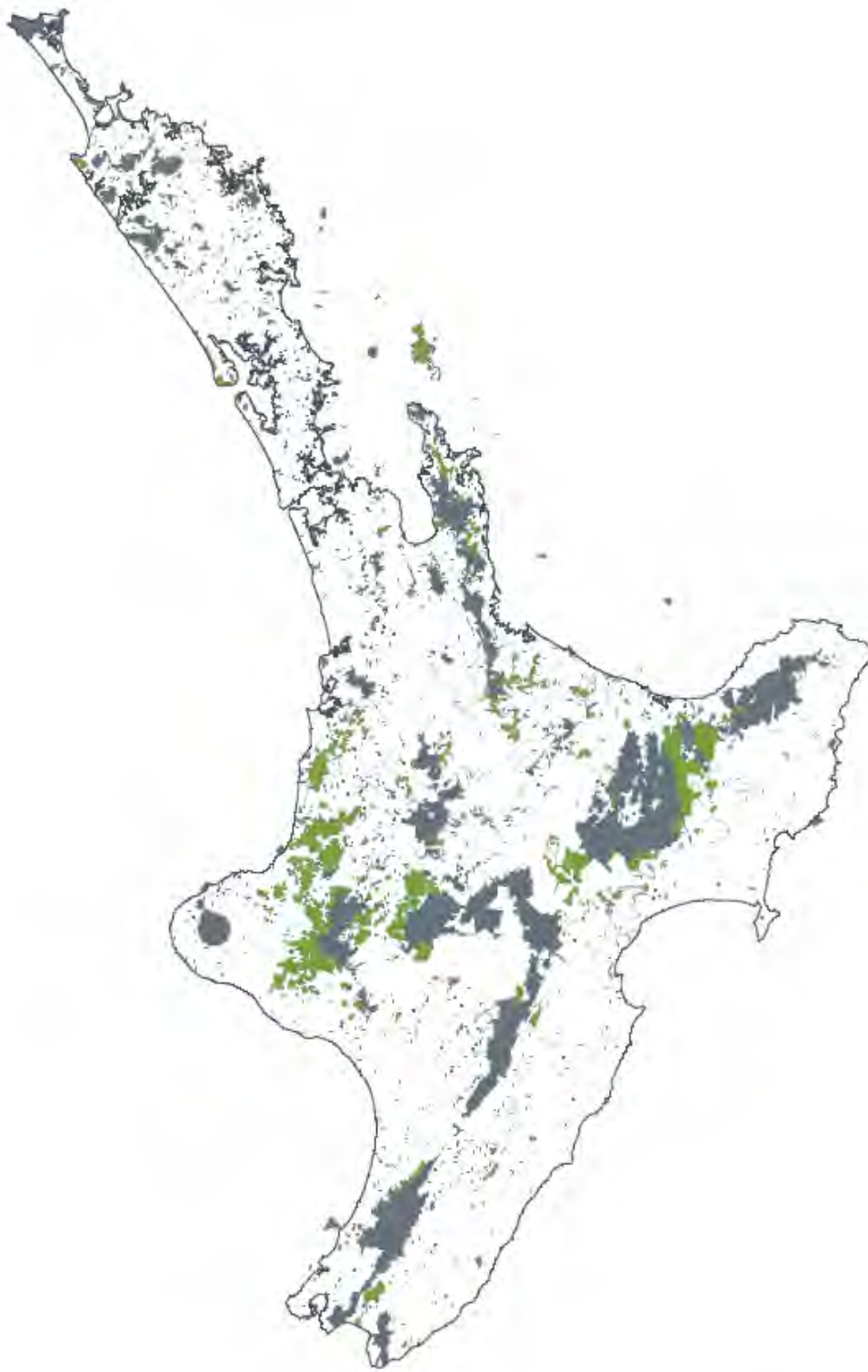
- project management support
- logistical support for meetings
- technical information relevant for assessing the ecology, landscape, earth science, recreation, cultural mātauranga Māori values
- detailed mapping of land areas.

The national panels will sequentially consider each DOC operational region, at the discretion of the Minister of Conservation. The Minister of Conservation has confirmed that the national panels will initially focus on developing recommendations for the Northern South Island and Western South Island before moving onto the rest of the country.

You can read more about the establishment of the national panels here on the Stewardship land reclassification – national panels webpage on DOC's website at: [www.doc.govt.nz/about-us/our-role/managing-conservation/stewardship-land/reclassification-national-panels/](http://www.doc.govt.nz/about-us/our-role/managing-conservation/stewardship-land/reclassification-national-panels/)

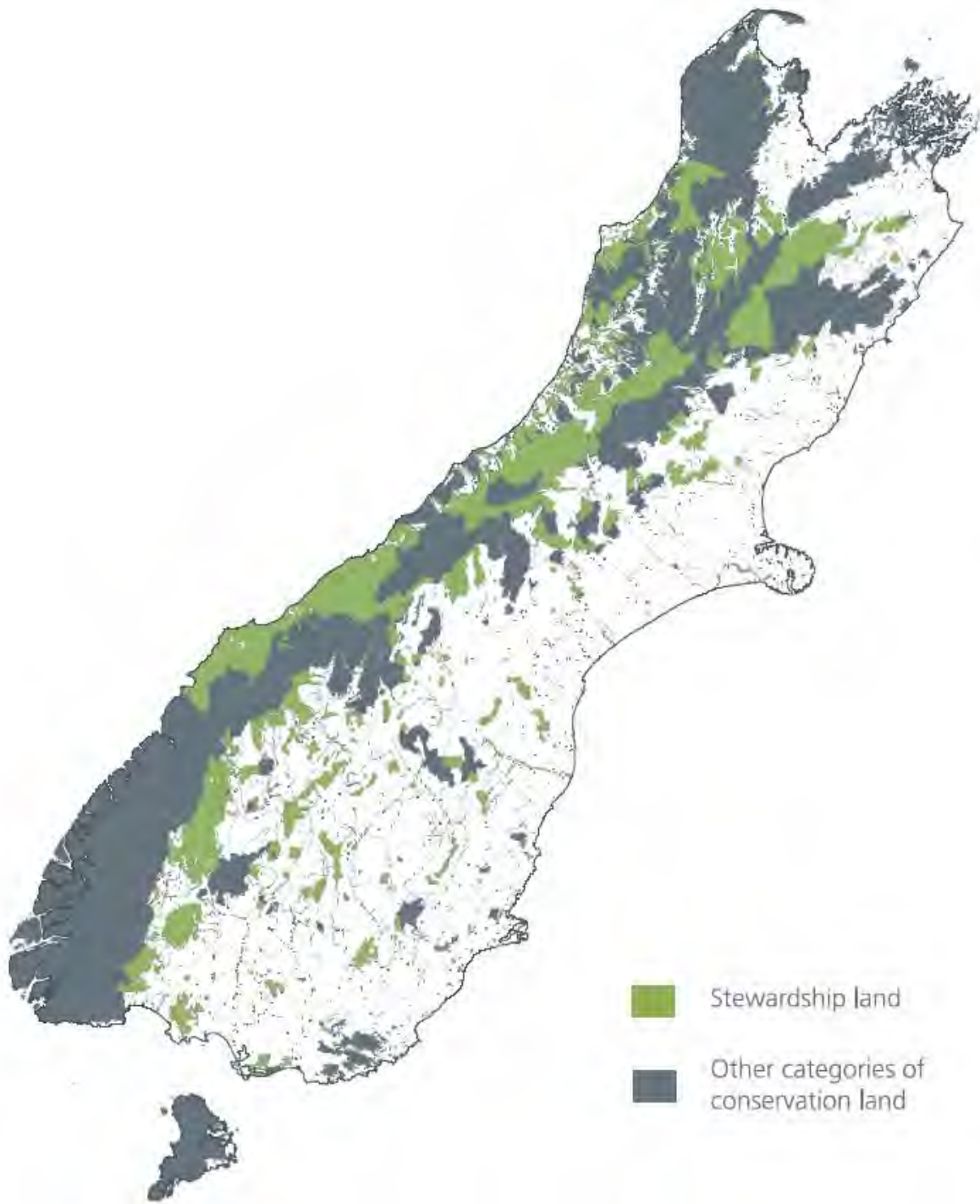
This paper is seeking your feedback on the next stage of the process – the review of the legislation that regulates reclassifying stewardship land, to ensure it is working effectively and efficiently. The Minister of Conservation plans to propose changes to the Conservation Act, aimed at speeding up and simplifying the reclassification process to make it easier to reclassify stewardship land at a large scale.

Figure 1: Stewardship land in Aotearoa New Zealand



Source: DOC GIS data





# The scope of this discussion document

The Government is interested to hear your views on how the process for reclassifying and disposing of stewardship land can be made more efficient and effective. The process for reclassifying stewardship land is set out in conservation legislation. DOC has undertaken analysis of the legislative process for reclassifying stewardship land and identified six areas where changes could streamline the process in line with the objectives.

We are seeking your feedback on options relating to the following areas.

- 1) Improving consistency of public notification and submission processes
- 2) Enabling the national panels to carry out the public notification and submission process
- 3) Clarifying responsibilities for making recommendations to reclassify stewardship land as national park
- 4) Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of
- 5) Enabling the Minister of Conservation to direct the proceeds from the sale of stewardship land to DOC
- 6) Clarifying the status of concessions on reclassified stewardship land.

The section 'Reform options' below describes each area and provide options to address these. These options arose out of analysis that was undertaken by DOC's Policy Unit and were informed by teams across the organisation. Each section includes a number of questions to help guide submitters' feedback. A table listing all of the questions is included as Appendix Two.

For the majority of areas identified in this document, DOC has not indicated a preferred option. We will consider the views of submitters when undertaking further analysis and use that information to inform any advice on a preferred option under each area.

A number of stewardship areas are within the boundary of Te Wāhipounamu – South West New Zealand World Heritage Area. The nomination document for Te Wāhipounamu World Heritage Area acknowledges that the stewardship land within its boundary might be reclassified and boundaries adjusted in line with the Operational Guidelines for the Convention. The proposed legislative changes will not affect these processes.

## Out of scope

While the national panels and the review of legislation relating to stewardship land are both part of the Government's broader stewardship land reclassification project, this document is only seeking your views on amendments to the legislation relating to the reclassification of stewardship land. Some of the legislative changes discussed in this document would enable the national panels to have a greater role in the stewardship land reclassification process.

This document is not seeking views on the establishment of the national panels or their technical work to consider and make recommendations on the future land status of individual stewardship land areas. The establishment of the national panels and membership of the national panels has been decided and approved by the Government.<sup>4</sup> Submissions relating to the establishment of the national panels, the membership of the panels or the classifications of specific areas of stewardship land will not be considered.

There will be opportunities to provide feedback on the national panels' recommendations for individual parcels of stewardship land through a public consultation process, before final decisions are made on the proposed reclassification. More information about the approach to public consultation will be released in due course.

You can find out more and keep up to date with these opportunities as they arise here: <https://www.doc.govt.nz/about-us/our-role/managing-conservation/stewardship-land/reclassification-national-panels/>

The six areas within the legislative process for reclassifying stewardship land that are being considered for change have been confirmed by the Minister of Conservation and approved by the Government. These areas have been subject to thorough analysis by DOC and are the only areas within the process that are considered appropriate given the objectives of this review. This document is not seeking feedback on changing other areas within the legislative process.

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<sup>4</sup> You can read more about the decision to establish the national panels, including membership, on the Government speeds up stewardship land reclassification webpage on DOC's website at: [www.doc.govt.nz/news/media-releases/2021-media-releases/government-speeds-up-stewardship-land-reclassification/](http://www.doc.govt.nz/news/media-releases/2021-media-releases/government-speeds-up-stewardship-land-reclassification/)

# Have your say

## How to comment on this discussion document

You can have your say on the proposals in this discussion document by providing a written submission to DOC. You can do this by:

- completing and submitting the form at [www.doc.govt.nz/stewardship-land-consultation](http://www.doc.govt.nz/stewardship-land-consultation)
- emailing [stewardshiplandpolicy@doc.govt.nz](mailto:stewardshiplandpolicy@doc.govt.nz)
- writing a letter to:
  - Stewardship Land Consultation  
Department of Conservation  
P. O. Box 10420 Wellington 6143

Ensure your submission includes:

- your name and title
- the name of your organisation (if you are submitting on behalf of an organisation)
- if your submission represents the views of that entire organisation or a part of it
- your contact details (email preferred).

All submissions must be received by DOC by 18 March 2022[a four-month consultation period].

During the public consultation period, DOC will also undertake more targeted consultation with tangata whenua; iwi, hapū, and whānau – through meetings (virtually or in place) and regional hui. DOC will also hold meetings with key stakeholder groups that have an interest in stewardship land and will be inviting individuals and groups to provide written submissions.

## DOC will publish a summary of submissions

After submissions close, DOC will publish a summary of submissions on our website at [www.doc.govt.nz](http://www.doc.govt.nz).

All submissions are subject to the Official Information Act 1982 and can be released, if requested, under that Act. If you have specific reasons for wanting parts, or all, of your submission withheld, please include these reasons in your submission. DOC will consider them when making any assessment about the release of submissions. Please refer to [DOC's privacy statement](#) for further information.

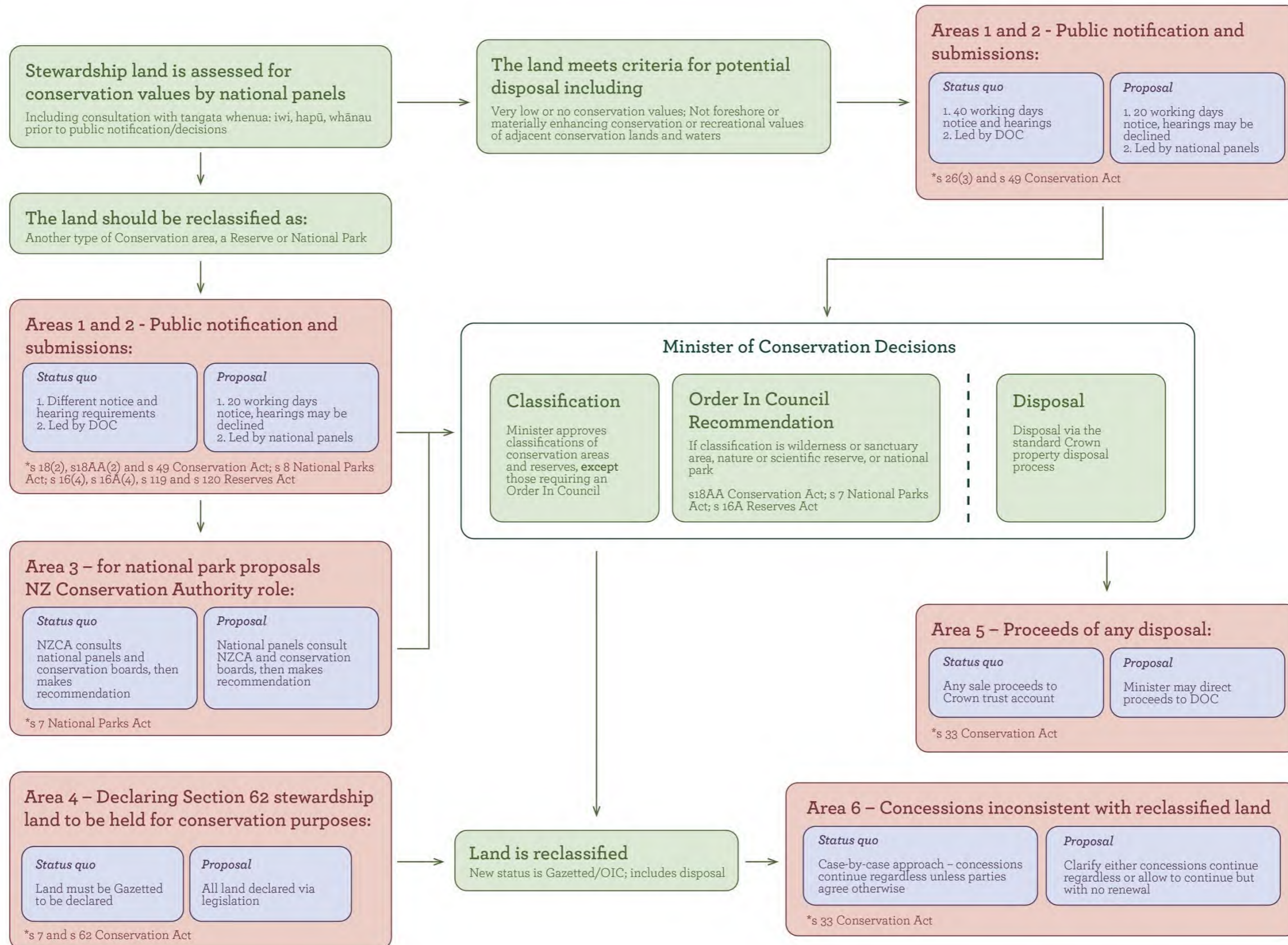
## **What happens next?**

DOC will analyse all submissions and then report back to the Minister of Conservation on the feedback, with recommendations for her consideration in early 2022. Your submission will help inform policy decisions to improve stewardship land reclassification.

If the Government decides to progress with legislative changes, the public will have the opportunity to make submissions during the select committee process. This process would likely occur in the second half of 2022.

# Land classification process and schematic of reform options

Below is a highly simplified process diagram showing the steps to reclassify or dispose of stewardship land. We are proposing reform options for the steps in red boxes.



# Reform options

## 1. Improving consistency of public notification and submission processes

Current legislation (section 49 of the Conservation Act) has public notification, submission and hearing requirements that can lead to a lengthy process. Before the Minister of Conservation can classify stewardship land to certain classifications or dispose of stewardship land, she must publicly notify her intent. Under the Conservation Act, 40 working days (2 months) must be allowed for any person or organisation to make a written submission on the proposal. Any submitter can then request to appear before the Director-General of DOC (or their delegate) to support their submission. Allowing 2 months for written submissions can contribute to a long reclassification process.

By comparison, under sections 119 and 120 of the Reserves Act one month must be allowed for public submission.

Under the new panel process, the panels will undertake a public notification process before they can provide a recommendation to the Minister of Conservation. Given the large amount of stewardship land the national panels are attempting to reclassify, this public notification and submissions process could be lengthy and resource intensive.

### Objectives relevant to the proposal:

- Enabling a more efficient process for reclassifying stewardship land
- Ensuring DOC meets its wider obligations under conservation legislation and the Conservation General Policy (such as section 4 of the Conservation Act)
- Enabling the national panels to carry out their work efficiently and effectively, to make recommendations to the Minister of Conservation

Options for legislative public notification, submission and hearing requirements
1.1 Shorten the period that the panels must allow for public submissions to 20 working days.
1.2 Allow the ability to decline a hearing where holding the hearing would cause substantial delay to the process or cause substantial burden on the resources of the panel
1.3 Retain the status quo

### Analysis of option 1.1: Shorten the period that the panels must allow for public submission to 20 working days

This option balances a more efficient reclassification process with ensuring the public has an opportunity to provide input. Electronic communication is now the norm which means that submitters can provide feedback more efficiently. This would also align the time frame in the Conservation Act with those in the Reserves Act.

Any time frame specified in legislation would be a minimum. Where the national panels propose to reclassify particularly large amounts of stewardship land or parcels where they expect a strong public interest, the expectation would be that they would allow a longer period for public submissions.

However, reducing the time allowed for submissions may impact on the public's ability to engage in the process. Individuals who hold existing concessions on stewardship land will likely wish to make a submission and a shortened time frame may impact on their ability to do so. The national panels will engage with tangata whenua: iwi, hapū and whānau before the public notification stage to ensure that there is appropriate time for them to provide their views, this ensures DOC can meet its wider obligations, including section 4 of the Conservation Act.

#### ***Assessment of the option against the objectives***

This option aims to balance the objective of enabling a more efficient process for reclassifying stewardship land with ensuring DOC meets its wider obligations under conservation legislation. It would also meet the objective of enabling national panels to carry out their work efficiently and effectively, to make recommendations to the Minister of Conservation.

#### **Analysis of option 1.2: Allow the ability to decline a hearing where holding the hearing would cause substantial delay to the process or place substantial burden on the resources of the panel**

Under both the Conservation Act (section 49) and the Reserves Act (section 120), any submitter must be allowed a reasonable opportunity to be heard. If there are a substantial number of requests for hearings this can lengthen the submissions process and place a resource burden on the national panels or DOC.

This option would allow the national panels to decline a hearing in circumstances where they consider holding that hearing would cause substantial delay or place substantial burden on the resources of the panels. It is envisaged that this would only apply where the panel had determined they had gathered enough information from written submissions or from any earlier engagement with the submitter. This option aims to achieve the objective of enabling a more efficient process for reclassifying stewardship land.

However, hearings are a key part of facilitating engagement and allowing individuals or groups to present their evidence in the way that is most appropriate to them. It may also be beneficial for the national panels to be able to interact with submitters and ask them questions.

#### ***Assessment of the option against the objectives***

This option aims to achieve the objective of enabling a more efficient process for reclassifying stewardship land while ensuring DOC meets its wider obligation under conservation legislation. It would also meet the objective of enabling national panels to carry out their work efficiently and effectively to make recommendations to the Minister of Conservation.

#### **Analysis of option 1.3: Retain the status quo**

Retaining the status quo ensures the public has a reasonable opportunity to submit or be heard which can provide for greater transparency of decision-making and a more informed decision. However, it is also the least efficient option for those land classifications that are relatively simple or straightforward.



### ***Assessment of the option against the objectives***

This option would contribute to the objective of ensuring DOC meets its wider obligations under conservation legislation. However, it does not meet the objective of enabling a more efficient process for reclassifying stewardship land or enabling national panels to carry out their work efficiently and effectively to make recommendations to the Minister of Conservation.

### **Questions**

6. Please identify your preferred option. You may provide further analysis or comments to support your choice.
7. Do you think 20 working days (1 month) is adequate to prepare a written submission? If not, what time period would be adequate?
8. What role or function do you consider hearings currently play?
9. Are there any further options you think DOC should consider that would meet the objectives set out above?

## **2. Enabling the national panels to carry out the public notification and submission process**

Currently DOC carries out the public notification and submission/hearing process when required by section 49 of the Conservation Act and sections 119 and 120 of the Reserves Act. However, in the new process, it will be the national panels who assess the values of the land and make a recommendation to the Minister of Conservation.

While the Reserves Act allows notification and hearing powers to be delegated to the national panels, the Conservation Act does not. Therefore, under the current legislation, the national panels would not be able to carry out the public notification and submission/hearing stage in the reclassification process. Legislative amendments to the Conservation Act would be needed to enable the national panels to carry out the public notification and submission process.

### **Objectives relevant to proposal**

- Enabling the national panels to carry out their work efficiently and effectively, to make recommendations to the Minister of Conservation (see page 13 for more information about the national panels)
- Delivering clarity for everyone on the status of the land, the appropriate level of protection/use and the reclassification process
- Ensuring DOC meets its wider obligations under conservation legislation and the Conservation General Policy (such as section 4 of the Conservation Act).

Options for enabling the national panels to carry out the public notification and submission/hearing process
2.1 Amend the Conservation Act to enable the national panels to carry out the public notification and submission process.
2.2 Retain the status quo (DOC carrying out the public notification and submissions process).

### **Analysis of option 2.1: Amend the Conservation Act to enable the national panels to carry out the public notification and submission process**

Enabling the national panels to carry out the public notification and submission process ensures the national panels receive all the evidence from submitters first hand. It would also make clear to submitters and the wider public that the panels are making their own independent recommendations to the Minister of Conservation.

#### ***Assessment of the option against the objectives***

This option aims to meet the objective of enabling the national panels to carry out their work efficiently and effectively to make recommendations to the Minister of Conservation. It also aims to deliver clarity on the reclassification process and make clear that the panels are responsible for assessing the values of the land.

DOC considers this option would not impact its wider obligations under conservation legislation, as while responsibility for consultation would shift the panel process would ensure section 4 obligations are met. Conservation values would continue to be adequately protected.

### **Analysis of option 2.2: Retain the status quo (DOC carrying out the public notification and submissions process)**

Retaining the status quo would mean DOC carries out the public notification and submission process (as it has done in the past) instead of the national panels. However, this may raise questions about the independence of the national panels from DOC. Carrying out the process for every parcel of stewardship land and then collating the information to pass onto the national panels may place a considerable burden on DOC's resources.

#### ***Assessment of the options against the objectives***

This option would not meet the objective of enabling panels to carry out their work efficiently and effectively and may cause confusion about who is responsible for assessing the values of land. DOC would continue to meet its wider obligations under conservation legislation and ensuring conservation values are adequately protected.

#### **Questions:**

10. Please identify your preferred option. You may provide further analysis or comments to support your choice.
11. If the national panels carried out the public notification and submissions process, what impact do you think this would have on the reclassification or disposal process?
12. Are there any further options you think DOC should consider that would meet the objectives set out above?

## **3. Clarifying responsibilities for making recommendations to reclassify stewardship land to national park land.**

Under the current process, stewardship land can only be classified as a new national park or part of an existing national park, if the New Zealand Conservation/ Te Pou Atawhai Taiao O

Aotearoa Authority (NZCA) makes a recommendation to the Minister of Conservation (section 7 of the National Parks Act 1980).

Before any recommendation is made, the NZCA must fulfil its consultation requirements. Under the National Parks Act and the General Policy for National Parks, the NZCA must consult the local Conservation Board, and tangata whenua within whose rohe the land is located and seek the views of any relevant territorial authority and Fish & Game New Zealand council.

However, the NZCA's recommendation/consultation process may not align with the role of the national panels, who have been tasked by the Minister of Conservation with assessing the values of stewardship land and providing her with a recommendation. Clarity on how the national panel process would interact with the role of the NZCA is needed to ensure each body understands their role and to avoid any duplication of consultation.

**Objectives relevant to proposal:**

- Delivering clarity for everyone on the status of the land, the appropriate level of protection/use and the reclassification process
- Ensuring conservation values are adequately protected
- Enabling the national panels to carry out their work efficiently and effectively, to make recommendations to the Minister of Conservation
- Enabling a more efficient process for reclassifying stewardship land.

Proposal for the role of the NZCA in recommendations where stewardship land is reclassified as national park
3.1: National panels assume primary responsibility for reclassifying stewardship land as national parks in consultation with tangata whenua, the NZCA and relevant Conservation Boards.

**Analysis of option 3.1: National panels assume primary responsibility for reclassification of stewardship land into national parks in consultation with tangata whenua, the NZCA and relevant Conservation Boards.**

This option would enable the national panels to make recommendations to the Minister of Conservation for all classifications, including where stewardship land is being reclassified to national park. The national panels would be required to consult with the NZCA in the assessment phase if the national panels want to recommend stewardship land be reclassified as national park land.

This option may create a streamlined and consistent process for every reclassification of stewardship land. Conservation Boards and tangata whenua: iwi, hapū, and whānau would have an opportunity to advise or challenge the national panels directly on recommendations, without going through the NZCA.

However, this option would remove the NZCA as a check on the national panels. The NZCA has considerable expertise in this area, and its members come from a range of organisations, ensuring a broad range of views are considered. Even though the national panels would have to consult the NZCA, the recommendation of the NZCA would not be binding on the panels.

### ***Assessment of options against objectives***

This option aims to meet the objective of delivering clarity on the status of the land, the appropriate level of protection/use and the reclassification process, by making clear how the reclassification process will work for national parks. The panels would ensure that the conservation values of any land considered for national park was adequately protected. Therefore, this option meets the objective of ensuring conservation values are adequately protected. The option also aligns with the objective of enabling the national panels to carry out their work to make recommendations to the Minister of Conservation and enabling a more efficient process for reclassifying stewardship land.

#### **Questions:**

13. What particular expertise/experience do you consider the national panels brings to this process?
14. If the national panels were responsible for making recommendations to reclassify land to national parks, do you consider this would create any risks?
15. Are there any further options you think DOC should consider that would meet the objectives set out above?

## **4. Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of**

Section 62 of the Conservation Act relates to land allocated to DOC when the Department was first formed. All that allocated land was deemed to be held for conservation purposes under section 62 so it could be managed as if it were stewardship land ('section 62 stewardship land'). Before stewardship land held under section 62 can be reclassified or disposed of, it must go through a process where it is declared to be held for conservation purposes under section 7 of the Conservation Act.

Section 7 covers how land can be acquired and declared to be held for conservation purposes. Any land newly acquired and declared to be held for conservation purposes under section 7 has the status of stewardship area unless it is reclassified in accordance with other provisions in the Conservation Act (or other conservation-related legislation).

Declaring land to be held for conservation purposes requires the Minister of Conservation (or DOC) to make a declaration via *Gazette* notice, including a description of the relevant piece of land. DOC would need to go through this process for all section 62 stewardship land, and this would be resource intensive.

We could amend the legislation, so all stewardship land is declared to be held for conservation purposes.

#### **Objectives relevant to proposal**

- Enabling a more efficient process for reclassifying stewardship land
- Ensuring DOC meets its wider obligations under conservation legislation and the Conservation General Policy (such as section 4 of the Conservation Act)

- Ensuring conservation values are adequately protected.

Options for declaring all section 62 stewardship land to be held for conservation purposes
4.1 Declare all stewardship land under section 62 of the Conservation Act 1987 to be held for conservation purposes via a legislative change.
4.2 Retain the status quo (the requirement to declare section 62 stewardship land to be held for conservation purposes under section 7 of the Conservation Act 1987)

**Analysis of option 4.1: Declare all stewardship land under section 62 of the Conservation Act 1987 to be held for conservation purposes via a legislative change**

This option would mean all land acquired under section 62 of the Conservation Act would be declared to be held for conservation purposes so that the land could be reclassified or disposed of. This option removes the step of having to go through the declaration and gazettal process under section 7 of the Conservation Act. We consider there is minimal risk in declaring all section 62 stewardship land to be held for conservation purposes. Land that is **declared** to be held for conservation purposes is treated in a similar way as land that is **deemed** to be held for such purposes, which means the change would have no impact on the management or protection of that land.

The only protection that could be seen to have been removed is that section 62 stewardship land cannot be disposed of until it is declared to be held for conservation purposes. The Conservation Act and the Conservation General Policy set strict parameters around the types of public conservation land that can be disposed of, so the land will still be subject to the appropriate protections based on its conservation values.

***Assessment of the option against the objectives***

This option meets the objective of enabling a more efficient process for reclassifying land and ensuring conservation values are adequately protected. DOC does not consider there will be an impact on its wider obligations under conservation legislation.

### **Analysis of option 4.2: Retain the status quo (the requirement to declare stewardship land to be held for conservation purposes under section 7 of the Conservation Act 1987 (status quo))**

Retaining the status quo means every parcel of stewardship land would need to go through the process of being declared to be held for conservation purposes. DOC could declare several parcels of land to be held for a conservation purpose in a single *Gazette* notice or bundle the declaration into the *Gazette* notice used to reclassify or dispose of the land. This would create some efficiencies but would still add considerably to resource requirements. There are also no notable benefits to retaining this legislative requirement.

#### ***Assessment of the option against the objectives***

This option does not meet the objective of a more efficient process for reclassifying land. Under this option, DOC would continue to meet its wider obligations and ensure conservation values are adequately protected.

#### **Questions**

16. Please identify your preferred option. You may provide further analysis or comments to support your choice.
17. Are there any alternative options that have not been discussed here? Please provide analysis or comments to explain your answer.
18. Do you think that there are any other risks or impacts associated with declaring all section 62 stewardship land to be held for a conservation purpose via a legislative change that have not been identified here?

## **5. Enabling the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC**

Under section 26 of the Conservation Act, stewardship land with very low or no conservation values may be disposed of<sup>5</sup>. After the decision is made to consider disposal, DOC follows a process to determine how the land should be disposed of. Disposal does not necessarily mean the land is sold. It could be used as part of Treaty of Waitangi settlement requirements, kept as Crown-owned land, or offered back to a former owner. However, it is likely that at least some stewardship land will be sold.

While the administration and efforts required to assess values and prepare land for disposal are funded through DOC's baseline budget, proceeds from disposals are paid to the Crown trust account<sup>6</sup> (section 33 of the Conservation Act). The costs of selling stewardship land (including the cost to assess the values, public notification, and often substantial surveying costs) are significant and non-recoverable. DOC has numerous competing priorities for the limited resourcing available to carry out its responsibilities. The high costs involved mean that selling land no longer required for conservation purposes is often not progressed since it would require reprioritising resources away from essential conservation work.

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<sup>5</sup> Sections 26(1) and 26(2) of the Conservation Act 1987 and Chapter 6 of the Conservation General Policy outline the criteria for disposal or retention of conservation land.

<sup>6</sup> This relates to financial provisions in the Public Finance Act 1989. Trust Bank Accounts are established under Part 7 of the Public Finance Act 1989.

In contrast, section 82 of the Reserves Act allows the Minister of Conservation to direct an amount equal to the proceeds of sale of a reserve to DOC so it can be used in the managing, administering, maintaining, protecting, improving, and developing reserves of any classification.

There is an option to amend the Conservation Act to direct the proceeds of sale of stewardship land to DOC for the further reclassification or statutory land management activities.

We do not know what recommendations the national panels will make about disposals of stewardship land, so it is difficult to predict the scale of cost that will be incurred. The Cost Recovery Impact Statement, attached at Appendix 3 provides detailed information on the breakdown of estimated costs and assumptions used in this modelling.

### Objectives relevant to proposal

- Enabling the national panels to carry out their work efficiently and effectively, to make recommendations to the Minister of Conservation
- Ensuring conservation values are adequately protected.

Options for directing the proceeds of stewardship land sales to DOC
5.1 Amend the Conservation Act to allow the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC for further reclassification or management activities.
5.2 Retain the status quo (continue to direct proceeds to the Crown trust account).

### Analysis of option 5.1: Amend the Conservation Act to allow the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC, for further reclassification or management activities

The Conservation Act could be amended to enable a similar process to that under the Reserves Act, which allows the proceeds from the sale of stewardship land to be paid into the Public Account<sup>7</sup> and credited to the Trust Account<sup>8</sup>. The Minister of Conservation is then able to direct an amount equal to the proceeds of sale to be paid from the Public Account to DOC and debited from the Trust Account.

Due to the size and location of stewardship land areas, processes such as assessing the values of the land and carrying out surveys of the land can be expensive. If the Minister were able to direct the proceeds of sale back to DOC, this money could be used to offset the cost of disposal, and for the management, reclassification, and disposal of any remaining or future stewardship land.

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<sup>7</sup> Public Account refers to financial provisions in the Public Finance Act 1989. 'Public money' means all money received by or on behalf of the Crown, including the proceeds of all loans raised on behalf of the Crown and any other money that the Minister or the Secretary directs to be paid into a Crown Bank Account or Departmental Bank Account and any money held by an Office of Parliament; but does not include money held in trust as trust money.

<sup>8</sup> Trust Account refers to a trust account established under Part 7 of the Public Finance Act 1989.

### ***Assessment of the option against the objectives:***

This option would meet the objective of enabling the national panels to carry out their work efficiently and effectively. The proceeds of sale of any parcel of stewardship land could be used to ensure any remaining parcels (or future parcels) are managed and protected accordingly, meeting the objective of ensuring conservation values or adequately protected.

This option would have fiscal implications for the wider Crown as it would not receive the proceeds of sale. Parcels deemed eligible for disposal must follow the Crown property disposal process, which includes obligations under the Public Works Act 1981 as well as the Māori Protection Mechanism<sup>9</sup>, the Sites of Significance processes, and any right of first refusal contained in a relevant Treaty of Waitangi settlement. Therefore, it is difficult to estimate the proportion of land eligible for disposal that would be sold on the open market. Directing proceeds to DOC would only partially recover costs, as most land assessed and reclassified would not be disposed of and therefore would not generate any income.

### **Analysis of option 5.2: Retain the status quo (continue to direct proceeds to the Crown trust account)**

Retaining the status quo means DOC would continue to fund the necessary requirements for stewardship land disposal from baseline funding. The high costs of land disposal would continue to act as a barrier to progressing disposals in a timely manner, due to competing priorities for DOC's resources (people and funding).

Under the status quo, there may be the option to direct some stewardship land sale proceeds to DOC without legislative change<sup>10</sup>. However, this would only extend to the cost of getting stewardship land ready for sale, which only accounts for a small proportion of the overall costs incurred, requiring DOC to continue to fund most costs from within current funding. Additionally, obtaining this under the current process, would require joint agreement of the Minister of Conservation and the Minister of Finance. If the Minister of Finance declined the application DOC would not be able to offset the costs of getting land ready for sale. This lack of certainty could make progressing disposals less likely, as there is a risk that resources already allocated to other priority conservation activities would need to be reallocated if the application is declined.

### ***Assessment of the option against the objectives***

This option does not meet the objective of enabling the national panels to carry out their work efficiently and effectively. The objective of ensuring conservation values were adequately protected would be met.

### **Questions**

19. Please identify your preferred option. You may provide further analysis or comments to support your choice.

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<sup>9</sup> Protects Māori interest in Crown owned land that has been identified for disposal

<sup>10</sup> Proceeds from the sale of stewardship land result in an increase in Crown revenue, which can be used to justify a fiscally neutral increase in DOC's output expense appropriation (under paragraph 32.5 of Cabinet Office circular (18) 2).



20. What are the risks or impacts associated with allowing the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC that have not been identified here?
21. Are there any further options you think DOC should consider that would meet the objectives set out above?

## 6. Clarifying the status of concessions on reclassified stewardship land

Under part 3B of the Conservation Act, where groups or individuals want to use public conservation land (including stewardship land) to run a business or undertake certain activities, permission must be obtained from the Minister of Conservation (or DOC under delegation) in the form of a concession.<sup>11</sup> Concessions cannot be granted unless they are consistent with the relevant conservation management strategy or conservation management plan. Concessions are contractual agreements between DOC and concession holders. There are significant numbers of concessions granted on stewardship land for a wide variety of activities, such as grazing or beekeeping.

Reclassifying stewardship land may result in situations where existing concessions may be inconsistent with a new land classification. There may also be cases where a recommendation is made to dispose of stewardship land with an existing concession. As it is not possible to preempt the recommendations of the national panels, it is hard to predict the scale of this issue. Under current legislation, there is no specified process for how DOC should manage existing concessions in these instances.

In the past, DOC has been able to deal with such situations on a case-by-case basis by finding ways for the concession holder to continue to exercise their concession. In some cases, this has meant that the actual change in the status of land does not happen until the concession expires. In other cases, concession holders have been able to adjust their activity to be consistent with a new classification, or the new owner of land that has been disposed of has agreed to the activity continuing.

Most concessions are granted for 5 – 10 years, with a review after 3 years. Some concessions can be granted for longer periods (10+ years).<sup>12</sup> If a concession has a right of renewal, then concessions could be in place for 30+ years. Under the current approach to managing concessions on reclassified stewardship land/land that is to be disposed of, there may be situations where DOC cannot reclassify or dispose of land for a considerable time. Allowing activities to continue for prolonged periods of time, where it has been identified that the land should have a higher level of protection may have implications for the protection of the land's conservation values.

Given the large amount of land set to be reclassified and the potential number of concessions impacted, the current approach may create significant delays in finalising land reclassifications

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<sup>11</sup> This discussion document does not address access arrangements for minerals activities on public conservation lands managed under the Crown Minerals Act 1991. Access arrangements will continue to be managed in line with current legislative requirements.

<sup>12</sup> DOC manages a number of leases granted under the Land Act 1948. A small number of these leases have perpetual rights of renewal. When these come up for renewal, they become subject to the concessions regime with no perpetual renewal rights.

or disposals. There is also uncertainty for concession holders on what will happen if their concession is impacted by a recommendation for reclassification or disposal.

**Objectives relevant to proposal**

- Delivering clarity for everyone on the status of the land, the appropriate level of protection/use and the reclassification process
- Ensuring DOC meets its wider obligations under conservation legislation and the Conservation General Policy (such as section 4 of the Conservation Act)
- Ensuring conservation values are adequately protected
- Enabling a more efficient process for reclassifying stewardship land.

Options clarifying the status of concessions on reclassified stewardship land
6.1 Continue to find solutions on a cases-by-case basis. Concessions continue regardless unless parties agree otherwise. This may include concession terms finishing before land can be reclassified or disposed of (status quo).
6.2 Amend the legislation to clarify that existing concessions on stewardship land can continue under agreed terms regardless of reclassification

**Analysis of option 6.1: Continue to find solutions on a cases-by-case basis. Concessions continue regardless unless parties agree otherwise. This may include concession terms finishing before land can be reclassified or disposed of (status quo).**

This option enables DOC to fulfil its contractual obligations by allowing the concession holder to carry out their activities as agreed, in line with the objective to ensure DOC meets its wider obligations. This would not preclude final decisions being made about reclassification or disposal, but it may mean that the actual change in the land status does not happen until the concession is no longer in place. As discussed above, this could be for 30 years or more.

Conservation values are assessed when concessions are granted, and appropriate conditions imposed to protect the values. However, waiting to reclassify land and allowing activities to continue for prolonged periods of time, where it has been identified that the land should have a higher level of protection, may have implications for the protection of the land’s conservation values. This is at odds with DOC’s responsibilities to manage public conservation lands for the protection of conservation values.

To mitigate the instances where this occurs, DOC could continue to use flexible approaches where possible, as concession holders may adjust to the new circumstances. For example, a concession holder may be able to change their activity to suit a new land classification, or the new owner of disposed land may allow concession holders to continue their activity. However, given the scale of stewardship land reclassification, it is unlikely that DOC would have sufficient resource to explore flexible approaches for a significant proportion of concessions.

As this option relies on an internal operational policy approach, it could leave some stakeholders feeling uncertain about how concessions will be managed. Decisions would be open to challenge and risk being relitigated.

### ***Assessment of the option against the objectives***

This option ensures DOC meets its wider obligations to stakeholders, including concession holders. Due to the uncertainty involved, it does not meet the objective of delivering clarity for everyone on the status of the land, the appropriate level of protection/use and the reclassification process. It may not ensure conservation values are adequately protected in every case.

### **Analysis of option 6.2: Amend the legislation to clarify that existing concessions on stewardship land can continue under agreed terms regardless of reclassification**

This option largely reflects the same costs, benefits and risks as option 6.1. in terms of enabling DOC to fulfil its contractual obligations to concession holders, and possible risks to protection of conservation values. However, it would provide clarity to all interested parties regarding the ongoing status of concessions during the stewardship land reclassification process and provide transparency about DOC's decision-making by clarifying that concessions will continue regardless of reclassification. This clarity ensures that concessions holders know their rights and obligations and can plan for the future. This would also reduce the risk of decisions being challenged.

### ***Assessment of the option against the objectives***

This option ensures DOC meets its wider obligations to stakeholders, including concession holders. It also meets the objective of delivering clarity for everyone on the status of the land, the appropriate level of protection/use and the reclassification process. It may not ensure conservation values are adequately protected in every case.

### **Questions**

22. Please identify your preferred option. You may provide further analysis or comments to support your choice.
23. If a concession is inconsistent with a new land classification or on land that has been recommended for disposal, should it be allowed to continue? Please explain your answer.
24. Are there any other risks or impacts associated with allowing inconsistent concessions to continue?
25. Are there any further options you think DOC should consider that would meet the objectives set out above?

## **7. Non-regulatory options to improve stewardship land reclassification**

### **Additional non-regulatory options to support streamlining the process for reclassifying stewardship land**

We have identified three non-regulatory changes for improving reclassification processes. We are progressing these within current legislative and operational frameworks:

1. Clarifying survey requirements

Survey requirements associated with reclassifying or disposing of stewardship land

can be costly and time consuming, creating a significant barrier to action. This reflects the large size, remote location and challenging topography of many areas of stewardship land, and the scale of all stewardship land. Surveying requirements are important in meeting various legal responsibilities for land management. These requirements are set out in the Rules for Cadastral Survey 2021 (CSR 2021).<sup>13</sup> Exceptions to these rules need to be sought on a case-by-case basis from Toitū te Whenua Land Information New Zealand (LINZ). However, given the amount of stewardship land set to be reclassified, prioritising the significant resources needed for surveying at the expense of other core work will be challenging for both DOC and LINZ.

DOC and LINZ are working together to achieve greater efficiency and lower costs for DOC during the reclassification process, by clarifying and agreeing situations where surveys are required (in line with the CSR 2021) and where no additional survey will be required. Greater communication between agencies as the reclassification project continues will allow both DOC and LINZ to manage the impact on resources this work may have.

2. Ensuring operational arrangements between DOC and the Ministry of Business, Innovation and Employment (MBIE) are fit for purpose

DOC and MBIE have an existing operational agreement to share information about intended reclassifications of stewardship land. This agreement provides MBIE with an opportunity to assess land for important mineral values which may affect the desirability of the reclassification. MBIE can provide feedback to DOC on the proposed classification, ahead of public notification. The agreement also provides for Ministers to resolve any disagreement between MBIE and DOC on reclassifications. This can add time and complexity to stewardship land reclassifications. It also does not align with the intent that the national panels make independent recommendations to the Minister of Conservation.

DOC and MBIE no longer consider the agreement fit for purpose given the new panel process and are in the process of dissolving it. MBIE will be able to provide any information relevant to the reclassification of an area of stewardship land to the national panels during their assessment process.

3. Bundling Orders in Council for reclassification of stewardship lands:

Reclassifying land to national park, wilderness areas, sanctuary areas, nature reserves and scientific reserves requires an Order in Council (OIC) by the Governor-General on recommendation of the Minister of Conservation.<sup>14</sup> OICs go through an established process including drafting, government agency consultation and the 28 days that must be allowed before the OIC can come into force. Given the scale of the reclassification project, OICs for each piece of reclassified land may create a significant resource burden on DOC and other government agencies and add considerably to time frames. This may act as a barrier to the timely

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<sup>13</sup> For more information, see the Cadastral Survey Rules 2021 (CSR 2021) Implementation webpage on the Toitū Te Whenua Land Information New Zealand website at:

[www.linz.govt.nz/land/surveying/cadastral-survey-rules-2021-csr-2021-implementation](http://www.linz.govt.nz/land/surveying/cadastral-survey-rules-2021-csr-2021-implementation)

<sup>14</sup> Sections 7 and 12 of the National Parks Act 1980, section 18AA of the Conservation Act 1987, and section 16A of the Reserves Act 1977.

reclassification of large amounts of stewardship land. However, as the national panels' recommendations are not yet known, it is difficult to gauge the scale of this issue.

DOC considered whether legislation could be amended to remove the requirement that some or all these types of classifications be enacted by an OIC. Instead, all the classifications currently enacted through OIC would be done by a declaration of the Minister of Conservation, except for national parks.

However, DOC considers OICs are the appropriate mechanism for reclassification of stewardship lands. OICs must be approved by Cabinet and therefore provide for consideration of wider government interests, and the interests of tangata whenua: iwi, hapū, and whānau in decision-making for land classifications that involve long-term protections that would potentially limit land use.

Instead, DOC proposes that where the national panels have completed their assessment of all the stewardship land in a region, we will go through the OIC process for those parcels that require it at the same time. This will retain the level of wider government oversight, while ensuring the process is as streamlined as possible, achieving time, resource and efficiency gains.

### **Non-regulatory options that would not be recommended**

The scope of proposed changes to stewardship land reclassification processes means the options in this document focus on regulatory changes affecting legislation. This is due to the nature of conservation legislation, where multiple Acts govern land classifications and the requirements to undertake reclassification. Therefore, most of the potential system changes are regulatory changes.

Increasing DOC resources to work within the current system is a non-regulatory option that has been considered. It is likely that DOC will need to reprioritise resources to reclassify stewardship land at the scale and speed expected by the Government. However, on its own, this would not achieve the objectives of this discussion document. Regulatory changes are needed in order to achieve the efficiencies necessary to progress large scale stewardship land reclassification within the desired timeframe, and to enable the national panels to make their recommendations on reclassification to the Minister of Conservation.

An additional non-regulatory alternative we have considered is to have DOC carry out reclassification (rather than national panels). This option would remove the need for regulatory options that enable national panels to conduct assessments and reviews. However, this option is not favoured because of the current issues that hinder land reclassification, for example the lengthy process, and the Government's expectation that stewardship land reclassification be accelerated.

### **Question**

26. Are there any other non-regulatory options to help streamline the process for reclassifying stewardship land that we should consider? Please explain your answer.

## 8. Implementing changes

DOC has an Operations Group with teams across the country to support the implementation of the current or changed system. The NZCA and Conservation Boards will also provide input upon or lead recommendations.

The national panels will be supported by DOC's Operational teams in executing their responsibilities but will be able to direct their own activities. They will have allocated funding from DOC to perform their role. The Statutory Land Management team located within DOC's Operations Group will both prepare and execute reclassification decisions and disposals.

DOC's Planning, Permissions and Land unit (which includes the Statutory Land Management team and is also located within the Operations Group) will deal with concessions affected by any changes in classification (concessions will not be affected until reclassification recommendations are made).

### How changes will be evaluated and monitored

A successful outcome for this project would be that most of the 2.5 million hectares of stewardship land is appropriately reclassified or disposed of within the next five years. The overarching aim will be to ensure reclassification protects conservation values more effectively, while disposing of land with very low or no conservation values where appropriate.

It may be difficult to evaluate the effect of the regulatory changes on the scale and rate of stewardship land reclassification, as DOC intends to increase reclassification activities regardless of regulatory change. There is a low baseline level of stewardship land reclassification to use as a basis for comparison.

All processes where a legislative power is exercised are subject to judicial review if a party has cause to challenge. DOC expects some reclassification and disposal decisions will be challenged for various reasons, not necessarily related to options discussed in this document.

For reclassified land, DOC will monitor and maintain the conservation values of that land as appropriate for its new classification, as per its current requirements. The NZCA and Conservation Boards monitor conservation outcomes from DOC activities and provide feedback to the Minister of Conservation. For land that is disposed of, DOC does not intend to monitor or evaluate future uses, as it has no mandate.

### Question

27. Are there any additional evaluation or monitoring measures that you think should be implemented? Please explain your answer.

# Appendix 1: Glossary of key terms

- **Concession:** A lease, license, permit, or easement granted under Part 3B of the Conservation Act 1987.
- **Conservation:** The preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations (section 2 of the Conservation Act 1987).
- **Conservation Board:** Independent bodies that empower local communities and iwi to contribute to the management of conservation areas. Board members are appointed by the Minister of Conservation. Some members are appointed on the recommendation of local tangata whenua. Members are appointed as individuals for their experience, expertise, and links with the local community.
- **Gazette:** The New Zealand Gazette is the official newspaper of the Government of New Zealand. Legislative Instruments are notified in the Gazette after they are made. The date of notification is given at the end of the Legislative Instrument, under administrative information or the Gazette information. Other Instruments are usually either published or notified in the Gazette.
- **General Policy for National Parks:** A policy approved by the New Zealand Conservation Authority that provides direction for the administration of national parks across the country. More information can be found on the General Policy for National Parks webpage on DOC's website at: <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/national-park-management/general-policy-for-national-parks/>
- **New Zealand Conservation Authority/ Te Pou Atawhai Taiao O Aotearoa:** An independent statutory body that advises the Minister of Conservation and the Director-General of DOC on conservation priorities at a national level. The New Zealand Conservation Authority / Te Pou Atawhai Taiao O Aotearoa (NZCA) is closely involved in conservation planning and policy development affecting the management of public conservation areas administered by DOC. The NZCA has 13 members appointed by the Minister of Conservation. The Minister has regard for the interests of conservation, natural sciences and recreation in making the appointments.
- **Order in Council:** A type of Legislative Instrument that is made by the Executive Council presided over by the Governor-General.
- **Public conservation land:** All lands and water areas administered by DOC for whatever purpose, including natural and historic resources. Public conservation land has different layers of protection, depending on which category or status the parcel of land holds under various pieces of legislation.
- **Reclassification:** For the purposes of this document the term reclassification is used to refer to the process by which land (in this case stewardship land) is classified as a different category/classification of land. For example, a parcel of stewardship land might be reclassified to scenic reserve.

- **Reserves:** Land that is set apart to provide for the preservation and management of an area for the benefit and enjoyment of the public. Under the Reserves Act 1977, a reserve must be classified according to its principal or primary purpose. It is then managed/preserved according to that purpose.
- **Stewardship land (also known as stewardship area):** A category of public land created under the Conservation Act 1987. At that time, the Government transferred responsibility for large areas of land to the Department of Conservation (DOC), to act as a steward of the land until its conservation value had been assessed. They are conservation areas that have not yet been assessed and identified as requiring any additional protection. DOC is legally required to manage this land so that its natural and historic resources are protected.



## Appendix 2: List of questions

Do you	Question	Page reference
Section: Introduction	1. Do you agree with the objectives listed above?	7
	2. Should any other objectives be included in this review?	7
Section: Current legislative framework	3. Do you agree with the description of the problem? If not, please provide reasons to support your answer.	12
	4. Do you think there are any additional factors that have contributed to stewardship land reclassification not being progressed on a large scale? If so, please describe them.	12
	5. Do you think there any other issues or impacts caused by the failure to reclassify stewardship land on a large scale that have not been described here? If so, what are they and who/what do they affect?	12
Section 1: Improving consistency of public notification and submission processes	6. Please identify your preferred option. You may provide further analysis or comments to support your choice.	24
	7. Do you think 20 working days (1 month) is adequate to prepare a written submission? If not, what time period would be adequate?	24
	8. What role or function do you consider hearings play?	24
	9. Are there any further options you think DOC should consider that would meet the objectives set out above?	24
Section 2: Enabling the national panels to carry out the public notification and submission process	10. Please identify your preferred option. You may provide further analysis or comments to support your choice.	25
	11. If the national panels carried out the public notification and submissions process, what impact do you think this would have on the reclassification or disposal process?	25
	12. Are there any further options you think DOC should consider that would meet the objectives set out above?	25
Section 3: Clarifying responsibilities for making recommendations to reclassify stewardship land to national park.	13. What particular expertise/experience do you consider the national panels could bring to the process?	27
	14. If the national panels were responsible for making recommendations to reclassify land to national parks, do you consider this would create any risks?	27

	15. Are there any further options you think DOC should consider that would meet the objectives set out above?	27
Section 4: Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of	16. Please identify your preferred option. You may provide further analysis or comments to support your choice.	29
	17. Are there any alternative options that have not been discussed here? Please provide analysis or comments to explain your answer.	29
	18. Do you think that there are any other risks or impacts associated with declaring all section 62 stewardship land to be held for a conservation purpose via a legislative change that have not been identified here?	29
Section 5: Enabling the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC	19. Please identify your preferred option. You may provide further analysis or comments to support your choice.	31
	20. What are the risks or impacts associated with allowing the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC that have not been identified here?	32
	21. Are there any further options you think DOC should consider that would meet the objectives set out above?	32
Section 6: Clarifying the status of concessions on reclassified stewardship land	22. Please identify your preferred option. You may provide further analysis or comments to support your choice.	34
	23. If a concession is inconsistent with a new land classification or on land that has been recommended for disposal, should it be allowed to continue? Please explain your answer.	34
	24. Are there any other risks or impacts associated with allowing inconsistent concessions to continue?	34
	25. Are there any further options you think DOC should consider that would meet the objectives set out above?	34
Section 7: Non-regulatory options to improve stewardship land reclassification	26. Are there any other non-regulatory options to help streamline the process for reclassifying stewardship land that we should consider? Please explain your answer.	36
Section 8: Implementing changes	27. Are there any additional evaluation or monitoring measures that you think should be implemented? Please explain your answer.	37

# Appendix 3: Cost Recovery Impact Statement for Area 5 – Enabling the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC

## Stage 1 Cost Recovery Impact Statement

Directing proceeds from disposal (by sale) of stewardship areas to fund DOC's ongoing reclassification and statutory land management work.

### Status quo

A description of the activity and why it is undertaken:

- Stewardship areas (referred to as stewardship land) are public conservation land managed by the Department of Conservation that are not yet classified into formal land protection based on conservation values. This category of land covers 2.5 million hectares or approximately 9% of Aotearoa's land area.
- The government intends to improve processes by which stewardship land is assessed for conservation values and subsequently reclassified or disposed if eligible.
- Stewardship land with very low or no conservation values may be disposed by sale, if it is no longer required for conservation purposes. While the administration and efforts required to assess values and prepare land for disposal are funded through Vote Conservation, proceeds from disposals are paid to the Crown trust account (section 33 of the Conservation Act 1987).

What policy outcomes will the activity achieve?

- The reclassification of stewardship land will improve the management of public conservation land and ensure conservation values are properly protected. However, it will also identify land with very low or no conservation values, and these become eligible for potential disposal. Land that is disposed no longer requires management and administration by DOC.

What is the rationale for government intervention?

- The government administers stewardship land. Reclassifying this land is set out in the Conservation Act 1987, the Reserves Act 197, and the National Parks Act 1980, while disposal is set out in the Conservation Act. There are 3236 stewardship areas to be assessed. The rationale for reclassification is to ensure land is managed appropriate to the conservation values that it has; land with very low or no conservation purposes can potentially be disposed of.
- Under the status quo, there may be the option to direct some of the proceeds of sale of stewardship land to DOC without legislative change. However, this would only extend to the cost of readying and disposal. Obtaining the cost of readying land for sale, under the current process, would require joint agreement of the Minister of Conservation and the Minister of Finance. Therefore, if the Minister of Finance declined the application, DOC

would not be able to offset the cost of disposal. This affects DOC ability to prioritise statutory land management operations.

- By way of contrast, section 82(1)a of the Reserves Act 1977 does allow the Minister of Conservation to direct proceeds from the disposal of reserves to activities that enable management and purchase of reserves generally. There is no apparent reason for the difference between the two acts, though the scale of land protected under the Conservation Act is much larger and the potential for large transfers is therefore greater.

What are the relevant policy decisions that have been made?

- The main decisions are to make progress with stewardship land reclassification so this large amount of land is properly classified and managed and to use expert panels to coordinate the reclassification process and make recommendations to the Minister of Conservation. Additional changes to legislation are sought to improve the efficiency and process to undertake reclassification.

What is the statutory authority to charge ie, the Act that gives the power to cost recover?

- The Conservation Act 1987 gives the authority to dispose of stewardship land, but does not give the authority for proceeds of sale to be directed to the costs of overall administration of land (whether that be future management or ongoing processes to reclassify or dispose of).

Is this a new or amended fee?

- This is a change in process. The current process directs proceeds from disposal to the Crown trust account. The change would enable such proceeds to be directed to Vote Conservation (DOC) for the purposes of further reclassification and statutory land management activities.

**Policy Rationale: Why a user charge? And what type is most appropriate?**

Why is cost recovery appropriate for the activity (over and above the legal authority to charge) – ie, why should it be third-party funded rather than funded by the Crown?

- DOC will need to fund the bulk of activities to reclassify stewardship land. However, where there are lands eligible for disposal, the proceeds from disposal could offset some of the costs to DOC. The nature of this cost recovery depends on there being land eligible for disposal, and willing buyers in the market for these lands.

What is the nature of output from the activity (the characteristics of the good or service) – eg public/private/club goods?

- The goods are public conservation lands that no longer have a conservation purpose and that are sold to other kinds of land ownership (depending on the context, available buyers, etc.). Public land becomes private property.
- The output from directing the funds to further reclassification and management activities will be more resources to enable these activities and therefore more likelihood they will be undertaken and progressed.

Is full or partial cost recovery being proposed? What is the rationale for proposing full or partial cost recovery?

- Directing proceeds to DOC would only partially recover costs. For any individual piece of land put up for disposal, the cost recovery would depend on the market for that land and could vary from partial recovery of costs to returning profits. Occasionally land is sold at a loss where cost-benefit analysis indicates that keeping it would be more expensive in the long term.

What type of charge is being proposed? – eg, fee, levy, hourly charge? What is the rationale behind selecting this type of charge?

- No change in charge is proposed from the status quo, the proposal is to enable the Minister of Conservation to direct proceeds to DOC rather than to the Crown trust account.

Who will pay the cost recovery charges?

- The charges are paid by whomever is the willing buyer for disposed land. This is likely to be highly variable groups of private individuals, tangata whenua (iwi, hapū, whānau and associated organisations), businesses and councils. Until land is assessed for values and those are found to be very low or none, it is not eligible for disposal; we cannot ascertain interest until that point.

#### **High level cost recovery model (the level of the proposed fee and its cost components)**

What are the estimated charge levels?

- The charge levels are the same under status quo and proposed change – depending on the nature of the land for disposal and the market of willing buyers. The effect of the proposed change does not affect any of the cost-recovery factors; it would just directly offset the costs of reclassification and statutory land management (compare to s82(1)a of the Reserves Act 1977).
- While the overall Crown financial position is not affected, the proposal would increase funding available to land classification and statutory land management and decrease funding available for other Crown priorities. The range of consequences will depend on the value of the land that is disposed. Examples provided on the next page show the range of recent disposals is \$3,500-\$852,000, but the effect will depend on the decision by the Minister to direct revenue from disposal to DOC; the change will not automatically direct all disposal revenue so the Minister will have discretion.

What are the main cost drivers of the activity? What are the outputs of the activity and the business processes that are used to produce those outputs?

- The overarching process of reclassifying 2.5 million hectares will yield a small proportion of land for disposal.
- The land will be in various sized packages; most will be 1-10 hectares, a few could be thousands of hectares. Disposal preparation, valuation, listing and transaction costs will be similar and will be affected by time on market and other land disposal factors.
- The user charge is the market price of the land paid by a willing buyer, with a potential valuation process setting expectation on that market prices. The user charge is not itemised to any costs.

What are the estimates of expenses and revenue for the activity?

- For reclassification leading to disposal, DOC's Statutory Land Management team provided the table below. The items are consistent to each disposal process, though the costs are only indicative based on recent disposals and may vary over time depending on demand, inflation etc. Starred items may vary depending on the characteristics of the land being disposed of. The additional expenses associated with **each** disposal include:

Item	Purpose	Indicative cost \$ ex GST
DOC staff costs - 40 hours	Coordinate disposal activities	5,200
LINZ agents	Crown land services and survey (fee for service)	18,000
Survey Plan*	Survey documentation (fee for service)	15,000
Valuation*	Establish value (fee for service)	3,500
Processing fees (legal, conveyancing, <i>Gazette</i> )	Compliance services	1,500
Land agent and marketing*	Listing and coordinating sale process	10,000
Total Indicative costs		53,200

- While difficult to predict final amounts, the approximate costs of disposal will be approximately \$1.1 million for every 20 areas that fit the criteria and which can be prepared for disposal, assuming only one valuation and market listing is needed to achieve disposal each time.
- For example, if 50 stewardship areas are disposed of, this will cost approximately \$2.5-2.8 million, if 150 areas are disposed of, this will cost approximately \$7.5-8.6million.
- We have no way to model revenue until we know which areas are eligible for disposal. It is feasible that some land that is disposed of will generate one-off revenues that exceed the cost of preparing for its disposal, but unlikely that revenues overall will cover the costs of reclassifying all stewardship land, including land that is not disposed of.
- Recent disposal revenues (ex GST) include:
  - \$22,500 for 5.1078 hectares in Westland District in 2016
  - \$200,000 for 5.0585 hectares in Selwyn District in 2017
  - \$3,400 for 0.0331 hectares in St Bathans in 2019
  - \$852,000 for 0.0207 hectares in Auckland in 2021.

How will changes in the underlying assumptions affect financial estimates?

- The costs are affected by the size of the land – larger areas have higher valuation and survey costs, and agent costs can be higher because land is on the market for longer or requires multiple listings to generate a sale. However larger areas are also less likely to be eligible as they are more likely to contain conservation values or to meet criteria for protection under a different classification. Where conservation values vary across a large area, the area could be broken into parcels so some parcels with very low or no values could be disposed.

## Consultation

Who has been consulted (or who will be consulted), what form will consultation take and what options are being canvassed?

- The proposal to redirect proceeds from disposal of stewardship land will be consulted on in a public discussion document and will be one of the issues that DOC engages tangata whenua and conservation stakeholders on in hearings and meetings.
- Public sector agencies consulted on this proposal have not raised any concerns with the option of the Minister potentially redirecting proceeds from disposals to DOC to offset the costs of reclassification and statutory land management.

What key feedback has been received and were any significant concerns raised about the preferred option?

- This is an interim CRIS to accompany the discussion document; it will be revised based on feedback from consultation

How will consultation be managed for the rest of the process (that is, while the detailed cost recovery model is developed and through implementation).

- Because the proposal relates to changing where proceeds of land disposal may be directed, we do not intend to update the overarching cost recovery model; we will provide a report on submissions on this proposal as work progresses.
- Any recommendation to dispose of land requires its own public consultation process.

# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

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## FRANZ JOSEF/WAIAU RATING DISTRICT – JOINT COMMITTEE AGREEMENT

### 1. Summary

- 1.1. The purpose of this report is to provide a copy of the Franz Josef/Waiau Rating District Joint Committee Agreement for adoption by Council.
- 1.2. This issue arises from the West Coast Regional Council and Westland District Council to record their agreement to jointly manage the maintenance of the Franz Josef/Waiau Floodwalls, via a Joint Committee of the two Councils, Te Rūnanga o Makaawhio, Waka Kotahi/NZ Transport Agency, and Department of Conservation and community members.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council adopt the Franz Josef/Waiau Rating District Joint Committee Agreement.

### 2. Background

- 2.1. The reason the report has come before the Council is due to the absence of a formal agreement with the West Coast Regional Council to jointly manage the maintenance of the Franz Josef/Waiau Floodwalls, via a Joint Committee.
- 2.2. The membership of the Committee will be disestablished following the Triennial Election and reappointments will be necessary.

### 3. Current Situation

- 3.1. The current situation is that there is no formal agreement in place currently to manage the Franz Josef/Waiau floodwalls. Maintenance of the floodwalls is currently undertaken by the West Coast Regional Council with no formal agreement.

#### Options

- 3.2. Option 1: To receive the report and adopt the recommendation.
- 3.3. Option 2: To receive the report and not adopt the recommendations.



#### **4. Risk Analysis**

4.1. Risk has been considered and there are no significant risks identified.

#### **5. Health and Safety**

5.1. Health and Safety has been considered and no items have been identified in adopting the agreement.

#### **6. Significance and Engagement**

6.1. The level of significance has been assessed as being moderate.

6.2. Public consultation is considered necessary to call for two community members to the Joint Committee. The initial community members shall be the spokespersons from the previous rating districts.

#### **7. Assessment of Options (including Financial Considerations)**

7.1. Option 1 – Receive the report and adopt the recommendation. This will enable the all stakeholders with oversight of the governance of the Waiho River protection works and provide direction to the West Coast Regional Council for boundary changes, major capital works and other areas of significant public interest.

7.2. There are no financial implications in adopting Option 1.

7.3. Option 2 – Do not receive the report or recommendations. This would mean that there is no formal agreement in place to manage the

#### **8. Preferred Option(s) and Reasons**

8.1. The preferred option is Option 1.

8.2. The reason that Option 1 has been identified as the preferred option is that this document will guide the respective parties in developing a long-term plan for management of the Franz Josef/Waiau Floodwalls and ensure that there is consistent decisions made that will support the long-term wellbeing of the community. The Council can use the information to ensure that the appropriate levels of service are undertake through a thorough process of undertaking the issues that face the Franz Josef/Waiau Township.

#### **9. Recommendation(s)**

9.1. That the report be received.

9.2. That the Franz Josef/Waiau Rating District Joint Committee Agreement is adopted be signed by the Mayor.

9.3. That Council appoint the Mayor and two elected South Westland Councillors to the Joint Committee.

**Simon Bastion**  
**Chief Executive**

**Appendix 1: Franz Josef Rating District Joint Committee Agreement**



# **Franz Josef Rating District Joint Committee Agreement**

February 2022



THE WEST COAST  
REGIONAL COUNCIL

## DOCUMENT CONTROL



Reason for Submission	Revision Number	Revision Date	Approval
New Document	1	1 July 2021	
Version 1 - draft		November 2021	Initial review by West Coast Regional Council and Westland District Council
		December 2021	Review by Department of Conservation and Waka Kotahi
	Final	14 December 2021	Adoption by West Coast Regional Council

This Deed is made this \_\_\_\_ day of \_\_\_\_\_ 2022

## **PARTIES**

WESTLAND DISTRICT COUNCIL (“WDC”)

WEST COAST REGIONAL COUNCIL (“WCRC”)

TE RŪNANGA O MAKAAWHIO (“MAKAAWHIO”)

NEW ZEALAND TRANSPORT AGENCY (“WAKA KOTAHĪ”)

DIRECTOR-GENERAL OF CONSERVATION (“DOC”)

## **AGREEMENT**

### **BACKGROUND**

- A. The WDC is empowered by Sections 12 and 130 of the Local Government Act 2002 to manage stormwater and amenity issues within its district; and
- B. The WCRC is empowered by Section 126 of the Soil Conservation and Rivers Control Act 1941 to take such steps as are necessary for the prevention of damage by floods; and
- C. Both Councils are empowered by the Local Government (Rating) Act 2002 to raise the funds necessary to carry out their respective functions; and
- D. Both Councils are empowered by Sections 12 and 137 and clauses 30 and 30A of Schedule 7 of the Local Government Act 2002 to enter into joint agreements and form a joint committee to co-ordinate the management of overlapping functions; and
- E. Any Franz Josef flood protection structure built as a result of this agreement will be owned by the WCRC. The land the floodwalls are on is under various ownership; and
- F. Both Councils wish to record their agreement to jointly manage the maintenance of the Franz Josef Floodwalls, via a Joint Committee of the two Councils, Makaawhio, Waka Kotahi, DOC and community members.

### **STRUCTURE AND OPERATION OF THE COMMITTEE**

1. The Joint Committee shall be formed initially, with its membership reappointed at or after the first meeting of WCRC and WDC following each triennial general election.
2. WCRC shall appoint three elected Councillors to the Joint Committee, being two Councillors from the Westland constituency and the Chair of WCRC. If the Chair of WCRC is from the Westland constituency, then the third Councillor will be appointed from another

constituency.

3. WDC shall appoint the Mayor for Westland, plus the two elected South Westland Councillors to the Joint Committee.
4. Makaawhio shall be represented on the Joint Committee by the Chair of Te Rūnanga O Makaawhio or a representative delegated by the Chair.
5. Waka Kotahi will appoint a member to the Joint Committee.
6. The Director-General of Conservation will appoint a member to the Joint Committee.
7. Two community members will be appointed to the Joint Committee by the WCRC and WDC, following a call for nominations. The initial community members shall be the spokesperson from the previous rating districts. New community members will be appointed as vacancies arise and the term of the appointments will match the local government constituent's appointments. The nomination process shall be administered by the WCRC, in consultation with WDC.
8. In relation to DOC, membership of the Joint Committee does not:
  - affect any of its rights, powers or duties, in particular as they relate to river and flood management at Franz Josef (such as under the Resource Management Act 1991); or
  - bind it to any funding commitments or decisions relating to transfer of assets.
9. The Chair shall alternate one year to the next being a WDC elected representative one year and a WCRC elected representative the next, with the term of the chairpersonship being 12 months from 31 October each year except in years where the triennial election is held, where the term ends at the date of the election. The appointment of the Chair shall be made by the relevant Council who has responsibility for the Chair.
10. The function of the secretariat will alternate as per the term of chairpersonship.
11. The Council not exercising the role of Chair in any year shall appoint a Deputy Chair. The term of the deputy chairpersonship shall be 12 months from 31 October each year except in years where the triennial election is held, where the term ends at the date of the election.
12. Unless otherwise specified in this Agreement, the Committee shall use the current standing orders of the WCRC, noting that the committee wishes to achieve consensus decisions wherever possible.
13. A quorum of the Committee shall be not less than five members, and must include one or more members from each of the two Councils (one or more from WCRC and one or more from WDC).
14. Meetings shall be held annually or as otherwise agreed by the Joint Committee.
15. Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987, and will be undertaken by the secretariat.

16. Minutes of all Joint Committee meetings shall be provided to the next meeting of the respective Councils.

#### **TERMS OF REFERENCE & DELEGATIONS**

17. Each year the Joint Committee shall consider any staff and/or expert reports, ascertain what work and budget requirements will be for the coming year and make a recommendation to each parent Council for annual planning and action.
18. The Committee shall not have any funding or rate setting authority.
19. WCRC as the Rating Body for the Franz Josef Rating District is the final decision maker on the annual work plan and setting the appropriate rate to fund the agreed works.
20. The Joint Committee's role is to review the annual work plan provided to it by the WCRC, receive and consider any independent expert advice, and make informed recommendations to WCRC for the final decision. The Committee may also make recommendations to the WCRC regarding:
  - Commissioning independent expert reports; and
  - Undertaking public consultation on boundary changes, major capital works and other areas of significant public interest.

WCRC will consider any recommendations of the Committee in making any decisions on the above.

21. Where Committee recommendations relate to the functions of the WDC, WDC shall consider and make decisions on any recommendations accordingly.
22. Without limiting the ability of the Joint Committee to recommend the most appropriate arrangements for works and funding, in relation to the Franz Josef floodwalls the WDC shall be responsible for all works and funding relating to:
  - Stormwater management, including any pump station operation and maintenance and floodgates on drainpipes and their operation and maintenance.
23. Without limiting the ability of the Joint Committee to recommend the most appropriate arrangements for works and funding, in relation to the Franz Josef floodwalls the WCRC shall be responsible for all works and funding relating to:
  - The maintenance and repair of the structural integrity of the floodwalls managed under WCRC Asset Management Plans;
  - The provision of flood warning advice to WDC for the Waiho River; and
  - Ownership of the floodwalls as identified in WCRC Asset Management Plan.
24. The WCRC has constituted a "Franz Josef Rating District" and reserves the right to raise such funds as it may need to carry out its functions under clause 8 above from this source.
25. The WDC will fund the performance of its functions under clause 22 above from such sources that are available that it may determine.

## VARIATION OF THIS AGREEMENT

26. This agreement may be amended at any time, at the request of either Council, but such amendment will only take effect once both parent Councils have formally received and adopted those changes sought.

### SIGNATURES

SIGNED by

**WESTLAND DISTRICT COUNCIL**

In the presence of:

\_\_\_\_\_  
by its authorised signatory

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness name

\_\_\_\_\_  
Witness Occupation

\_\_\_\_\_  
Witness Town of Residence

SIGNED by

**WEST COAST REGIONAL COUNCIL**

In the presence of:

\_\_\_\_\_  
by its authorised signatory

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness name

\_\_\_\_\_  
Witness Occupation

\_\_\_\_\_  
Witness Town of Residence



SIGNED by

**TE RŪNANGA O MAKAAWHIO**

In the presence of:

\_\_\_\_\_   
 by its authorised signatory

\_\_\_\_\_   
 Witness signature

\_\_\_\_\_   
 Witness name

\_\_\_\_\_   
 Witness Occupation

\_\_\_\_\_   
 Witness Town of Residence

SIGNED by

**NEW ZEALAND TRANSPORT AGENCY**

In the presence of:

\_\_\_\_\_   
 by its authorised signatory

\_\_\_\_\_   
 Witness signature

\_\_\_\_\_   
 Witness name

\_\_\_\_\_   
 Witness Occupation

\_\_\_\_\_   
 Witness Town of Residence

SIGNED by

**DIRECTOR-GENERAL OF CONSERVATION**

In the presence of:

\_\_\_\_\_   
 by its authorised signatory

\_\_\_\_\_   
 Witness signature

\_\_\_\_\_   
 Witness name

\_\_\_\_\_   
 Witness Occupation

\_\_\_\_\_   
 Witness Town of Residence



# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Finance Manager

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## **FINANCIAL PERFORMANCE: FEBRUARY 2022**

### **1. Summary**

- 1.1. The purpose of this report is to provide an indication of Councils financial performance for four months to 28 February 2022.
- 1.2. This issue arises from a requirement for sound financial governance and stewardship with regards to the financial performance and sustainability of a local authority.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021-31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the financial performance report to 28 February 2022.

### **2. Background**

- 2.1. Council receives monthly financial reporting so that it has current knowledge of its financial performance and position against budgets. A more detailed performance report is presented to the Audit and Risk Committee on a quarterly basis which includes non-financial information against KPI's adopted through the Long Term Plan.
- 2.2. The Audit and Risk Committee received a report to the end of December 2021 and expressed concern about the number Activities for which Statement of Service and Performance Reports were not provided.

### **3. Current Situation**

- 3.1. The financial performance report has had some changes made to the format and the actual data presented.
- 3.2. The information in the report is now of a more summarised nature, with only permanent variances over \$25,000 having comments. Temporary differences which are mainly budget

phasing are not commented on as these will either approximate budget by the end of the financial year, or become a permanent variance which will be noted.

3.3. With the inclusion of the sustainability report, it is not necessary to include such detail to Council in the financial report, as the key business indicators are included in the sustainability report. A number of these indicators make up part of the covenants required to be reported half-yearly to the Local Government Funding Agency.

3.4. The financial performance report to 28 February 2022 is attached as **Appendix 1** and contains the following elements;

- 3.4.1. Sustainability report
- 3.4.2. Statement of Comprehensive Revenue and Expense
- 3.4.3. Notes to the Statement of Comprehensive Revenue and Expense
- 3.4.4. Statement of Financial Position
- 3.4.5. Revenue and Expenditure Graphs
- 3.4.6. Debtors
- 3.4.7. Debt position
- 3.4.8. Capital Report

#### **4. Options**

4.1. Option 1: The Council receives the Financial Performance Report to February 2022

4.2. Option 2: The Council does not receive the Financial Performance Report to February 2022

#### **5. Risk Analysis**

5.1. Risk has been considered and no risks have been identified in receiving the report, however if Council did not receive the report, it could be perceived that there was a lack of financial stewardship leading to reputational risk and conduct risk.

#### **6. Health and Safety**

6.1. Health and Safety has been considered and no items have been identified.

#### **7. Significance and Engagement**

7.1. The level of significance has been assessed as being low as the report is for information purposes only.

7.2. No public consultation is considered necessary

#### **8. Assessment of Options (including Financial Considerations)**

8.1. Option 1: The Council receives the report. This report is to inform Council on the monthly financial position and to encourage financial stewardship.

8.2. There are no financial implications to this option.

8.3. Option 2: If the Council does not receive the report there will be no oversight of the financial position of Council or whether the costs of Council are being managed in line with budgets.

8.4. There are no financial implications to this option.

## **9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1

9.2. The reason that Option 1 has been identified as the preferred option is that the report is administrative in nature and to do nothing could create risks to council. Council would be carrying out its administrative stewardship in receiving the report.

## **10. Recommendation(s)**

10.1 That the Financial Performance Report for February 2022 be received.

**Lynley Truman**  
**Finance Manager**

**Appendix 1:** Financial Performance to February 2022

## Appendix 1



# Financial Performance Year to February 2022

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## Sustainability Report

Total revenue	Total expenditure	Total surplus/(deficit)
<b>\$24.34M</b>	<b>\$18.09M</b>	<b>\$6.25M</b>
Is 15.40% more than the total budget of \$21.09M	Is 1.71% less than the total budget of \$18.40M	Against a budget of \$2.69M

### SUSTAINABILITY

#### Rates to operating revenue 47.75%

Rates Revenue	\$11.62M
Operating Revenue	\$24.34M

47.75% of operating revenue is derived from rates revenue. Rates revenue includes penalties, water supply by meter and is gross of remissions. Operating revenue excludes vested assets, and asset revaluation gains.

#### Balanced budget ratio 134.55%

Operating revenue	\$24.34M
Operating expenditure	\$18.09M

Operating revenue should be equal or more than operating expenditure. Operating revenue excludes vested assets and asset revaluation gains. Operating expenditure includes depreciation and excludes landfill liability and loss on asset revaluations. Year to date revenue is 134.55% of operating expenditure.

#### Interest to rates revenue (LGFA Cov.) 2.99%

Net interest and finance costs	\$0.35M
Rates Revenue	\$11.62M

2.99% of rates revenue is paid in interest. Our set limit is 25% of rates revenue. Net interest is interest paid less interest received. Rates revenue includes penalties, water supply by meter and gross of remissions.

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**Interest to operating revenue** **1.43%**

Net Interest and finance costs	\$0.35M
Operating revenue	\$24.34M

1.43% of operating revenue is paid in interest. Our set limit is 10% of operating revenue. Net interest is interest paid less interest received.

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**Liquidity Risk (LGFA Cov.)** **151%**

Gross debt	\$24.82M
Undrawn committed facilities	\$3.98M
Cash and cash equivalents	\$11.68M

The liquidity risk policy requires us to maintain a minimum ratio of 110% which is also an LGFA covenant. Council's current liquidity risk is 151%. Gross debt includes \$3m prefunding invested in term deposit.

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**Essential services ratio** **132.63%**

Capital expenditure	\$5.67M
Depreciation	\$4.27M

Capital expenditure should be equal or more than depreciation for essential services. Year to date capex is 132.63% of depreciation. Essential Services are Water Supply, Wastewater, Stormwater, and Rooding.

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## Statement of Comprehensive Revenue and Expense

Statement of Comprehensive Revenue and Expense							
	Notes	Full Year Forecast (\$000)	Full Year Budget (\$000)	YTD Budget (\$000)	Actual YTD (\$000)	Variance YTD (\$000)	Var/Bud %
<b>Revenue</b>							
Rates	01	17,932	18,030	11,719	11,621	(98)	-0.84%
Grants and subsidies	02	12,470	10,750	7,603	9,323	1,720	22.63%
Interest Revenue		43	8	6	42	36	597.40%
Fees and Charges	03	1,990	1,801	1,205	1,394	189	15.67%
Other revenue	04.	2,410	1,009	557	1,958	1,401	251.52%
<b>Total operating revenue</b>		<b>34,846</b>	<b>31,598</b>	<b>21,090</b>	<b>24,338</b>	<b>3,248</b>	<b>15.40%</b>
<b>Expenditure</b>							
Employee Benefit expenses	05	5,251	5,474	3,654	3,431	(223)	-6.09%
Finance Costs	06	967	904	326	389	63	19.37%
Depreciation	07	8,079	7,864	5,243	5,458	215	4.10%
Other expenses	08	12,366	12,811	9,180	8,810	(371)	-4.04%
<b>Total operating expenditure</b>		<b>26,664</b>	<b>27,053</b>	<b>18,403</b>	<b>18,088</b>	<b>(315)</b>	<b>-1.71%</b>
<b>Operating Surplus/(Deficit)</b>		<b>8,183</b>	<b>4,545</b>	<b>2,686</b>	<b>6,249</b>	<b>3,563</b>	<b>132.62%</b>



## Notes to the Statement of Comprehensive Revenue and Expense

Comments are provided on permanent variances over \$25,000.

### 01 Rates

Rates income is lower than planned due to higher rates discounts given to full payment of rates and lower water usage as a result of lower tourism.

### 02 Grants and subsidies

The variance is mainly due to unbudgeted grant funding brought forward and received:

Grant	\$
3 Waters Projects	677,515
Butlers Landfill	959,183
Old Christchurch Rd/Cron St	290,305
Mayors Task Force for Jobs	484,867
Carnegie Building	306,213
Beachfront	76,833
Bruce Bay Conveniences	157,344
Franz Josef Helipad	91,334
Cass Square	218,598
Halls and Cenotaphs repair	184,097
Swimming Pool Hokitika	204,570

**Total** **3,650,859**

The difference between grants brought forward and the variance is mainly due to net timing differences of budgeted grants not received: NZTA \$1.67m, West Coast Cycle Trail \$286k.

### 03 Fees and charges

Income is higher than planned mainly due to increased refuse fees collected at Hokitika transfer station \$145k, part of which came from Buller District, \$27k. Resource consents, Resource management processing fees and Building processing fees are collectively higher than budget by \$129k due to increased interest in the property market. Franz Josef refuse is \$57k below budget due to reduced tourism. Trade waste fees are \$51 below budget, also due to reduced tourism.

### 04 Other Revenue

Actual income is higher than planned mainly due to an unbudgeted gain on swaps, \$753k and income gained from vested assets, \$477k: Lake Matheson walkway, and a constructed asset at Heritage Industrial Park.

### 05 Employee benefit expenses

Actual salary cost is lower than planned due to unfilled roles.

### 06 Finance Costs

The variance is due to higher than budgeted interest rates which are offset by a gain in swaps reflected in other revenue.

### 07 Depreciation

Mainly due to depreciation of capitalised projects: Westland Sports Hub \$65k, Hokitika wastewater reticulation \$64k, and Hokitika Drainage \$33k.

### 08 Other expenses

The variance is mainly due to the timing of maintenance works.

## Statement of Financial Position

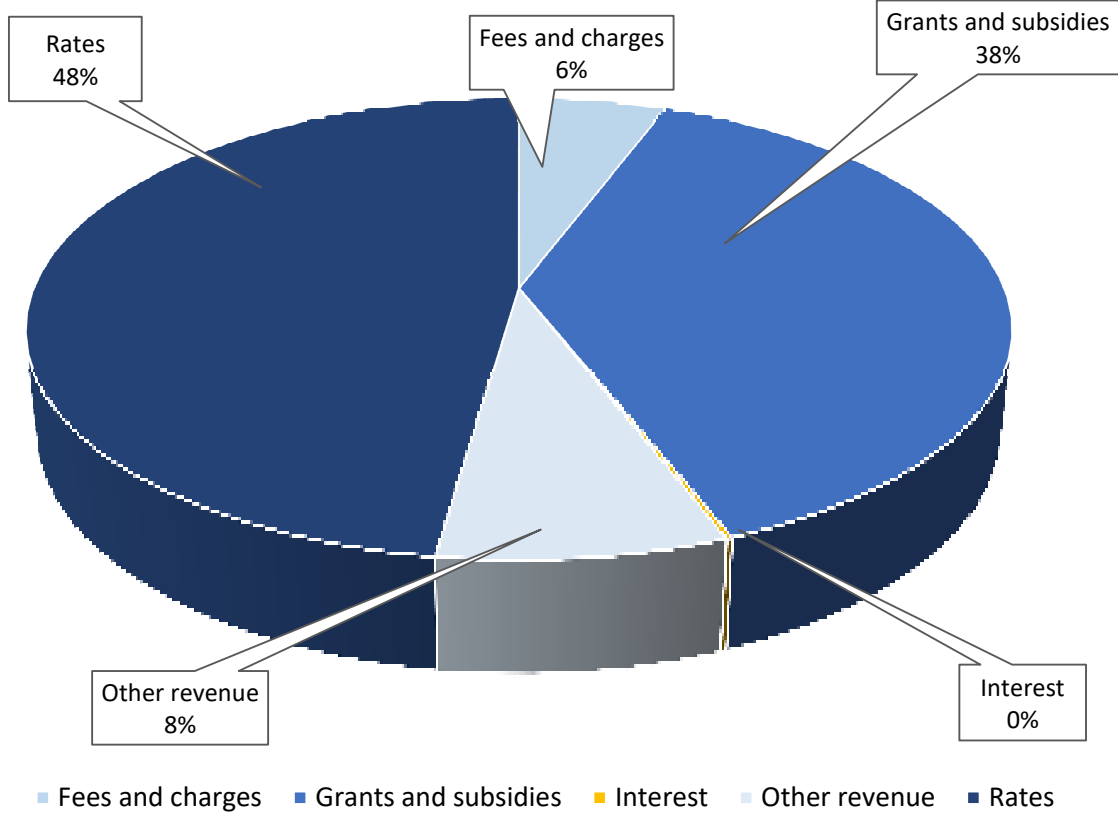
<b>Statement of Financial Position</b>			
	<b>February YTD 2022 (\$000)</b>	<b>Annual Plan 2021/2022 (\$000)</b>	<b>Actual 2020/2021 (\$000)</b>
<b>Assets</b>			
<b>Current assets</b>			
Cash & cash equivalents	11,723	13,253	11,411
Debtors & other receivables	2,948	2,514	4,361
Assets held for sale	-	-	
Other financial assets	48	-	48
<b>Total Current Assets</b>	<b>14,719</b>	<b>15,767</b>	<b>15,820</b>
<b>Non-current assets</b>			
Council Controlled Organisation	8,695	11,010	8,695
Intangible assets	53	37	65
Assets Under Construction	18,591	-	10,088
Other Financial Assets	791	418	527
Property, Plant and Equipment	405,759	447,288	409,369
Deferred Tax	37		
<b>Total Non-current assets</b>	<b>433,927</b>	<b>458,753</b>	<b>428,742</b>
<b>Total Assets</b>	<b>448,646</b>	<b>474,520</b>	<b>444,562</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Creditors & other payables	847	2,930	4,082
Employee benefit liabilities	472	446	436
Tax payable		3	
Borrowings	3,000	-	3,000
Derivative financial instruments	-	-	94
Other	5,284	425	6,554
<b>Total Current Liabilities</b>	<b>9,603</b>	<b>3,804</b>	<b>14,166</b>
<b>Non-current liabilities</b>			
Borrowings	21,818	33,734	18,818
Employee benefit liabilities	38	47	41
Provisions	1,846	2,371	1,846
Derivative financial instruments		583	536
Other Non-current liabilities		32	
<b>Total Non-Current Liabilities</b>	<b>23,702</b>	<b>36,767</b>	<b>21,241</b>
<b>Total Liabilities</b>	<b>33,305</b>	<b>40,571</b>	<b>35,406</b>
<b>Net Assets</b>	<b>415,340</b>	<b>433,948</b>	<b>409,156</b>

	February YTD 2022 (\$000)	Annual Plan 2021/2022 (\$000)	Actual 2020/2021 (\$000)
<b>Equity</b>			
Retained earnings	164,993	166,323	158,744
Restricted Reserves	10,538	9,361	10,538
Revaluation reserves	239,723	258,201	239,788
Other comprehensive revenue and expense reserve	87	64	87
<b>Equity</b>	<b>415,340</b>	<b>433,949</b>	<b>409,156</b>

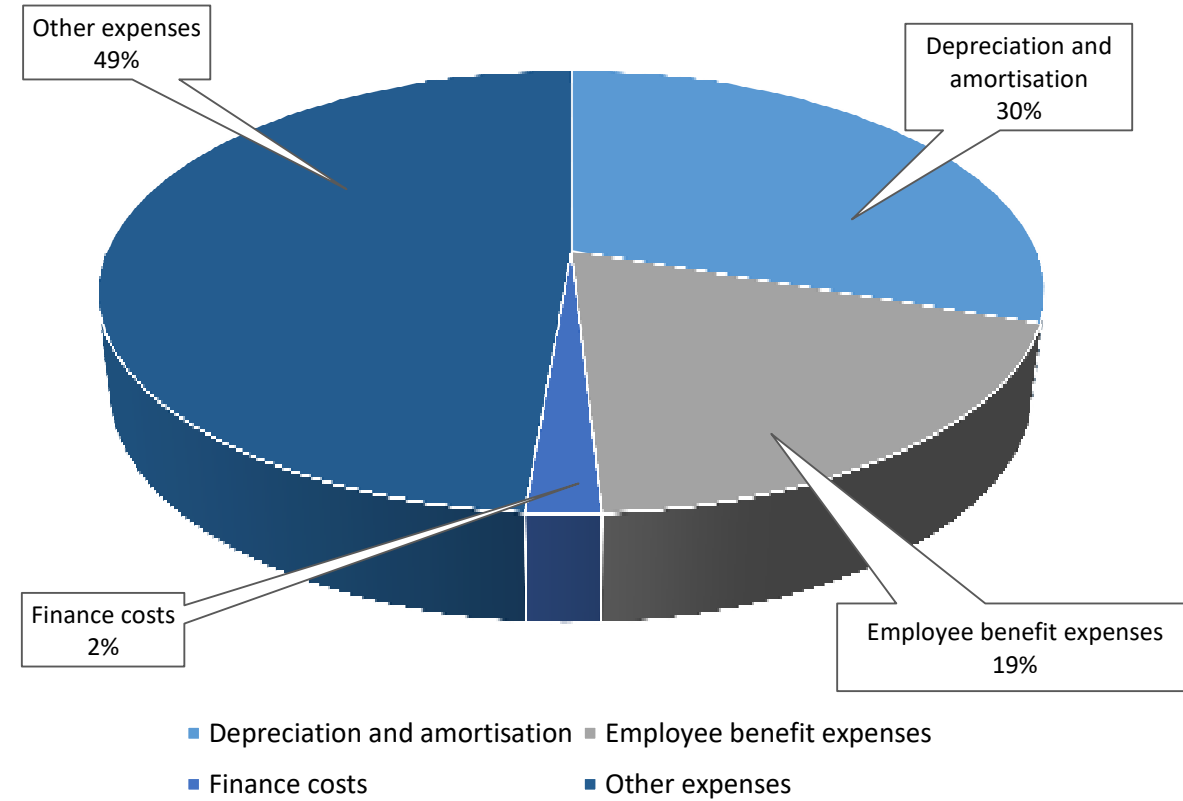
Note:

<b>Cash &amp; Cash equivalents</b>	
Grants	5,045
Prefunding LGFA Loan	3,000
Bank balance from operations	3,678
<b>Total</b>	<b>11,723</b>

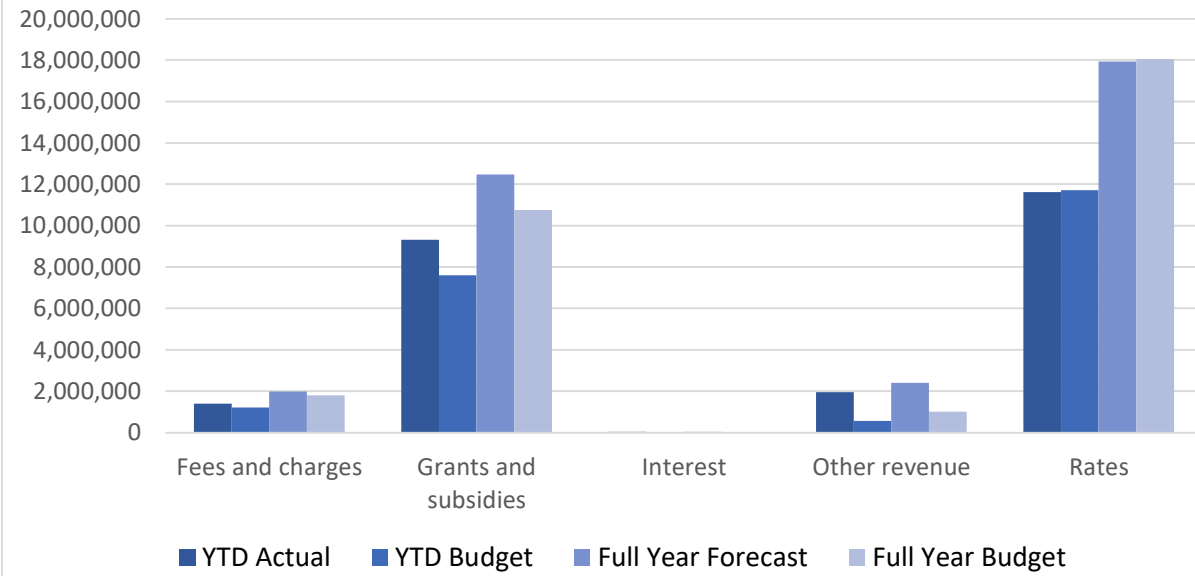
Operating Revenue Actual Year to February



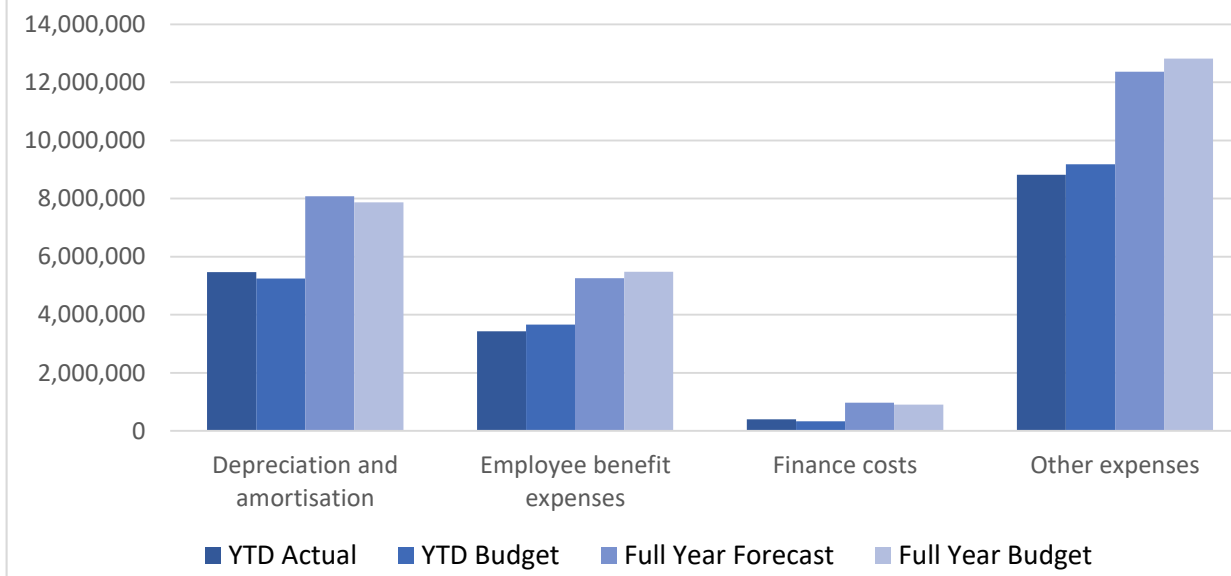
Operating Expenditure Actual Year to February



Operating revenue



Operating expenditure



## Debtors as at 28 February 2022

### 28-Feb-22

Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	22,839	256	310	15,266	38,671
Building Warrants	556	-	-	(140)	416
Resource Consents	891	2,000	-	4,814	7,705
Sundry Debtors	121,952	12,037	178,197	460,568	772,754
<b>Grand Total</b>	<b>146,238</b>	<b>14,293</b>	<b>178,508</b>	<b>480,508</b>	<b>819,546</b>

### 28-Feb-21

Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	20,266	5,353	16,082	19,523	61,224
Building Warrants	1,360	-	-	-939	421
Resource Consents	26	-	800	(4,508)	(3,682)
Sundry Debtors	17,122	88,611	25,650	56,426	187,810
<b>Grand Total</b>	<b>38,774</b>	<b>93,964</b>	<b>42,533</b>	<b>70,502</b>	<b>245,773</b>
<b>%age change</b>	<b>277%</b>	<b>-85%</b>	<b>320%</b>	<b>582%</b>	<b>233%</b>

The main difference between the two periods are grant invoices, in sundry debtors, owing for \$605k.

## Rates Debtors as at 28 February 2022

<b>Rates Debtors at 31 January 2022</b>		<b>3,600,035</b>
Rates instalment		
Less payments received	-2,793,579	
Paid in advance change	206,107	
Previous years write off's	-4,784	
Write off's	-174	
Penalties	-662	
Discounts	14	
Court Cost	7,259	
		-2,585,820
<b>Total Rates Debtors at 28 February 2022</b>		<b>1,014,215</b>
Arrears included above at 28 February 2022	1,014,215	
Arrears at 28 February 2021	1,065,048	
<b>Increase/(decrease) in arrears</b>		<b>-50,833</b>

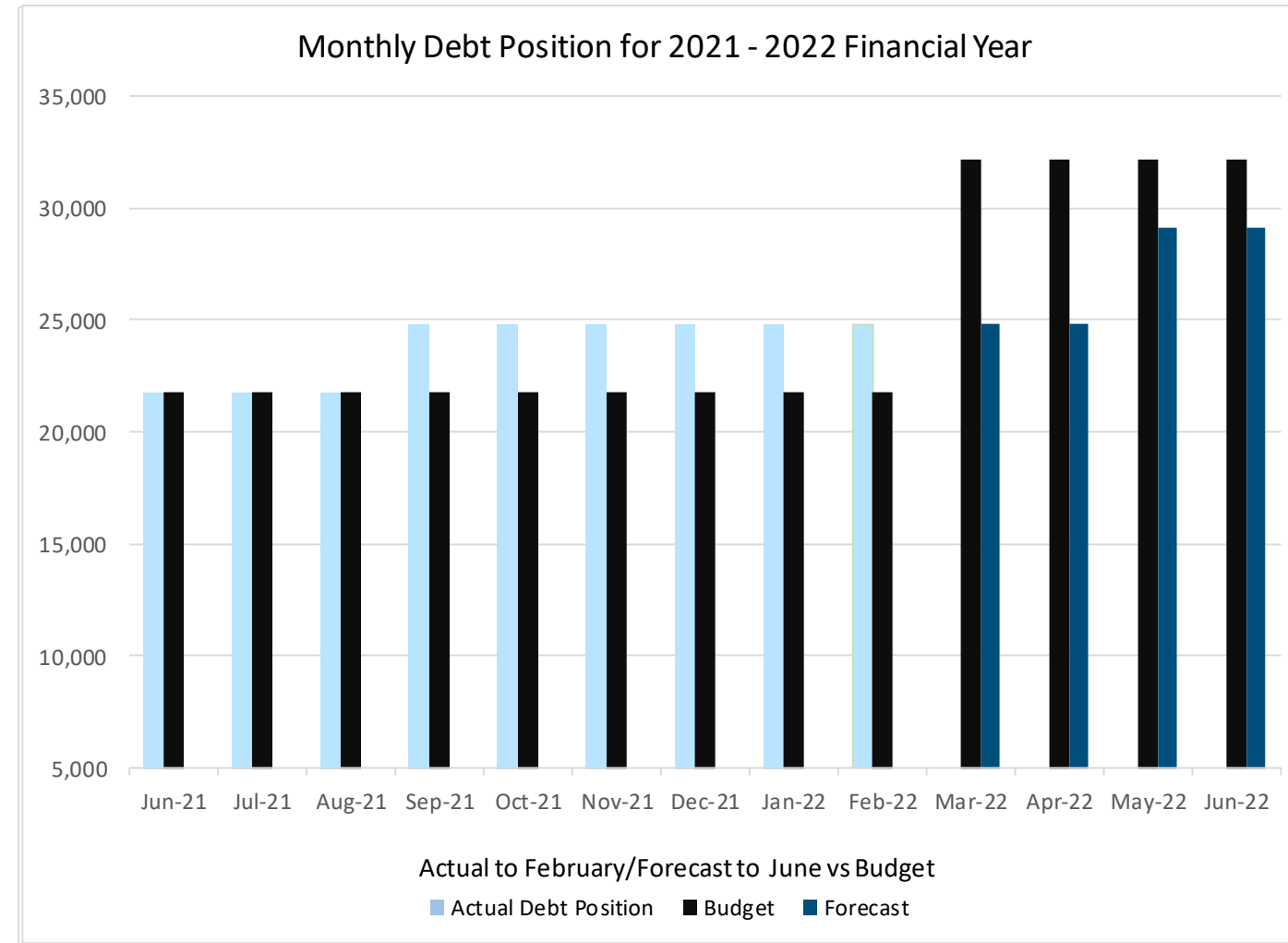
## Debt Position

### Debt Position 2021/2022 (\$000)

	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Actual Debt Position	21,818	21,818	21,818	24,818	24,818	24,818	24,818	24,818	24,818				
Budget	21,818	21,818	21,818	21,818	21,818	21,818	21,818	21,818	21,818	32,157	32,157	32,157	32,157
Forecast										24,818	24,818	29,103	29,103

### Forecast Debt Position for 2021-2022 Financial Year

Forecast as at	<b>Jun-22</b>
Opening Balance	21,818
Loan funded capex forecast	8,235
Forecast repayments 2021-22	-950
<b>Forecast balance June 2022</b>	<b>29,103</b>



CAPITAL EXPENDITURE 2021-2022

	Budgets			Expenditure			Notes	Commitments / projected carry overs				
	2020-2021 Carried Forward Budget	Approved additional	Full Year Annual Plan	YTD Actual Expenditure	Budget Remaining	YTD Spent %		Open Purchase Orders	Commitment as a % of Original Budget Remaining	Proposed 2023/31 carry overs	Proposed carry overs notes	CY Budget Remaining after Commitments and carry overs
Leadership	\$151,825		\$1,022,280	\$112,717	\$1,084,208	10%	Main projects included in this section are the Council's HQ earthquake strengthening (waiting on costings from Joseph & Associates); refurbishment of the visitor area projects; and IT Equipment renewals. The refurbishment of the visitor centre area project is on hold pending further discussions around the location of Council Chambers.	\$58,522	5%	\$720,000	HQ Earthquake strengthening	\$305,686
Planning & Regulatory Services	\$243,158		\$600,000	\$12,091	\$831,067	1%	These are all Civil Defence projects: Council is in consultation with other agencies to determine their involvement in the EOC.	\$31,315	4%	\$620,539	CD Emergency Operations Centre and Communications equipment	\$179,213
Facilities, and Leisure Services - Park & Reserves	\$836,501		\$1,819,500	\$188,232	\$2,469,815	7%	The main projects included in this section are Cass Square development projects (Toilet facilities, upgrade of playground equipment etc.); WCWT Trail projects; Waterfront Development (beach access, landscaping & structures, relocation of FENZ practice eqpmt). Other projects are the Whataroa, Haast and Kumara playground equipment upgrades. The Ross playground equipment upgrade is on hold following Community discussions. TIF funding of \$191.5k has now been approved for the new Cass Square toilets and the toilets have been ordered.	\$428,344	17%	\$270,250	Ross Playground Equipment and Dog Park. Also, Wainihinhi wet weather route bridge (\$160k) which is now planned to be linked to a potential Arahura Cycleway enhancement	\$1,771,221
Facilities, and Leisure Services - Other	\$1,072,161	\$250,000	\$4,754,000	\$1,619,358	\$4,797,933	27%	The major projects included in this section are the Carnegie building earthquake strengthening and fitout; Jacksons Bay Wharf; Hokitika and Franz Josef revitalization plan projects; lighting and flag trax system for Hokitika; and the Museum archives work. The flag trax system has been installed. Carnegie Building earthquake strengthening is nearing completion.	\$940,069	20%	\$1,400,000	Pakiwaitara projects	\$2,457,864
Solid Waste	\$148,100		\$404,000	\$171,244	\$407,365	31%	The Butlers intermediate capping project continues to be carried over due to funding received to transfer the Fox Landfill waste to Butlers Landfill. Franz Josef landfill final capping; Haast capping and the transfer station; and Hari Hari landfill protection projects have also been extended into the current year with additional funding for the latter three. New projects this year which are underway include Refuse shed 1 door and iron replacement and equipment for Waste Minimisation.	\$10,223	3%	\$115,000	Haast capping (\$15k) and development of Haast transfer station	\$282,142

Transportation	\$0		\$4,506,879	\$277,758	\$4,229,121	6%	Major projects included here are SPR Low Cost Low Risk resilience; Sealed Road resurfacing; Structures Component Replacement (incl. bridges); Sealed Road Resurfacing; Unsealed Road Metalling; Drainage Renewals; and Traffic Services Renewals.	\$15,927	0%	\$0	These projects are funded to either 62% or 100% by NZTA. The current funding period is 2022-2024 and there is flexibility to re-allocated between these years where the budget has been underspent or is required to be brought forward. A three-month program of work has been prepared for the remaining budget.	\$4,213,195
Stormwater	\$1,714,627		\$792,400	\$132,775	\$2,374,252	5%	The key project this year is the Livingstone St Pump upgrade which is underway. Other projects include mains replacement; Tancred and Sewell St pump upgrades; and the Jollie St extension and Beach St re-alignment. All projects are either underway or completed apart from Livingstone St pump upgrade which is at final design stage and Jollie St extension, for which additional prices are currently being sought; and Beach St re-alignment.	\$67,706	3%	\$300,000	Beach Street re-alignment - design being rescope.	\$2,006,546
Wastewater	\$3,411,652		\$122,831	\$152,673	\$3,388,288	4%	The main projects relate to Hokitika waste water management, with a feasibility study underway for the Hokitika WW Treatment plant under the Reform Package projects. Other key projects are the Fox Glacier WWTP upgrades (completed); Hokitika Pump upgrade (Kaniere) and the Hokitika Z-line section replacement. Additional prices are being sought for the Hokitika Z-line replacement.	\$229,827	7%	\$3,010,491	Hokitika Outfall Structure and WWTP	\$147,971
Water Supply	\$1,749,624	\$300,000	\$925,000	\$454,390	\$2,520,234	15%	The Fox Glacier Plant upgrade project has commenced. The Ross new intake project is scheduled to commence in January. Commissioning can begin on the Arahura water treatment plant once the power supply has been connected (subject to approval by Kiwirail). Closing date for pPrices for the Hokitika mains upgrade program is 9th March. The mains upgrade programme for Kumara is waiting on a start date from Westroads. The Hokitika seismic valve (main outlet) is on order but not due in until February.	\$285,444	11%	\$0		\$2,234,790
Unbudgeted Capital Expenditure	-		-	\$71,657	\$0		This relates to additional HQ refurbishment costs (\$18k); teleconferencing costs (\$5k); and new water (\$6k) and storm water connection (\$4k) requests from ratepayers;	\$672,368	-	-		N/A
<b>Total Capital Expenditure</b>	<b>\$9,327,649</b>	<b>\$550,000</b>	<b>\$14,946,890</b>	<b>\$3,192,894</b>	<b>\$22,102,284</b>	<b>13%</b>		<b>\$2,739,743</b>	<b>12%</b>	<b>\$6,436,280</b>		<b>\$13,598,629</b>
Externally funded Capital Expenditure	\$11,399,492	\$0	\$0	\$6,781,213	\$4,950,369	59%	The main projects included here are the sealing of Old Christchurch Road (\$1.5M PGF grant funded); Hokitika Swimming Pool (\$2.6M funding contribution); Butlers new cell development project (\$3.3M) and the Stimulus Funded 3Waters Reform projects (\$6.9M). The 3 Water Reform funded projects have either been completed or are on track for completion by 31 March 2022. The Hokitika swimming pool has re-opened after the completion of Stage 1.	\$2,125,938	43%	\$0		\$2,125,938
<b>Total Capital Expenditure</b>	<b>\$20,727,140</b>	<b>\$550,000</b>	<b>\$14,946,890</b>	<b>\$9,974,108</b>	<b>\$27,052,653</b>	<b>28%</b>		<b>\$4,865,681</b>	<b>18%</b>	<b>\$6,436,280</b>		<b>\$15,724,567</b>



# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Group Manager: District Assets

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## **APPLICATION TO INSTALL A PARK BENCH BY JIMMY GORDON TO COMMEMORATE 100 YEARS IN NEW ZEALAND.**

### **1. Summary**

- 1.1. The purpose of this report is to seek permission from the Council to install a park bench at Cass Square with a small plaque attached.
- 1.2. The plaque will commemorate the centennial of the first poppy sold in NZ following World War One.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council approve the request by Jimmy Gordon as outlined.

### **2. Background**

- 2.1. This report is presented to council following a request to install a park bench with small plaque attached for the reasons outlined above.
- 2.2. Policy must also be considered and taken into account.

### **3. Current Situation**

- 3.1. In background Mr Gordon wishes to have the park seat installed to give people somewhere to sit and enjoy the views from Cass Square.

There was a seat in the same location but it was removed at some stage in the past and has never been replaced.

The concrete pad where the seat was is still in place and could be used to mount the proposed seat on.

The Centenary of the sale of the first poppy sold in NZ is approaching with the ANZAC Day service for the 25<sup>th</sup> April 2022 approaching.

- 3.2 Poppy sales commenced in 1922 in New Zealand and this is the Centenary year marking 100 years of the poppy day appeal.
- 3.3 It is hoped to have the seat installed at Cass Square to mark the occasion in time for the commemorations which will be taking place on ANZAC day April 25<sup>th</sup> 2022.
- 3.4 A request has been made to install a small plaque dedicating the seat with the following wording,
- 3.5 “To Mark the Centennial of the Anzac Poppy in New Zealand” Pictures are attached.
- 3.6 Westland District Council has a policy that relates to HOKITIKA STATUES, MONUMENTS, MEMORIALS & PUBLIC ART which outlines conditions which need to be clarified and agreed on before additional structures are placed on Westland parks and Reserves. (Policy attached)
- 3.7 In relation to that policy Mr Gordon has agreed to the following; that the seat and plaque will be installed at no cost to the ratepayer.

#### **4. Options**

- 4.1. Option 1: Install the seat and plaque at Cass Square in the location described. (Picture attached)
- 4.2. Option 3: Decline the request/application.

#### **5. Risk Analysis**

- 5.1 Risk has been considered and no risks have been identified.

#### **6. Health and Safety**

- 6.1. Health and Safety has been considered and no items have been identified.

#### **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as low, no public consultation is considered necessary because of the nature of the group making the request and the small visual impact of the plaque.

#### **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 – the seat and installation will be paid for by Mr Gordon at no cost to the rate payer as indicated in his application. It is unlikely that the seat will be damaged as it is stout construction and damage to park benches is not common.
- 8.2. Option 2 – That Council decline the request.
- 8.3. There are no financial costs to Council with either option.

#### **9. Preferred Option(s) and Reasons**

- 9.1. The preferred option is Option 1
- 9.2. The reason that Option 1 has been identified as the preferred option. There is a need for a seat in the area indicated, it will be well constructed and should last many years. The seat will mark the centennial of the poppy day appeal which has supported returned service people for 100 years. This is certainly an event worthy of being celebrated with this dedicated seat.

## **10. Recommendation(s)**

10.1 That Council receive the report.

10.2 That Council approve the seat and plaque being installed at Cass Square in the area indicated.

10.3 As the seat is not a complex or high maintenance structure it is recommended that Council will meet the cost or any repairs or maintenance required.

**Scott Baxendale**

**Group Manager, District Assets**

### **Attachments:**

1. A picture of the preferred seat – this has not been provided at this stage
2. A sketch map of the site where the seat is proposed to be installed – this has not been provided at this stage.
3. The policy on Hokitika Statues, Monuments, Memorials and Public Art.
4. A letter from Mr Jimmy Gordon.
5. A letter of support from Hokitika RSA President – this has not been received at this stage.



**POLICY ON  
HOKITIKA  
STATUES,  
MONUMENTS,  
MEMORIALS &  
PUBLIC ART**

## 1. INTRODUCTION

1. This policy sets out policy, guidance and requirements pertaining to the location and ongoing maintenance of statues, monuments, memorials and public art in Hokitika.

## 2. POLICY APPLIES TO

- 2.1 Locations in Hokitika area (including Kanieri).

## 3. POLICY STATEMENT

- 3.1 That all proposed sites for statues, monuments, memorials and public art in Hokitika are brought to the attention of the Hokitika Reserves and Environs Community Group for comments and consideration.
- 3.2 That a written outline of the proposal including the meaning of the object (design rationale), relevance to the town, why the intended site has been chosen, its overall purpose, the origin of the object, what materials it is made of, how it will be constructed, and its expected life be submitted to the Hokitika Reserves and Environs Community Group.
- 3.3 That annotated scale drawings or photographs of the object, including a plan and elevations be provided.
- 3.4 That a visual impression (sketch, photo-montage, mock-up) of the object on the proposed site be provided to show how it will look when it is finished, how it relates to its existing background, its surroundings and what views will be seen looking at it from other directions.
- 3.5 That options for alternative sites be considered.
- 3.6 That any object in a public space must be signed off by an engineer to ensure it meets National Playground Safety Standards (or the equivalent) if required.
- 3.7 That ownership of any object must be clearly stated and agreed upon; that is, whether the object is to be given to Council for the community, whether a gift agreement is needed or if ownership stays with the proposer, and whether a loan agreement is required, which includes a renewal date, a condition report, a maintenance regime, and the process for the removal and return of the object.

- 3.8 That the proposed location of new or relocated statues, monuments, memorials and public art will be considered in the context of existing development plans already considered or approved by Council.
- 3.9 That Council asks the proposer of the project for a maintenance schedule to be put in place so that the statue, monument, memorial or public art will be kept in good condition and that Council has the right to remove the statue, monument, memorial or public art if it falls into disrepair. This schedule will include what needs to be done, how often and who will do it.
- 3.10 That a recommendation from the Hokitika Reserves and Environs Community Group for every proposed statue, monument, memorial and work of public art be taken to Council, with an escalation process to Council if there is a lack of decision.
- 3.11 That every initial placement and/or relocation of any statue, monument, memorial or work of public art only be decided by Council resolution.

#### 4. DEFINITION

- 4.1 A statue is a sculptured figure in the form of a person or animal.
- 4.2 A monument is anything designed to commemorate something.
- 4.3 A memorial is something designed to preserve the memory of a person or event.
- 4.4 Public art is art in any media that is located in a public place, usually outside and accessible to everyone.

#### 5. BACKGROUND

- 5.1 The need for a policy has arisen because of past requests for statues, memorials and monuments to either be located or re-located in the Hokitika area.

#### 6. REGULATIONS AND REFERENCES

- 6.1 No regulations or references exist that affect this policy.

#### 7. RELATED WRITTEN POLICIES

- 7.1 No related policies are in force.

**8. DELEGATIONS**

**8.1** Council may delegate some of its powers to the Chief Executive.

**9. EXCEPTIONS**

**9.1** No exceptions.

**10. REVIEW PROCESS**

This policy will be reviewed in 5 years' time.

**11. APPROVAL**

This policy was adopted by Council 26 July, 2018.

Mr Bruce Smith  
Mayor, and Councillors,  
Westland Council.

28<sup>th</sup> Dec 2021  
Cell: 0211129717.

Dear Sirs,

I wish to make application to Council,  
My Request, in replacing a new Park Bench in Cass Square  
(The old bench had been taken away some years ago)  
The site in question, is at the bottom of the  
Stafford Street steps - leading down to Cass Square  
(see map)

There is already in place, a concrete pad made  
for the previous park bench, that many folk  
enjoyed sitting on, and taking in the views  
of the mountains.

This of course, would be at NO COST to  
Council or Rate Payers:

The purchasing - freight - installation of the new  
Park Bench will be done through me.

The financing for this project will be done - in part -  
from the "Koha" given generously from RSA - Church -  
Marae throughout New Zealand, after they  
receiving an Anzac Poppy Bench from our  
Well Town - Hokitika this year.





(2)

Most donated monies (KOH) has already been returned to the RSA: HQ in Wellington.

Which will be used for their Benevolent fund and Welfare for the elderly returned Veterans throughout New Zealand.

"KOH" money is still trickling in:

My thoughts, being timely, to ask Council their consideration for a New Park Bench -- "To the Memory" Installation The Fallen.

The Poppy.

This project would of course, have the full Blessings from the Hokianga RSA: Before going ahead.

I Look forward to your reply in the near future as I wish to have the Placement of The New Park Bench Before April 2022: (ANZAC DAY) The Centennial of the first Poppy Sold in New Zealand.

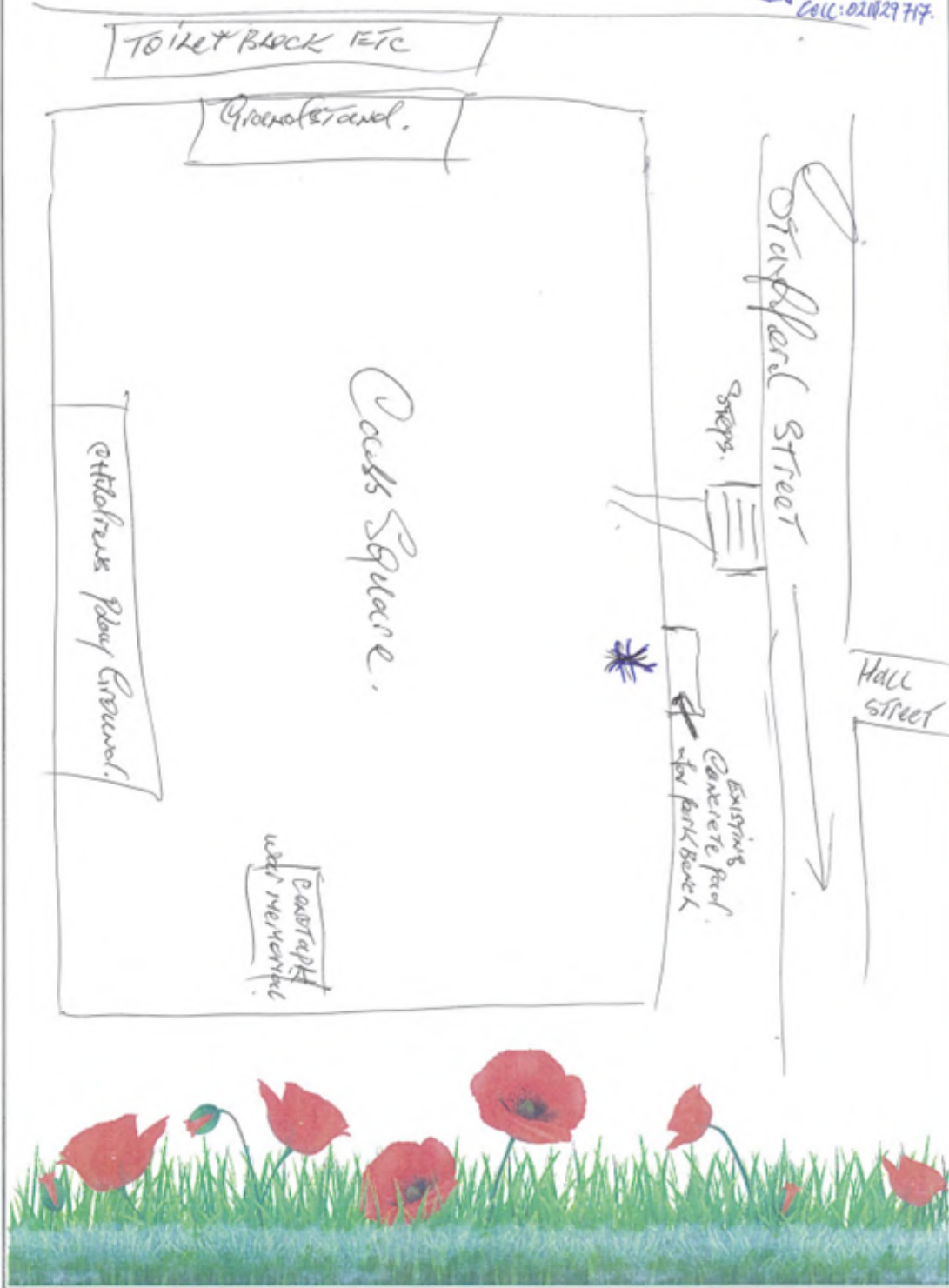
Yours Sincerely, Jimmy Spoken.



# Map of Cass Square.

Mr Bruce Smith Mayor,  
Council Chambers.

24th Dec 2021  
Simon Gordon  
Cell: 021429717



Executive Committee,  
Hokitika R.S.A.

28<sup>th</sup> Dec 2021.  
cell: 0211129717.

Jimmy Butzbach - President,  
Through  
Karen Burrows - Secretary.

Dear Sirs, I respectfully request your  
permissions, by placing the "R.S.A. Hokitika" logo  
on a new park bench that will be housed  
on the Cass Square grounds.

Celebrating the "Centennial of the"  
ANZAC Poppy  
"Let's We Forget."

25 April 2022.

Please find also enclosed, a copy of  
my letter of applications to Westland  
Council - (and map.)

Requesting their considerations and blessings  
to this project before ANZAC DAY  
25 April 2022.

Yours sincerely,  
Jimmy Gordon



# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Group Manager Regulatory and Community Services

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## **CLASS 4 GAMBLING VENUE POLICY REVIEW**

### **1. Summary**

- 1.1. The purpose of this report is to update Council on the statutory review of Council's Class 4 Gambling Venue Policy and to seek a decision on whether to adopt the Policy without amendment.
- 1.2. This issue arises from the statutory requirement to review Council's Class 4 Gambling Venue Policy every three years.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002, the Gambling Act 2003, the Racing Industry Act 2020, and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the report, determines the statutory review of Council's Gambling Policy is complete, and adopts the Class 4 Gambling Venue Policy without amendment.

### **2. Background**

- 2.1. Council is required by the Gambling Act 2003 (the Act) and the Racing Industry Act 2020 to review and consult on a Class 4 Gambling and Board Venue Policy every three years.
- 2.2. Council's current policy was adopted on 22 November 2018. A review of this policy commenced in September 2021.
- 2.3. The Council is required to have a Class 4 Venue Policy which, amongst other matters:
  - Must specify whether or not class 4 venues may be established in the District and if so, where they may be located; and
  - May specify any restrictions on the maximum number of machines that may be operated at a class 4 venue.
  - May consider whether to include a relocation policy.

A relocation policy sets out if and when the Council will grant consent for an existing venue to transfer the gaming machines to a new venue (within the District) to which a class 4 venue licence applies. This makes provision for a business to move into a new building without losing its existing rights to operate as a venue.

- 2.4. Council in this Policy review has to strike a balance between permitting responsible gambling and minimising harm to the community as required by the Act. When reviewing a policy, the Council must have regard to the social impact of gambling in the District. Council also needs to consider the benefits to the community from the grant funding that is generated by the corporate societies that run the venues.
- 2.5. The Department of Internal Affairs administers the regulations that apply to the actual operation, administration and funds distribution of the gaming machines.
- 2.6. As of December 2021, the Westland District has five gambling venues with a total of 52 electronic gambling machines; Railway Hotel (18), Hokitika Chartered Club (7), Pioneer Hotel (9), Stumpers (9), Beachfront Hotel (9) The funds for these premises are managed by Air Rescue Services Ltd, Hokitika Club Inc., Pub Charity Ltd, and The Lion Foundations. One venue in Fox Glacier with three (3) machines ceased operating in 2021 with closure of the business premises.
- 2.7. When considering submissions as part of the Long-term Plan process, three of which had content that related to Council’s Gambling Policy, Council initially indicated a desire to adopt the current policy without amendment when it was due for review.
- 2.8. Where there is intention to adopt a policy without amendment, there is no requirement to initiate the Special Consultative Procedure as required in the Local Government Act 2002. Following further discussions in September 2021, Council supported engagement with stakeholder gambling venues/funding bodies, and gambling harm service providers within Westland District and invite feedback on the current policy. This was undertaken in October 2021, with responses required by end of November 2021 (**Appendix 2**)
- 2.9. The Westland Class 4 Gambling Venue Policy - 2018 is attached as **Appendix 1**

### 3. Current Situation

- 3.1. Engagement with gambling venues/funding bodies and gambling harm services/providers commenced 15 October 2021, with feedback required by the 30 November. Those invited to provide feedback on the current Class 4 Gambling Policy are as follows:

<b>Gambling harm Service Providers</b>	<b>Gambling Venues / Funding Bodies</b>
Problem Gambling Foundation	Hokitika Club
Salvation Army	Air Rescue Services
Westland Safer Communities	Pub Charity Ltd
Poutini Waiora	The Lion Foundation
Community and Public Health (Canterbury/West Coast DHB's)	New Zealand Community Trust
Gambling Helpline	
Hapai te Hauora (Maori Public Health)	

3.2. Responses/feedback (**Appendix 2**) were received from those listed below. Responses have been collated in order of receipt.

<b>Gambling Harm Service Providers</b>	<b>Gambling Venues / Funding Bodies</b>
Problem Gambling Foundation	Hokitika Club
Salvation Army	Air Rescue Services
	New Zealand Community Trust
	Gaming Machine Association of New Zealand

3.3. The following submissions received as part of consultation on the 2021/2031 Long Term Plan are also included in **Appendix 3**. Submissions have been collated in order of receipt.

<b>Gambling Harm Service Providers</b>
Active West Coast
Salvation Army (Oasis)
Community & Public Health

3.4. Submissions/feedback received is summarised as follows:

#### **3.4.1. Gambling Venues/Funding Bodies**

- No amendments required to current policy
- Replace sinking lid policy with a cap of 62 machines
- Replace the four (4) machine cap for new venues with a nine (9) machine cap
- Expand the relocation provisions for venues that need to move or merge

#### **3.4.2. Gambling Harm Service Providers**

- Support continued sinking lid policy
- Ban the establishment of new venues throughout the District
- Prohibit relocation of existing venues to a new venue
- Prohibit the merger of one gaming venue with another gaming venue
- Provision of support to carry out a Social Impact Assessment
- Seeking greater engagement with gambling harm service providers

## **4. Options**

4.1. Option 1: To adopt the current Gambling Policy without amendment

4.2. Option 2: To undertake a full social impact assessment, and publicly consult on proposed amendments received from stakeholders as part of the initial pre-consultation review of the Gambling Policy.

4.3. Option 3: To prepare a Statement of Proposal for public consultation based on proposed amendments received from stakeholders.

## **5. Risk Analysis**

5.1. Risk has been considered and no risks have been identified. If Council determine that the current Gambling Policy is to be adopted without amendment, there is no requirement to publicly consult.

## **6. Health and Safety**

6.1. Health and Safety has been considered and no items have been identified as this matter relates to a Policy with no direct health and Safety implications for Council.

## **7. Significance and Engagement**

7.1. The level of significance has been assessed as being low.

7.2. The requirement for public consultation is as prescribed within the Gambling Act 2003. If proceeding with Option 1, no public consultation is required. If proceeding with Option 2, further policy review will require engagement of an external party to complete a full Social Impact Assessment, and the preparation and adoption of a Statement of Proposal for public consultation. Option 3 provides for public consultation without engaging an independent party to prepare a Social Impact Assessment on Gambling Harm.

## **8. Assessment of Options (including Financial Considerations)**

### *8.1. Option 1 – To adopt the current Gambling Policy without amendment*

8.1.1. There are no financial implications with this option as there would be no requirement to consult on the Class 4 Gambling Venue Policy. Note: Minor amendments to grammar or updating to references, such as Acts / Guidelines are permitted without triggering a requirement to consult.

### *8.2. Option 2 – To undertake a full social impact assessment, and publicly consult on proposed amendments received from stakeholders as part of the initial pre-consultation review of the Gambling Policy.*

8.2.1. There would be financial implications yet to be qualified with this option. While a number of Gambling Harm Provider Services have offered assistance in developing a Social Impact Statement, there will be associated costs, particularly where an independent reporting party may need to be engaged. This would be unbudgeted expenditure. There would also be cost incurred through public consultation, however these would be absorbed within existing budgets

### *8.3. Option 3 - To prepare a Statement of Proposal for public consultation based on proposed amendments received from stakeholders*

8.3.1. There would be financial implications associated with public consultation, however these would be absorbed in existing budgets. This option does not include the engagement of an independent party to complete a Social Impact Assessment.

## **9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1 – To adopt the current Gambling Policy without amendment.

9.2. The reason that Option 1 has been identified as the preferred option is that following analysis of pre-consultation responses from identified stakeholders in 2021, on balance, the current policy provides a framework that enables gambling premises to operate throughout the district, while also setting controls to minimise gambling harm. Prior to initiating the three yearly review, there

have been no presentations, including requests for an earlier review, made to Council, by gambling venue providers/funders, or gambling harm service providers in relation to the existing policy.

9.3. While a Social Impact Assessment has not been initiated, information provided in feedback/responses from Gambling Harm Provider Services provides a base for consideration by Council of some of the Social Impacts of Gambling.

9.4. Following consideration of feedback received, determination of an alternative preferred Option, including the commissioning of an independent Social Impact Assessment, and / or public consultation, rests with Council and would also be supported.

## **10. Recommendation(s)**

- 10.1. That the report be received.
- 10.2. That Council consider the statutory review of the Class 4 Gambling Policy is complete
- 10.3. That the Class 4 Gambling Venue Policy is adopted without amendment

### **Te Arohanui Cook**

#### **Group Manager regulatory and Community Services**

- Appendix 1: WDC Gambling Policy 2019
- Appendix 2: Feedback / Responses from Stakeholders
- Appendix 3: LTP Submissions



## **CLASS 4 GAMBLING VENUE POLICY 2022**

### **1. Objectives of the Policy**

- 1.1 To minimise the harm to the community caused by gambling;
- 1.2 To control the growth of gambling in the District;
- 1.3 To ensure the Council and the community have influence over the provision of new gambling venues in the District;
- 1.4 To allow those who wish to participate in gaming machine or TAB gambling to do so responsibly within the District.

### **2. TAB Venues**

No new TAB stand-alone TABs may be established in Westland.

### **3. Where Class 4 Gambling Venues may be established**

- 3.1 The number of venues within the Westland District outside of Hokitika is capped at three, with two of these three venues being located in the glacier country.
- 3.2 No new venues may be established in Hokitika.
- 3.3 If an existing Hokitika venue closes and relinquishes machines, the permitted number of venues and machines would reduce as per a sinking lid policy, with the exception of a venue that is not funded by a nationwide trust or society.
- 3.4 In a neighbourhood not being primarily associated with family or children's activities.
- 3.5 An existing Class 4 venue affected by earthquake-related risk or event, a destructive event, lease termination or new planned facilities shall be permitted to relocate within their current census mesh block area if Council grants consent in respect of a new venue to replace an existing venue
- 3.6 New venues must provide an open area for Class 4 Gambling.

### **4. Number of gaming machines to be allowed**

- 4.1 New venues outside Hokitika shall be allowed a maximum of no more than 4 gaming machines;
- 4.2 Venues with licences issued after 17 October 2001 and operating fewer than 9 gaming machines shall be allowed to increase the number of gaming machines operated at the venue to 9;
- 4.3 Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines in the venue to no more than 9 and where, at the date of the adoption of this policy, existing numbers of machines are greater than 9, that number can be maintained.

### **5. Applications**

Applications for consent for new venues must be made on the approved form and must provide:

- 5.1 Name and contact details of the applicant;
- 5.2 Street address of the premises;

- 5.3 A site plan covering both gambling and other activities proposed for the venue;
- 5.4 Details of any liquor licence(s) applying to the premises;
- 5.5 Any relevant gambling harm minimisation policies;
- 5.6 Suitability of the applicant.

## **6. Decision Making**

- 6.1 Upon receipt of a complete application form containing all required information and the full application fee, the Council has 30 working days to determine a decision;
- 6.2 The decision on an application will be made by the appropriate Council Committee pursuant to delegated authority and be based on the criteria detailed in this policy.
- 6.3 Where applications for Class 4 Gambling Consents can be demonstrated to be in full compliance with Council's Class 4 Gambling Policy, the approval of the application is delegated to the Chief Executive Officer.

## **7. Application Fees**

These will be set by the Council from time to time, and shall include consideration of:

- 7.1 The cost of processing the application, including any consultation and hearings involved;
- 7.2 The cost of establishing and triennially reviewing the Class 4 Gambling Venue and TAB Venue policy;
- 7.3 The cost of inspecting Class 4 Gambling Venues on a regular basis to ensure compliance with consent conditions;
- 7.4 A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

## **8. Monitoring and Review**

- 8.1 The Council will review the policy within 3 years of its adoption and then within 3 years of that review and each subsequent review;
- 8.2 The Council will monitor the social and economic impact of gambling on the community as part of the policy review process;
- 8.3 The Council may amend this policy as a result of the findings of the social and economic impact monitoring;
- 8.4 Any review or amendment of this policy will be undertaken in accordance with the special consultative procedure outlined in the Local Government Act 2002.

## **9. Commencement of Policy**

- 9.1 This policy is required to be adopted by the Council in accordance with the special consultative procedure provided for in the Local Government Act 2002.
- 9.2 This policy will take effect from 23 November 2018.

**Adopted by Council –**



**Hokitika Club Inc**  
42 Hamilton Street P O Box 102  
Hokitika  
Telephone: (03) 755 8342  
Email: [hokiclub@xtra.co.nz](mailto:hokiclub@xtra.co.nz)



15<sup>th</sup> October 2021

Te Aroha Cook  
Group Manager Regulatory and Community Services  
Westland District Council  
Private Bag 704  
Hokitika 7842

Dear Te Aroha

Thank you for the opportunity to have a say on the matter on the Class 4 Gambling Venue Policy.

Over the last 14 years that I have worked at the Club, I have taken part in many of the policy review meetings.

There were some changes made at the last review, and we do not think that there need be any amendments to the current policy.

If there is to be a formal review meeting, I am happy to attend on behalf of the Hokitika Club as I have in the past.

Kind regards

Donna Douglas  
Club Secretary

# The Gaming Machine Association of New Zealand's Feedback on Westland District Council's Gambling Venue Policy

## Introduction

1. The Gaming Machine Association of New Zealand ("the Association") represents the vast majority of the gaming machine societies that operate in New Zealand. The Association wishes to provide council with pertinent information regarding gaming machine gambling to help council to make a balanced, evidence-based decision.

## Summary

2. The Association asks council to:
  - Replace the sinking lid with a cap of 62 gaming machines (the number of gaming machines operating in 2015);
  - Remove the 4-machine per venue limit; and
  - Broaden the relocation provision to enable venues to move to new, modern premises and to move if the current landlord is imposing unreasonable terms.

## A 62 Machine Cap Would be Reasonable

3. A cap of 62 machines would enable a small amount of additional growth. There are currently 52 gaming machines operating in Westland. The new cap would see machines restored to their 2015 levels. The new cap would be reasonable, given the current environment of high regulation and the high demand for grant funding.
4. There is no direct correlation between gaming machine numbers and problem gambling rates. Over the last ten years, the problem gambling rate has remained the same, despite gaming machine numbers declining rapidly (4,618 gaming machines have been removed from the market).
5. The 2012 National Gambling Survey<sup>1</sup> concluded that the prevalence of problematic gambling reduced significantly during the 1990s and has since stayed about the same. The report stated on pages 17 and 18:

Problem gambling and related harms probably reduced significantly during the 1990s but have since remained at about the same level despite reductions in non-casino EGM numbers and the expansion of regulatory, public health and treatment measures. Given that gambling availability expanded markedly since 1987 and official expenditure continued to increase until 2004, these findings are consistent with the adaptation hypothesis. This hypothesis proposes that while gambling problems increase when high risk forms of gambling are first introduced

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<sup>1</sup> <https://www.health.govt.nz/system/files/documents/publications/national-gambling-study-report-2.docx>

and made widely available, over time individual and environmental adaptations occur that lead to problem reduction.

6. The New Zealand National Gambling Study: Wave 3 (2014)<sup>2</sup> noted that the problem gambling rate had remained the same over the last 10-15 years despite gaming machine numbers decreasing. The report stated on page 19:

In contrast to the 1990s, there is no evidence that problem gambling prevalence decreased with decreasing participation rates during the 2000s. When methodological differences between studies are taken into account, it appears that problem gambling prevalence has remained much the same during the past 10 to 15 years.

...gambling participation has decreased substantially in New Zealand during the past 20 years, and problem gambling and related harm has probably plateaued...

7. Professor Max Abbott is New Zealand's leading expert on problem gambling. In 2006, Professor Abbott published a paper titled *Do EGMs and Problem Gambling Go Together Like a Horse and Carriage?* The paper noted that gaming machine reductions and the introduction of caps generally appear to have little impact on problem gambling rates. Professor Abbott noted:

EGM reductions and the introduction of caps generally appear to have little impact (page 1).

Over time, years rather than decades, adaptation ('host' immunity and protective environmental changes) typically occurs and problem levels reduce, even in the face of increasing exposure (page 6).

Contrary to expectation, as indicated previously, although EGM numbers and expenditure increased substantially in New Zealand from 1991 to 1999, the percentage of adults who gambled weekly dropped from 48% to 40%. This is of particular interest because it suggests that greater availability and expenditure do not necessarily increase high-risk exposure (page 14).

8. Retaining the sinking lid is unlikely to reduce problem gambling, but will, over time, reduce the amount of funding available to community groups based in Westland District. Reducing gaming machine venues reduces casual and recreational play, and therefore reduces machine turnover and the amount of money generated for grant distribution. However, problem gamblers are people who are addicted to gambling. If a new bar is established and the policy prevents that bar from hosting gaming machines, a person who is addicted to gambling will simply travel the short distance to the next bar that has gaming machines, or worse, may move to another form of gambling such as offshore-based internet and mobile phone gambling.

#### 4-Machine Limit Per Venue Opposed

9. The limit of 4 machines per venue is strongly opposed. The Gambling Act expressly permits 9-machine venues. There is no research or evidence to support departing from

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<sup>2</sup> <https://www.health.govt.nz/publication/new-zealand-national-gambling-study-wave-3-2014>

the national 9-machine limit. To the best of our knowledge, there is no other council in New Zealand that has such a limit.

10. Nine machines give customers a greater choice of games to play, and therefore improve the entertainment offering.
11. A venue with 4 machines will have a lower community return rate than a 9-machine venue due to the fixed costs that are incurred. Regardless of the number of machines at a venue, the venue needs to have an electronic monitoring system installed, a gaming room constructed, signage, regular staff training, regular compliance checks, and a formal gaming licence. In a standard gaming room these fixed costs can be offset from the revenue from all 9 machines. When a 4-machine venue has to bear the burden of these costs, the rate of return to the community is considerably diminished.
12. The problem gambling treatment providers agree that the number of machines at a venue has no impact on the level of problem gambling. When making submissions to the Department of Internal Affairs, Bernie Smulders, General Manager of Woodland Charitable Trust, stated:

We believe the number of machines present in a venue has nothing to do with the predisposition to develop a gambling problem and indeed represents flawed logic when applied as a harm minimisation approach.

13. At a gambling venue consent hearing in Christchurch on 29 April 2014, Tony Milne, the Problem Gambling Foundation's National Manager of Public Health, stated:

It is not the number of machines per venue that is of concern, it's the number of venues that is the issue.

#### Expanding the Relocation Provision

14. It is submitted that the relocation provision should not be limited to circumstances beyond the control of the owner such as a destructive event or lease termination.
15. The relocation policy should be flexible enough to support businesses that wish to move to new, modern, refurbished premises. Allowing local businesses to upgrade their premises and provide a more modern, attractive offering to the public helps to revitalise business districts, improves the local economy and encourages tourism.
16. The first venue to relocate under the amendments made to the Gambling Act 2003 was the Te Rapa Tavern in Hamilton. The photos below show the old rundown premises and the new modern premises. The redevelopment cost \$3,000,000.



The old Te Rapa Tavern



The new Te Rapa Tavern

17. The relocation policy should enable venues to move to smaller, more suitable premises. Enabling venues to move away from large premises, with large car parking areas, to newer, smaller premises also has the advantage of freeing up large areas of land, which may be better used for affordable high-density housing.
18. It would also be reasonable to also allow venues to relocate when the move is due to onerous rental sums or lease terms being imposed. Currently, once a venue has obtained a licence to host gaming machines its value is artificially increased. This often leads to landlords demanding higher than normal rentals. Allowing more flexible relocation prevents landlords demanding unreasonable rentals as it gives the venue operator the ability to relocate to an alternative venue.
19. The following wording is suggested for a relocation provision:

#### **Venue Relocation**

A new venue consent will be issued by Council in the following circumstances:

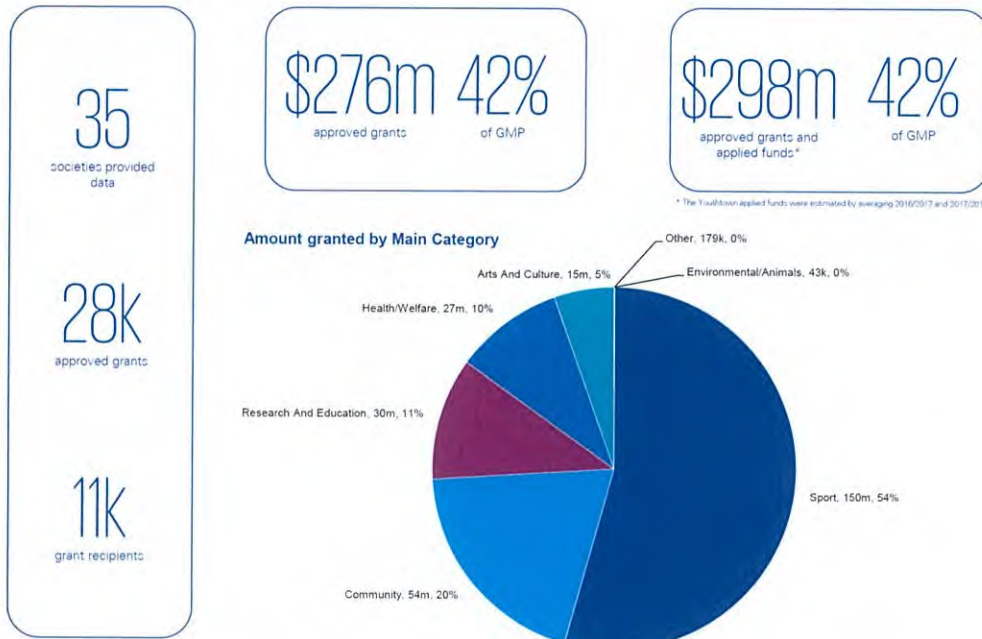
- (a) Where the venue is intended to replace an existing venue within the district;
- (b) Where the existing venue operator consents to the relocation; and
- (c) Where the proposed new location meets all the other requirements in this policy.

In accordance with section 97A of the Gambling Act 2003, when a relocation consent is sought under this relocation provision, the new venue may operate up to the same number of machines that were permitted to operate at the old venue immediately before the old venue licence was cancelled as a result of the relocation.

In accordance with section 97A(c) of the Gambling Act 2003, when the new venue is established following a consent being granted under this relocation provision, the old venue is treated as if no class 4 venue licence was ever held for the venue. The old venue will therefore require a new territorial authority consent from Council before being relicensed to host gaming machines and will be limited to a maximum of 9 machines if such a consent is issued by Council.

Gaming Machine Funding

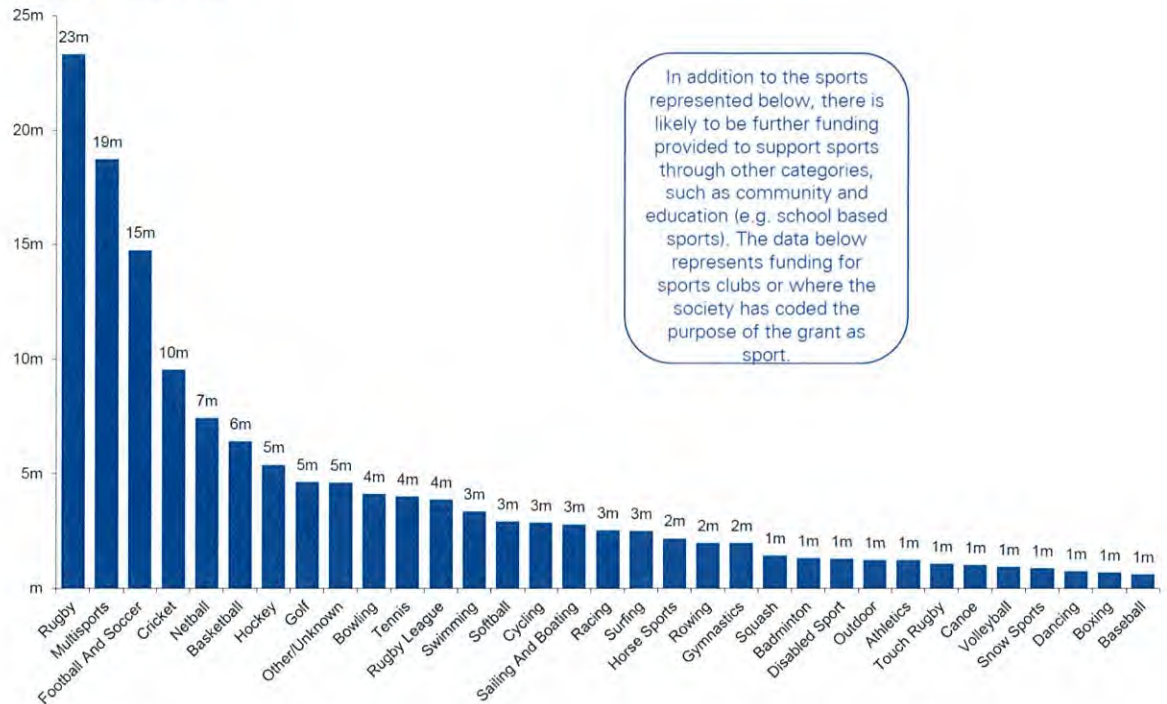
20. In 2019, approximately \$294m of grant funding was approved across 26,337 grants to 9,688 different organisations.<sup>3</sup> In addition, over \$75m was applied (generated by community organisations and used by those organisations to support their own community or sporting causes). This includes \$50m by various RSAs and Workingmen’s Clubs, \$17m by TAB New Zealand, and \$8m by Youthtown. Of the grants distributed in 2019, 52% were sports-related. The second most popular category was community (19.7%). This funding is crucial.



<sup>3</sup> [http://www.gamblinglaw.co.nz/download/Gaming\\_Machine\\_Grant\\_Data\\_2019.pdf](http://www.gamblinglaw.co.nz/download/Gaming_Machine_Grant_Data_2019.pdf)



Amount granted by Sport



In addition to the sports represented below, there is likely to be further funding provided to support sports through other categories, such as community and education (e.g. school based sports). The data below represents funding for sports clubs or where the society has coded the purpose of the grant as sport.

21. The local benefit from the gaming machine funding includes the following three categories:
- External grants made to local community groups;
  - External grants made to national and regional organisations that provide services and support locally; and
  - Gaming profits used by the local club venue, Hokitika Club, to fund the upkeep of its clubrooms and to provide sporting and recreational facilities to its members.

*External Grants*

22. Attached are the 2019 grant data for Westland District. This information was compiled by KPMG as part of a joint project between the Department of Internal Affairs, Sport New Zealand, and the Association.
23. In 2019, 26 Westland District community and sporting organisations received **\$241,218.00** in grants. A total of 36 individual grants were made by 7 different gaming societies.
24. Care must be taken when reviewing any grant data presented by the Problem Gambling Foundation. The Problem Gambling Foundation is not funded to gather this data. In contrast, the Association’s data is a joint project between the Department of Internal Affairs, Sport New Zealand, and the Association. The Problem Gambling Foundation data is typically less than the Association’s data, as the Problem Gambling Foundation’s data is gathered from society websites, and not all societies

publish their authorised purpose payments. Further, if the grant recipient's name does not indicate that it is located within the territorial authority, the amount of that grant is not included in the Problem Gambling Foundation's figures.

#### *Grants to National and Regional Organisations*

25. Approximately 6% of all grants are made to national and regional organisations. For example, if St John sought funding for a new ambulance for the Hokitika station, the funding application would be made by the Auckland-based head office, and the funding allocated to Auckland, despite the grant having a direct benefit to Westland District. Another example is the grants made to support the rescue helicopter services and air ambulance services. These services cover the Westland District, but are funded via grants to head offices based in Auckland, Wellington, and Christchurch.
26. National and regional grants in 2019 totalled \$51m. Westland District accounts for 0.2% of the national gaming revenue. Using this same percentage, it is reasonable to estimate that 0.2% of the national grants pool benefited Westland District. The benefit is therefore \$102,000.00.

#### *Club Authorised Purpose Payments*

27. The gaming revenue and profit distribution from the Hokitika Club is detailed in its financial accounts, which are posted on the Incorporated Societies website. The profits were as follows:
  - 2021        \$19,466.00
  - 2020        \$22,707.00
  - 2019        \$27,486.00
  - 2018        \$25,223.00
28. The gaming machine proceeds are used by these clubs to benefit the very members who play the machines. All the money remains within the local economy. The Hokitika Club used the gaming profits to make grants; to pay for repairs and maintenance to the clubrooms; and to meet other non-bar-related operational costs such as electricity and insurance.

#### Gambling is an Enjoyable Activity

29. Gambling is a popular form of entertainment that most New Zealanders participate in. The 2018 Health and Lifestyles Survey<sup>4</sup> found that 67.2% of adult New Zealanders had participated in some form of gambling in the previous 12 months (estimated to be 2,650,000 adults).

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4        <https://www.hpa.org.nz/research-library/research-publications/2018-health-and-lifestyles-survey-methodology-report>



**7 in 10 New Zealand adults take part in some form of gambling at least once a year – 1 in 500 New Zealand adults has a gambling problem.**

30. The majority of people who gamble do so because they find it an enjoyable activity. This is observed by Suits (1979, p. 155)<sup>5</sup>, who states:

Gambling is a recreational activity or a kind of participation sport from which the principal satisfaction derives from the activity itself and from the ebb and flow of wins and losses rather than from ultimate outcome - the net amount won or lost. For most gamblers, the purpose of gambling is not to get rich, but to "have fun," to experience "excitement," or to have "something to look forward to," and they view payment for this recreation in the same light as others look on outlays for theatre tickets, vacation trips, or a night on the town.

31. Gambling for the non-addicted gambler may also be an avenue for socialising, stress relief and a way of having fun. Contrary to how it may appear from a non-gambler's perspective, gamblers do not necessarily anticipate they will make money from gambling. Parke (2015)<sup>6</sup> states:

Players mostly realise that they are paying for a leisure experience. They are not expecting to be paid, except for a small minority, who are going to earn an income as a professional gambler.

#### Positive Wellbeing Impact from Gambling in New Zealand

32. The 2021 TDB Advisory report, Gambling in New Zealand: A National Wellbeing Analysis<sup>7</sup>, found that gambling in New Zealand had a net positive wellbeing benefit totalling around \$1.74b to \$2.16b per annum.

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5 Suits, D. (1979). The Elasticity of Demand for Gambling. The Quarterly Journal of Economics, 93(1), 155–162. <https://doi.org/10.2307/1882605>

6 Parke, J. (2015). Gambling, leisure and pleasure: Exploring psychosocial need satisfaction in gambling. Presentation at the KPMG eGaming summit. <https://assets.kpmg/content/dam/kpmg/pdf/2016/07/im-esummit-report-2015.pdf>.

7 [https://www.gamblinglaw.co.nz/download/Gambling\\_in\\_New\\_Zealand.pdf](https://www.gamblinglaw.co.nz/download/Gambling_in_New_Zealand.pdf)

**Quantifiable costs and benefits of gambling per annum**



Revenue Breakdown

33. The return to players on a non-casino gaming machine is required to be set between 78% and 92%, with most being set at 91.5%. On average, for every \$1.00 gambled, 91.5 cents is returned to the player in winnings. The money retained is typically allocated as follows:

**Typical Distribution of Gaming Machine Profits**

	GST Inclusive	GST Exclusive
Government Duty	20%	23%
GST	13.04%	0
Problem Gambling Levy	0.78%	0.90%
DIA Costs	2.9%	3.33%
Gaming Machine Depreciation	6.95%	8%
Repairs & Maintenance	2.84%	3.27%
Venue Costs	13.9%	16%
Society Costs	1.74%	2%
Donations	37.83%	43.5%

Gaming Machines – Key Facts

34. Gaming machines have been present in New Zealand communities since the early 1980s. Initially the machines were operated without a gaming licence. The first gaming licence was issued to Pub Charity on 25 March 1988, over 33 years ago.
35. Gaming machine numbers are in natural decline. In 2003, New Zealand had 25,221 gaming machines. In June 2021, New Zealand had 14,704 gaming machines.
36. The proceeds from non-casino gaming machines increased 3.1% from \$895 million in 2018 to \$924 million in 2019. However, after adjusting for both inflation and changes in the adult population, expenditure on non-casino gaming machines is declining (\$242 per person in both 2015/16 and 2016/17 years to \$238 in the 2017/18 year). This coincides

with declining numbers of venues and machines.

37. New Zealand has a very low problem gambling rate by international standards. The New Zealand National Gambling Study: Wave 4 (2015)<sup>8</sup> found the problem gambling rate was 0.2% of people aged 18 years and over (approximately 8,000 people nationally). The problem gambling rate is for all forms of gambling, not just gaming machine gambling.
38. All gaming machine societies contribute to a problem gambling fund. This fund provides approximately \$20 million per annum to the Ministry of Health to support and treat gambling addiction and to increase public awareness. The funding is ring-fenced and not able to be redirected to other health areas.
39. The Ministry of Health keeps a record of the number of people in each territorial authority who seek help via phone, text, email or the face-to-face counselling services that are available. The most recently available data (the year from July 2019 to June 2020) shows that only **one new person from the Westland District sought help for problem gambling.**
40. An excellent, well-funded problem gambling treatment service exists. The problem gambling helpline is available 24 hours a day, 365 days per year. Free, confidential help is available in 40 different languages. Free face-to-face counselling is also available and specialist counselling is available for Māori, Pasifika and Asian clients. An anonymous, free text service (8006) is available. Support via email is also available (help@pgfnz.org.nz).

#### Existing Gaming Machine Safeguards

41. A sinking lid is not necessary given the significant measures that are already in place to minimise the harm from gaming machines.
42. Limits exist on the type of venues that can host gaming machines. The primary activity of all gaming venues must be focused on persons over 18 years of age. For example, it is prohibited to have gaming machines in venues such as sports stadiums, internet cafes, and cinemas.
43. There is a statutory age limit that prohibits persons under 18 years of age playing a gaming machine.
44. There are very restrictive limits on the amount of money that can be staked and the amount of prize money that can be won. The maximum stake is \$2.50. The maximum prize for a non-jackpot machine is \$500.00. The maximum prize for a jackpot-linked machine is \$1,000.00.
45. All gaming machines in New Zealand have a feature that interrupts play and displays a pop-up message. The pop-up message informs the player of the duration of the player's

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<sup>8</sup> <https://www.health.govt.nz/system/files/documents/publications/national-gambling-study-report-6-aug18.pdf>

session, the amount spent and the amount won or lost. A message is then displayed asking the player whether they wish to continue with their session or collect their credits.

46. Gaming machines in New Zealand do not accept banknotes above \$20.00 in denomination.
47. ATMs are excluded from all gaming rooms.
48. All gaming venues have a harm minimisation policy.
49. All gaming venues have pamphlets that provide information about the characteristics of problem gambling and how to seek advice for problem gambling.
50. All gaming venues have signage that encourages players to gamble only at levels they can afford. The signage also details how to seek assistance for problem gambling.
51. All gaming venue staff are required to have undertaken comprehensive problem gambling awareness and intervention training.
52. Any person who advises that they have a problem with their gambling is required to be excluded from the venue.
53. It is not permissible for a player to play two gaming machines at once.
54. All gaming machines have a clock on the main screen. All gaming machines display the odds of winning.
55. The design of a gaming machine is highly regulated and controlled. For example, a gaming machine is not permitted to generate a result that indicates a near win (for example, if five symbols are required for a win, the machine is not permitted to intentionally generate four symbols in a row).
56. It is not permissible to use the word "jackpot" or any similar word in advertising that is visible from outside a venue.

#### Burden of Harm Report

57. In May 2017, a report titled *Measuring the Burden of Gambling Harm* was produced for the Ministry of Health. In the report, "low risk" gambling, such as buying a Lotto ticket, was claimed to be as bad for a gambler's health as the untreated amputation of a leg, while "problem gambling" was claimed to be as bad as suffering from a severe stroke or terminal cancer.
58. A review of the study's methodology produced by TDB Advisory<sup>9</sup> concludes that these outlandish comparisons were made possible by a long line of deliberate selection biases and errors. The errors revealed by the TDB Advisory review include either deliberately or

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<sup>9</sup> [http://www.gamblinglaw.co.nz/download/TDB\\_Advisory\\_Report.pdf](http://www.gamblinglaw.co.nz/download/TDB_Advisory_Report.pdf)

by mistake: using a biased population sample (participants were not randomly selected); attributing all harms to gambling and none to associated behaviours (such as smoking); and treating all harm as stemming 100% from gambling rather than allowing for the use of gambling as a coping mechanism or as a symptom of harms rather than the cause.

59. The Association has called for the report to be officially withdrawn, or to be subject to an official warning against its use.

#### A Concern with How Gamblers Spend their Disposable Income

60. The Salvation Army and Problem Gambling Foundation recently released a report commissioned from the New Zealand Institute of Economic Research suggesting that there would be significant economic benefit to the retail sector in both income and job creation if spending on gambling was halted. The report claims that this extra retail spending would generate an additional 1,127 full-time equivalent jobs for 1,724 workers, along with an additional \$58m of GST revenue and additional income tax of \$7m from the retail spend.
61. The report, however, fails to take into consideration the economic value currently generated by the gambling sector. The report specifically acknowledges that this was outside its scope. It is therefore a misrepresentation of the net value of such a move, given that it takes no account of the value that would be lost. What the Salvation Army and Problem Gambling Foundation appear to be saying is: let's take money – and jobs – away from the charity and not-for-profit sectors – health and rescue, education, community and social support services, environment, and arts and heritage – and give it to the commercial sector.
62. A suggestion is also made that the increased retail spending would then result in the retail sector channelling its increased profits into things like sports sponsorship. It is, however, more likely that any increased profits from the retail spending would be retained by the business owners, many of whom are large corporates, based offshore.
63. The report fails to address the freedom of adult New Zealanders to do what they want with their discretionary spending. Ministry of Health data indicate that over 1.8 million adult New Zealanders enjoy spending their money on gaming machines, Lotto, Instant Kiwi, sports and track betting and other forms of gambling. That spending provides them with entertainment, relaxation and social interaction. Those benefits would be lost if people were not able to spend their money on gambling.

#### The “Costs of the System”

64. The Problem Gambling Foundation has also recently suggested that 60% of the revenue from gaming machines goes towards the costs of running the system (with the remaining 40% being the returns to the community). In fact, the community benefit is much more like 80%, with the approximately 40% share that makes up the various taxes, duties and GST in effect also being a community contribution, going into the public purse to contribute to public good. The actual ‘running of the system’ is only about 20%. This 20% represents money to businesses – local hospitality businesses, trusts, equipment providers and technicians – and a significant number of jobs in our cities, towns and

communities.

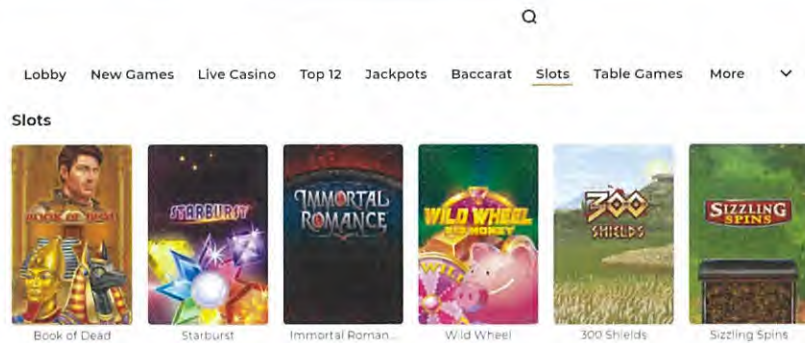
#### Unintended Consequences – Increase in Internet and Mobile Phone Gambling

65. Any reduction in the local gaming machine offering may have unintended consequences, as this may simply lead to a migration of the gambling spend to offshore internet- and mobile-based offerings. While it is illegal to advertise overseas gambling in New Zealand, it is not illegal to participate in gambling on an overseas-based website or mobile phone application.



66. It now takes only a simple search and a few minutes to download to your computer, tablet or mobile phone any type of casino game you desire, including an exact replica of the gaming machine programs currently available in New Zealand venues.
67. There is no question that New Zealanders love gambling online. The Lotteries Commission reported in its 2017/18 Annual Report that online sales accounted for 16 per cent of its total sales (\$201.1m), compared with 13 per cent the previous year.
68. TAB New Zealand noted in its latest six-monthly report that online channels made up 59.2 per cent of its betting turnover, up 2.2 percentage points on last year. It also said that its online platforms were the fastest-growing channels.
69. SkyCity has a very popular offshore-based online casino with a large selection of gaming machine games.





70. A September 2018 Cabinet paper<sup>10</sup> on online gambling cites research suggesting that New Zealanders gambled approximately \$300 million with offshore providers in 2017, with the market growing annually at between 12 and 20 per cent.
71. The Cabinet paper notes that health professionals and gambling harm treatment providers have expressed concern that online gambling may be more harmful than some existing forms of gambling. The paper continues by stating “It [online gambling] has the potential to drive changes in behaviour to a greater, and more harmful, extent than some land-based gambling.”
72. TAB New Zealand estimates that the total online spend with offshore gambling websites by New Zealanders for the 12 months to August 2020 was \$570-\$580m.
73. Offshore-based online gambling poses considerable risks because it:
- Is highly accessible, being available 24 hours a day from the comfort and privacy of your home;
  - Has no restrictions on bet sizes;
  - Has no capacity for venue staff to observe and assist people in trouble;
  - Reaches new groups of people who may be vulnerable to the medium;
  - Provides no guaranteed return to players;

<sup>10</sup> [http://www.gamblinglaw.co.nz/download/Online\\_gambling\\_Cabinet\\_paper.pdf](http://www.gamblinglaw.co.nz/download/Online_gambling_Cabinet_paper.pdf)

- Is more easily abused by minors;
  - Has reduced protections to prevent fraud, money laundering or unfair gambling practices; and
  - Is unregulated, so on-line gamblers are often encouraged to gamble more by being offered inducements or by being offered the opportunity to gamble on credit. For example, many overseas sites offer sizable cash bonuses to a customer's account for each friend that they induce to also open an account and deposit funds.
74. Offshore-based online gambling does not generate any community funding for New Zealanders, does not generate any tax revenue for the New Zealand Government, and does not make any contribution to the New Zealand health and treatment services as no contribution is made to the problem gambling levy.

#### Council Conflicts of Interest

75. It is important that the committee of councillors that determines the gambling venue policy reflects the full views of the community. It has, however, become common for councillors who are involved in community and sporting groups to withdraw from the gambling venue policy deliberation as they consider the receipt of funding by a group that they are associated with constitutes a conflict. It has also been common for councillors with very strong, pre-determined anti-gambling views to refuse to withdraw from the policy deliberation, despite their strongly held views.
76. The Association has sought independent legal advice (copy attached) from Brookfields Lawyers regarding gambling venue policy conflicts. In summary, the key advice is:
- Being a member of a club or organisation that receives funding from a gaming grant will not usually give rise to conflict of interest when it comes to deciding or discussing Council's gambling venue policy, unless that member holds a paid role (e.g., a coach who is paid for that service); and
  - Where an elected member, outside of a debate on the issue, has expressed a view on the gambling venue policy that suggests that they do not and cannot have an open mind on the matter, this could give rise to a conflict of interest on the grounds of predetermination.

1 November 2021

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gmanz.org.nz

**Largest to Smallest Grants Approved to Recipients in Westland District  
For the year end 31 December 2019**

<b>Organisation</b>	<b>Society</b>	<b>Amount Approved</b>
Destination Westland Limited	Air Rescue and Community Services	64,856
LIFE EDUCATION TRUST WEST COAST	Youthtown	15,000
LIFE EDUCATION TRUST WEST COAST	The Trusts Community Foundation	11,000
Westland Basketball Association 2019 Inc.	New Zealand Racing Board	10,000
Westland Industrial Heritage Park Inc	The Lion Foundation	10,000
HOMEBUILDERS WEST COAST TRUST BOARD	The Trusts Community Foundation	9,421
Hokitika Golf Club Inc.	New Zealand Racing Board	9,000
Hokitika Golf Club Inc.	Air Rescue and Community Services	8,950
HOKITIKA LAWN TENNIS AND SQUASH RACKETS CLUB INCORPORATED	Air Rescue and Community Services	6,466
Seido Karate Hokitika Inc	The Lion Foundation	6,000
St John Hokitika Area Committee	Pub Charity Ltd	6,000
LIONS CLUB OF HOKITIKA CHARITABLE TRUST	Air Rescue and Community Services	5,926
FOX GLACIER COMMUNITY DEVELOPMENT SOCIETY INCORPORATED	The Southern Trust	5,000
Hokitika Golf Club Inc.	The Lion Foundation	5,000
The Kumara School Board of Trustees	Pub Charity Ltd	5,000
West Coast Rugby League Schoolboys	Youthtown	5,000
West Coast Rugby League Schoolboys	Youthtown	5,000
WEST COAST RIDING FOR THE DISABLED INCORPORATED	Pub Charity Ltd	4,809
WEST COAST BADMINTON ASSOCIATION INCORPORATED	Youthtown	4,575
Hokitika Axemens Club	Pub Charity Ltd	4,300
LAKE KANIERE YACHT AND POWER BOAT CLUB INCORPORATED	The Lion Foundation	4,140
Blackball Playcentre	Youthtown	4,000
WEST COAST BADMINTON ASSOCIATION INCORPORATED	The Lion Foundation	3,940
Old Girls Netball Inc	The Lion Foundation	3,287
West Coast Scholastic Surfing Association Inc	The Trusts Community Foundation	3,202
LIONS CLUB OF HOKITIKA CHARITABLE TRUST	Youthtown	3,000
KIWI RUGBY FOOTBALL CLUB INCORPORATED	The Lion Foundation	2,730
LAKE KANIERE YACHT AND POWER BOAT CLUB INCORPORATED	Air Rescue and Community Services	2,697
WESTLAND COMMUNITY CENTRE INCORPORATED	Pub Charity Ltd	2,451
Hokitika Bowling Club Inc.	The Lion Foundation	2,000
Kotare Netball Club	Youthtown	1,725
Hokitika Badminton Club	Air Rescue and Community Services	1,607
Hokitika Badminton Club	Pub Charity Ltd	1,500
St Marys Primary School	Pub Charity Ltd	1,500
KIWI RUGBY FOOTBALL CLUB INCORPORATED	Air Rescue and Community Services	1,387
LAKE KANIERE YACHT AND POWER BOAT CLUB INCORPORATED	Pub Charity Ltd	750
<b>Grand Total</b>		<b>241,218</b>

15 March 2021

By Email: chair@gmanz.nz

Gaming Machine Association of New Zealand  
c/o Peter Dengate-Thrush  
Independent Chair

**ATTENTION:** Peter-Dengate Thrush

## **GAMBLING VENUE POLICY - CONFLICT OF INTEREST**

We refer to your email instructions of 26 February 2021, seeking our advice regarding councillor conflicts of interest with respect to decision-making on Council's gambling venue policy.

### **YOUR QUESTIONS**

1. You have asked us to advise whether:
  - a. Membership of a club or organisation that receives gaming machine grant funding would constitute a conflict of interest that would require the councillor to withdraw from decision-making or discussion regarding a proposed gambling venue policy; and
  - b. If Council has itself received gambling grant funding, does this impact on its ability to decide on a gambling venue policy, such that the decision should be made by an independent commissioner?

### **EXECUTIVE SUMMARY**

1. In summary:
  - a. If an elected member has a financial interest in a club or organisation that may be impacted by the gambling venue policy, the member must not participate in any discussion or decision-making on the policy. It would be rare for a financial interest to arise in this context, but examples may be where the elected member is in a paid role at a club or organisation, and the role is funded from a gaming grant. A more remote interest may arise where the quantum of membership fees paid to a club or organisation may be impacted by a gaming grant. In those circumstances,

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it may be prudent to seek a decision from the Auditor-General as to whether the potential interest is deemed too remote to influence decision-making.

- b. Being a member of a club or organisation that receives funding from a gaming grant will not usually give rise to a conflict of interest when it comes to deciding or discussing Council's gambling venue policy, unless that member holds a paid role (e.g. a coach who is paid for that service).
  - c. Being a member of a club or organisation that operates a gaming licence will give rise to a conflict of interest, particularly where the elected member serves in an executive role at the club or organisation.
  - d. Where an elected member, outside of a debate on the issue, had expressed a view on the gambling venue policy that suggests that they do not and cannot have an open mind on the matter, this could give rise to a conflict of interest on the grounds of predetermination.
2. The fact that Council may have previously been the recipient of gaming grant money would not create a conflict of interest when deciding its gambling venue policy. Such democratic decision-making is fundamental to its role and is distinguishable from regulatory or quasi-judicial decision-making where appointment of an independent commissioner may be appropriate to avoid any appearance of bias. The decision-making processes in the Local Government Act 2002 (LGA) already impose important requirements to ensure that such decision-making involves consideration of broader community views and not just the interests of Council as an organisation. It would therefore be unnecessary and inappropriate to appoint an independent commissioner because Council initiatives may have previously benefited from gaming grants.

## ANALYSIS

3. Under section 101 of the Gambling Act 2003 (GA), territorial authorities must, using the special consultative procedure in section 83 of the LGA, adopt a policy that specifies whether class 4 venues may be established in the district, and if so, where they may be located (**the policy**). The policy may also specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue and may include a relocation policy.

*Does membership of an organisation or club create a conflict of interest for participation in discussion or decision-making on gambling venue policies?*

4. It is not uncommon for councillors to be members of organisations and clubs, some of which may receive grant funding from gaming machines. This raises the question of whether membership of such a club or organisation would constitute a conflict of interest that would prevent the councillor from participating in discussion or decision-making regarding the policy.
5. Broadly speaking, a conflict of interest occurs when an elected member is affected by some other interest that he or she has in their private life. There are different types of conflict of interest:

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- a. Financial conflicts of interest – where the member (or their spouse or partner) has a direct or indirect financial interest in a particular decision, they cannot discuss or vote on the matter.<sup>1</sup>
- b. Non-financial conflicts of interest.

Financial conflicts of interest

6. The applicable legislation is the Local Authorities (Members' Interests) Act 1968 (**LAMIA**). While the LAMIA does not define what a financial interest is, section 6(2) outlines a number of examples where a member will be deemed to have a financial interest:
  - The member, or his or her spouse, owns 10% or more of the issued capital of an incorporated company or any company controlling that company, that has a pecuniary interest (direct or indirect) in a matter before the local authority or committee; or
  - The member, or his or her spouse, is a member of the company and either of them is the managing director or the general manager of the company; or
  - The member, or his or her spouse, is a member of a company controlling the company having a pecuniary interest in the matter before the local authority or committee, and either the member, or his or her spouse, is the managing director or the general manager; or
  - The member, or his or her spouse, is the managing director or general manager of the company, and either of them is a member of a company controlling that company.
7. Other than these examples, the LAMIA does not define what a "financial interest" is. However, the Auditor-General has described a "financial interest" as "a reasonable expectation of financial loss or gain from the particular decision".<sup>2</sup>
8. It is unlikely that membership alone of a community organisation that receives gaming grant funding would give rise to a financial interest. This is because such organisations and clubs are usually run on a not-for-profit basis. One example where a financial interest could potentially arise would be if the member were in a paid position at the club or organisation, and the funding for that position comes from gaming grants. Another example may be where there is a prospect that membership fees or subscriptions to a club could be affected by the amount of gaming grant funding. However, given that gambling venue policies are relatively high-level in nature and do not directly address matters such as the licensing of particular venues (which involve a separate decision-

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<sup>1</sup> Section 6(1) of the Local Authorities (Members' Interests) Act 1968.

<sup>2</sup> Controller and Auditor-General, **Local Authorities (Members' Interests) Act 1968: A Guide for members of local authorities on managing financial conflicts of interest**, June 2020, at 4.15, referring to the definition of a financial interest in **Downward v Babington** [1975] VR 872.

making process, often by Council officers acting under delegated authority), or allocation of gaming grants (which are decided by the organisations that operate gaming licences subject to statutory requirements), any such potential impact is likely to be too speculative or remote to constitute a financial interest in the decision-making on a gambling venue policy.

9. Notwithstanding this view, where an elected member may receive a financial benefit of the kind described above from a club or organisation receiving gaming grant funding, they may as a matter of prudence wish to first obtain an exemption from the Auditor-General under section 6(3)(f) of the LAMIA (on the grounds that the financial interest is too remote or insignificant to be regarded as likely to influence him or her in voting or taking part in the discussion of the policy) before participating in discussion or decision-making on the policy. It is a relatively simple process to apply for such an exemption.

#### Non-financial conflicts of interest

10. A non-financial conflict of interest is any situation where a member is not affected financially by a decision but is affected in some other way that may constitute bias or the appearance of bias. Non-financial conflicts of interest are relevant to the avoidance of bias in decision-making. As opposed to financial interests, which can create personal liability for an elected member, bias is a matter of Council's accountability to the public. The avoidance of bias is part of the administrative law principles of natural justice, which require the Council to act fairly in reaching its decisions. The fairness principle has been described in these terms:<sup>3</sup>

In exercising that discretion, as in exercising any other administrative function, they [members] owe a constitutional duty to perform it fairly and honestly ... What is a fair procedure to be adopted at a particular enquiry will depend upon the nature of its subject matter.

11. The test for whether an interest may give rise to an apparent bias has been stated by the Court of Appeal as being where circumstances:<sup>4</sup>

...might lead a fair-minded lay observer to reasonably apprehend that the judge might not bring an impartial mind to the resolution of the instant case.

12. Unlike a financial conflict of interest, a potential non-financial conflict does not automatically exclude a member from participating in a decision. It will depend on how serious the conflict is. The Auditor-General has suggested a number of factors that may be relevant to an assessment of whether a potential conflict is serious enough to exclude a member from participation in decision-making. They include:<sup>5</sup>

- The type or size of the person's other interest;
- The nature or significance of the particular decision or activity being carried out by the public organisation;
- The extent to which the person's other interest could specifically affect, or be affected by, the public organisation's decision or activity; and

<sup>3</sup> **Bushell v Secretary of State for the Environment** [1981] AC 75, 95.

<sup>4</sup> **Muir v Commissioner of Inland Revenue** [2007] 3 NZLR 495.

<sup>5</sup> Controller and Auditor-General, **Managing conflicts of interest: A guide for the public sector**, June 2020, at 4.31.

- The nature or extent of the person's current or intended involvement in the public organisation's decision or activity.

13. In our view, in the context of decision-making on a gambling venue policy, the mere fact that an elected member is also a lay member of an organisation or club that receives gaming grant funding is unlikely to give rise to a conflict of interest. This is because of the level of remoteness from any possible benefit or loss associated with the decision-making. In most cases, the contents of a gambling venue policy will not directly impact on funding that has or may be received by a club or organisation from gaming machine grants. The purpose of the policy is to specify whether class 4 venues may be established, and if so their location. It can also specify restrictions on the number of gaming machines that may operate at a class 4 venue. Such matters do not necessarily impact directly on whether a club or organisation may receive gaming grant funding, and if so, the amount of any such grant. Funding decisions are made by the organisations who operate the gaming machines, not the Council. The fact that a member, by virtue of membership of a club or organisation that has received gaming grants, has knowledge or experience of the beneficial impacts that gaming grants can have on the community does not give rise to a conflict of interest. To the contrary, it may contribute to a fair and balanced consideration of the issues arising when making decisions on a gambling venue policy. This would be consistent with the purpose of the of the GA, which is *inter alia* to ensure that money from gambling benefits the community and to facilitate community involvement in decisions about the provision of gambling.<sup>6</sup>

14. It is important to distinguish between membership of a club or organisation that receives gaming grants, and membership of a club or organisation that holds a gaming licence. In our view, while the former would not give rise to a conflict of interest in decision-making on a gambling venue policy, there is a much greater likelihood that the latter could give rise to a conflict of interest. This is particularly the case if the elected member holds an executive role in the club or organisation that operates a gaming licence. This is because, while a gambling venue policy does not specify whether or not a particular club or organisation is able to obtain a gaming licence *per se*, the policy may affect the eligibility of a club or organisation to hold a licence. As such, participation in the discussion or decision-making by a member of any such club or organisation could create an appearance of bias and therefore a conflict of interest.

15. Elected members should also always be mindful of avoiding predetermination, i.e., approaching decision-making with a closed mind. Elected members are entitled (and expected) to bring their previous knowledge and experiences to decision-making, but to approach any decision with an open mind. This means that elected members should be cautious about being vocal, other than in the course of Council debates, about particular views in a manner that may suggest that they do not and cannot have an open mind on a particular matter. This is because a conflict of interest may arise as a result of possible predetermination (i.e. actual or perceived bias).

16. In summary:

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<sup>6</sup> Section 3 of the GA.



- a. If an elected member has a financial interest in a club or organisation that may be impacted by the gambling venue policy, the member must not participate in any discussion or decision-making on the policy. It would be rare for a financial interest to arise in this context, but examples may be where the elected member is in a paid role at a club or organisation, and the role is funded from a gaming grant. A more remote interest may arise where the quantum of fees paid to a club or organisation may be impacted by a gaming grant. In those circumstances, it may be prudent to seek a decision from the Auditor-General as to whether the potential interest is deemed to remote to influence decision-making.
- b. Being a member of a club or organisation that receives funding from a gaming grant will not usually give rise to a conflict of interest when it comes to deciding or discussing Council's gaming venue policy.
- c. Being a member of a club or organisation that operates a gaming licence will give rise to a conflict of interest, particularly where the elected member serves in an executive role at the club or organisation.
- d. Where an elected member, outside of a debate on the issue, has expressed a view on the gambling venue policy that suggests that they do not and cannot have an open mind on the matter, this could give rise to a conflict of interest on the grounds of predetermination.

*Would Council be conflicted in deciding a gambling venue policy because it has previously received gaming grants?*

17. Council initiatives will frequently fall within the second category of the definition of an "authorised purpose" for which gaming proceeds may be used, as set out in section 4 of the GA i.e., "a non-commercial purpose that is beneficial to the whole or a section of the community". Notwithstanding the eligibility for Council initiatives to receive gaming grants, Parliament conferred territorial authorities with the responsibility of formulating a gaming venue policy for their districts. We do not consider that any conflict of interest would arise in relation to decision-making on a gambling venue policy because the Council may have previously been awarded gaming grants. This is because:
  - a. While individual elected members are subject to the LAMIA which prevents them from participating in decision-making where they have a financial interest, Council as an entity is not subject to the LAMIA.
  - b. Caselaw recognises the inevitability of a degree of conflict within councils when exercising certain statutory functions. It is established, for example, that a council may object to its own district plan, prosecute itself, and apply to itself for a resource consent.
  - c. The standard of impartiality for a Council is that it must approach its duty of inquiring into submissions with an open mind.<sup>7</sup> Given the requirement to undertake a special consultative process and the diverse views of individual members, it is unlikely that the fact that certain projects

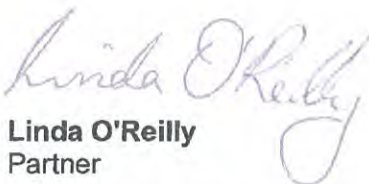
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<sup>7</sup> *Lower Hutt City Council v Bank* [1974] 1 NZLR 545 at 550.

undertaken by Council have benefited from gaming grants would unduly influence Council decision-making on its gambling venue policy. For the same reasons outlined above in relation to individual members, the connection between gaming grant money and decision-making on gambling venues is too remote to constitute a conflict of interest. In any event, compliance with the statutory rules in the LGA regarding decision-making by local authorities<sup>8</sup> and the general principles relating to local authorities<sup>9</sup> are intended to ensure that Council decision-making is open, transparent, and has regard to the diversity of community interests, notwithstanding the many facets and activities undertaken by Council.

18. We note that Council is not undertaking a quasi-judicial role when formulating a gambling venue policy. There is greater need to avoid the appearance of bias when it comes to regulatory or quasi-judicial decision making (such as considering a resource consent application). In those circumstances, where there is an apparent conflict in Council's interests, it is common for Council to delegate its decision-making to an independent commissioner. To that end, the Resource Management Act 1991 (**RMA**) specifically allows for the appointment of independent commissioners to decide consent applications. However, while Council may delegate its decision-making on a gambling venue policy to a particular committee or sub-committee of Council, it would be unnecessary (and in our view, inappropriate) to delegate such decision-making to an independent commissioner.

Yours faithfully  
**BROOKFIELDS**



**Linda O'Reilly**  
Partner

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<sup>8</sup> Section 76 of the LGA.

<sup>9</sup> Section 14 of the LGA.



## Air Rescue and Community Services

Westland District Council  
Private Bag 704  
Hokitika 7842

By email: [tearoa.cook@westlanddc.govt.nz](mailto:tearoa.cook@westlanddc.govt.nz)

**Attention: Te Aroha Cook, Group Manager Regulatory and Community Services**

**Council Gambling Venue Policy Review – Stakeholder Feedback**

### Introduction

Air Rescue Services Limited (Air Rescue) operates one 18 gaming machine venue in Westland: Railway Hotel, 34 Weld Street Hokitika.

Air Rescue asks that council:

- Replace the sinking lid with a cap of 62 gaming machines (the number of gaming machines operating in 2015).
- Replace the 4-machine per venue limit for new venues with a 9-machine limit.
- Expand the relocation provision to enable venues to move to new, modern premises and to move if the current landlord is imposing unreasonable terms.

### Grant Funding

Gaming venues enable extremely valuable funding to be provided to a large range of local community groups. Gaming societies are the only gambling operators that focus on supporting grassroots community organisations. The funding turnaround is quick, with grant decisions being made monthly. The application process is simple; a short form is completed.

In 2019, grants totalling over \$1 million were made to the West Coast region from gaming machine societies.<sup>1</sup> Grants totalling \$241,218.00 were made to recipients based within Westland. In addition to the \$241,218.00 in local grants:

- National and regional grants provided a local benefit (estimated to be \$102,000.00). This includes the funding of rescue helicopters and air ambulances that service Westland.
- Around \$25,000.00 each year is used by the Hokitika Club to upgrade and upkeep its clubrooms and to provide recreational facilities to its members.

The grants made by Air Rescue included grants to:

- Destination Westland.

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<sup>1</sup> [https://www.gamblinglaw.co.nz/download/Gaming\\_Machine\\_Grant\\_Data\\_2019.pdf](https://www.gamblinglaw.co.nz/download/Gaming_Machine_Grant_Data_2019.pdf)

- Hokitika Golf Club.
- Hokitika Lawn Tennis and Squash Rackets Club.
- Lions Club of Hokitika Charitable Trust.
- Lake Kaniere Yacht and Power Boat Club.
- Hokitika Badminton Club.
- Kiwi Rugby Football Club.

No other gambling provider provides this level of support for grassroots organisations. The Lottery Grants Board makes a small number of large grants to large organisations. TAB New Zealand predominately uses the funds from race and sports betting to support the racing industry. The profits from the six commercial casinos are paid out to their commercial shareholders (save for a token amount in community grants). No grant money is paid by offshore-based online gambling providers.

There is no alternative funding available. Council is not in a position to provide hundreds of thousands of dollars in additional community grants. It is also unrealistic to think that local grassroots organisations could obtain hundreds of thousands of dollars in Government or commercial sponsorship each year.

In 2012, Auckland Council commissioned a community funding survey. The survey data is summarised in the report *Community Funding: A Focus on Gaming Grants*.<sup>2</sup> The report confirms how essential gaming machine funding is to a very large number of grassroots organisations and how extremely difficult it would be for such funding to be obtained from alternative sources. The key findings of the survey are:

- Most respondents (75%) indicated that their organisation is moderately or totally reliant on gaming machine funding to fund core business activities.
- Most respondents (55%) believed that there would be a high to extreme risk to their organisation and their core business if they did not receive gaming funding. A further one-quarter (26%) said that there would be a moderate risk if they did not receive it.
- Two-thirds of respondents (68%) said that they thought that they would be unlikely to find another source of funding if gaming funding was not available.

The report concluded:

Gaming Trust funding is a major source of community funding for organisations in the Auckland Region. Most respondents believe that the funding for their organisations is not particularly secure and are highly dependent on gaming funding, not just for discretionary or extra activities, but to fund their core business. There is a dependence on this funding with over half the respondents believing that their organisations would be at extreme risk if they did not receive it. Most felt that if the funding was not available, they would

<sup>2</sup> [www.gamblinglaw.co.nz/download/Research/Auckland\\_City\\_Community\\_Funding\\_Report.pdf](http://www.gamblinglaw.co.nz/download/Research/Auckland_City_Community_Funding_Report.pdf)



struggle to find an alternative source of funding. Some would cut down the activities they undertook, others say they would be forced to close down.

## Entertainment

Gambling is a popular form of entertainment that most New Zealanders participate in. The 2018 Health and Lifestyles Survey<sup>3</sup> found that 67.2% of adult New Zealanders had participated in some form of gambling in the previous 12 months (estimated to be 2,650,000.00 adults).

### 2018 Health and Lifestyles Survey



It is only a small percentage of the adult population (0.2%) that suffers harm because of excessive gambling.

## Employment

Gaming machines create employment. Hospitality staff are employed to monitor and supervise the gaming machine players. Service technicians are employed to service and repair the machines. The gaming societies that own the machines employ staff to review and process the grant applications.

A survey undertaken in 2009 estimated that there were 300 full-time equivalents directly employed by gaming societies and 215 employees of external service providers and contractors also working for these societies.<sup>4</sup>

## Positive Economic Impact From the Gaming Industry

In 2012, Auckland City Council commissioned an economic impact report on the

<sup>3</sup> <https://kupe.hpa.org.nz/#!/gambling/gambling-participation/any-gambling-activities>

<sup>4</sup> KPMG and Ministry of Health (2013). Gambling Resource for Local Government. Wellington: Ministry of Health, [http://www.gamblinglaw.co.nz/download/Research/gambling\\_resource\\_for\\_local\\_government\\_081113.pdf](http://www.gamblinglaw.co.nz/download/Research/gambling_resource_for_local_government_081113.pdf)

impact of the non-casino gaming machine industry. The Economic Impact Report<sup>5</sup> confirmed that the industry makes a positive economic contribution. The report concluded:

Overall, the non-casino gaming machine industry has a positive economic impact on the Auckland economy.

### Introducing a Cap

Introducing a cap of 62 machines will allow for a small amount of future growth. This is reasonable and appropriate.

Allowing a small number of additional venues to be established will help Air Rescue to expand its offering in Westland and meet the demand for grant funding from local community groups.

### Machine Numbers and Gambling Harm

There may be a temptation to retain the sinking lid in an attempt to reduce gambling-related harm. Over the last ten years gaming machine numbers have reduced by 25%, but the problem gambling rate has plateaued. Limiting machine numbers has been tried as a tool to address gambling-related harm; it has not worked.

Reducing machine numbers merely reduces community funding, and accelerates the migration of gambling to online providers.

### Increase in Internet and Mobile Phone Gambling

The introduction of a more restrictive cap or sinking lid is unlikely to reduce problem gambling, but will result in the existing gambling moving from physical venues to the internet. It is now possible to play all the gaming machine games that are located at the existing venues via phones or tablets.



Online gambling is undesirable as:

- No funds are generated for local community grants.
- No tax revenue is generated for the New Zealand Government.

<sup>5</sup> [www.gamblinglaw.co.nz/download/Research/Auckland\\_City\\_Economic\\_Impacts\\_Report.pdf](http://www.gamblinglaw.co.nz/download/Research/Auckland_City_Economic_Impacts_Report.pdf)

- No funding is provided to the problem gambling treatment services, i.e., no problem gambling levy is paid.
- No local employment is created.
- All bets are made on credit.
- It is highly accessible (you can play from the privacy of your own bedroom, 24 hours a day, 365 days a year).
- It has a high speed of play.
- There are no bet size restrictions.
- There are no venue staff to provide supervision, advice, and support.
- It is easily abused by minors.
- There is no guaranteed return to players.
- Excessive gambling is encouraged by the frequent use of inducements to gamble, such as player rebates and bonuses.

A spike in online gambling was experienced when our physical venues were closed due to the 2020 Covid-19 lockdown. The Salvation Army has publicly spoken out about the rise in online gambling during the nationwide lockdown.

In the Radio New Zealand article dated 4 April 2020<sup>6</sup>, the Salvation Army commented as follows:

**Covid-19: Salvation Army worries about rise in online gambling sites**

The Salvation Army's gambling addiction support service is worried about the increased number of online gambling sites.

The head of the organisation's gambling services division, Oasis, said it had been noticeable since the nationwide lockdown came into force.

**Lisa Campbell said the rise in the number of unregulated overseas online gambling websites had coincided with the closure of pokie venues and casinos, and online availability of New Zealand Lotto and TAB services.**

Online gambling companies were now advertising on social media, possibly because they saw people in isolation as a captive audience, Campbell said.

The ads for overseas gambling websites were cropping up frequently when she was on Facebook in a private capacity, she said.

She was concerned that the tailored nature of how social media advertising worked, meant that others, including at-risk gamblers, were getting the same ads.

<sup>6</sup> <https://www.rnz.co.nz/news/national/413430/covid-19-salvation-army-worries-about-rise-in-online-gambling-sites>



"I'm concerned they're using this opportunity to bring people into online gambling now, which is pretty awful to see that happening.

"I am sure they see social isolation as a great opportunity to expand business without any thought for the additional harm this could cause, further exacerbating the financial and mental harm on people already."

Oasis was now compiling information on online blocking tools that people can use to block internet gambling sites, Campbell said.

"We have heard from some clients who say they are really concerned about how they will cope, both financially and practically, at home with family or alone during the lockdown period, and are feeling very anxious, and some have asked for more support than normal."

Campbell said similar advertising was apparent before the lockdown but she was now seeing it more frequently.

Lotto and TAB were the only legal online providers of gambling, she said.

"They have said they're stopping advertising around the scratchies and other products during this time, so they're only advertising Lotto.

"The bigger concern is the overseas gambling websites where there's no regulation, which are potentially the biggest problem for us."

#### Replacing the 4-Machine Limit Per Venue with a 9-Machine Limit Per Venue

The limit of 4 machines per venue should be replaced with a limit of 9 machines per venue (for new venues). The Gambling Act expressly permits 9-machine venues. There is no research or evidence to support departing from the national 9-machine limit.

There is no evidence that suggests that reducing the number of gaming machines at a venue reduces problem gambling. If a person is addicted to gambling, they will play one of the 4 machines that are available.

However, 9 machines give customers a greater choice of games to play, and therefore improve the entertainment offering.

A venue with 4 machines will also have a lower community return rate than a 9-machine venue due to the fixed costs that are incurred. Regardless of the number of machines at a venue, the venue needs to have an electronic monitoring system installed, a gaming room constructed, signage, regular staff training, regular compliance checks, and a formal gaming licence. In a standard gaming room these fixed costs can be offset from the revenue from all 9 machines. When a 4-machine venue has to bear the burden of these costs, the rate of return to the community is considerably diminished.

#### Expanding the Relocation Policy

The current relocation policy only allows venues to move when there is an event beyond their control such as an earthquake, fire, or lease termination. The relocation policy should be expanded to enable venues to move in a wider range of circumstances.





It is not uncommon for venues to want to move out of earthquake-prone buildings to provide a safer environment for their staff and customers. The policy should allow venues to relocate to a newer, stronger building.

If a venue operator wished to invest in their business, by moving to a new premise and undertaking a new modern fitout, such a move should be permitted. Having new, vibrant hospitality businesses is good for the district as it provides attractive and inviting premises for social interaction, encourages tourism, and creates employment.

Unfortunately, when a venue cannot move its 18 gaming machines, there have been examples of landlords seeking to charge above-market rents and impose unreasonable lease terms, as they know that the tenant does not have the option of relocating and retaining their 18-machine offering. If a relocation provision was expanded, the opportunity for such unhealthy practices would be reduced.



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1 November 2021



**Air Rescue**  
and Community  
Services



Submission to  
**Westland District Council**  
on the proposed  
**Class 4 Gambling Venues Policy**

**November 2021**

# **New Zealand Community Trust's submission on Westland District Council's Gambling Venue Policy**

## **Introduction**

Established in 1998, New Zealand Community Trust (NZCT) is one of New Zealand's largest gaming trusts with 13% market share. Our publicans raise funds by operating gaming lounges within their pubs, hotels and other venues. In the 12 months to 30 September 2021, NZCT approved \$44.7 million in grant funding to sporting, local government and community groups nationwide.

NZCT is a member of the Gaming Machine Association of New Zealand (GMANZ). We are aware of and endorse the submission provided by GMANZ.

## **NZCT's recommendations**

NZCT asks Westland District Council to:

- Replace the sinking lid proposal with a cap of 62 gaming machines (the number of gaming machines operating in 2015);
- Broaden the relocation provision to enable venues to move to new, modern premises and to move if the current landlord is imposing unreasonable terms.

## **Gaming machine funding**

The Gambling Act 2003 seeks to balance the potential harm from gambling against the benefits of using gaming machines as a mechanism for community fundraising.

NZCT provided to Westland District for the direct benefit of the community from October 2020 to September 2021 a total of \$100,977 across 15 worthy recipients. NZCT during the same period approved multi regional grants that benefit the West Coast of \$739,664 and National Grants that benefit West Coast of \$1,116,102.

A list of all the grants made during this time are attached as appendix 1.

NZCT's contribution to community funding reflects its venue numbers and the turnover of each of those venues.

## Summary

NZCT provided to Westland District for the benefit of the community from October 2020 to September 2021 a total of **\$100,977** across **15** worthy recipients.

NZCT during the same period approved multi regional grants that benefit the West Coast of **\$739,664** and National Grants that benefit West Coast of **\$1,116,102**.

Replacing the sinking lid and allowing a relocation policy will ensure the millions continue to be granted to the local community.

The 2021 TDB Advisory report, *Gambling in New Zealand: A National Wellbeing Analysis*, found that gambling in New Zealand had a net positive wellbeing benefit of between **\$1,740** million and **\$2,160** million each year.

New Zealand has a very low problem gambling rate by international standards – at 0.2% of people aged 18 and over (approximately 8000 people nationally). According to the New Zealand National Gambling Study: Wave 4 (2015).

All gaming machine societies contribute to a problem gambling fund – which provides some \$20 m per year to the Ministry of Health to support and treat gambling addiction.

Problem gamblers are currently supported using a range of measures. The controlled, class 4 environment is the best environment to reduce gambling harm to people and communities.

Information is freely available in the community to enable support and identify risks associated with gambling by members of the public, individuals at risk, staff at venues, and by loved ones.

Council gambling venue policies are critical to maintaining the infrastructure that allows community funding from gaming trusts to be sustainable long term. Sinking lid and no-relocation policies destroy this infrastructure. Councils need to take an informed and balanced approach to community benefit and potential harm from gambling.

A sinking lid is a blunt instrument that does little to address problem gambling and reduces community funding by removing the fundraising infrastructure (i.e., gaming machines within tightly controlled entertainment venues) over time. Problem gambling is a complex addiction.

A cap on gaming machine numbers and an effective relocation policy that allows venues to move out of deprived areas into the CBD is much fairer to the community and hospitality business owners, as well as helping address problem gambling.

If gaming venues are removed from the community, gamblers are more likely to move to the online environment where gambling is unregulated, unmonitored, and have no harm minimisation measures. Online gambling incentivises spending and returns nothing to benefit the New Zealand community. The controlled environment around class 4 is recognized as the safest place in which to enjoy gambling, whilst providing benefit back to the community.

In addition to contributing some \$1 million each year to the problem gambling levy NZCT contributes an estimated \$800,000 each year, to resources and initiatives that help minimise harm.

Class 4 societies must distribute or apply 100% of profits to community authorised purposes. It's important to appreciate this a not-for-profit model.

## A sinking lid is the wrong choice for community wellbeing

A sinking lid reduces funding within our local community and nationally.

- It is recommended that a cap be placed at 62 gaming machines (2015 levels) beyond current numbers of 52 to allow and ensure additional community funding across the West Coast in future years.

### The national picture - community organisations rely on pub gaming to survive

The purpose of the pub gaming sector is to raise funds for the community. Many community sports, arts, and other groups, including councils accept grants and may depend on pub gaming grants to survive. It is crucial that this fundraising system is sustainable long term.

Seventy-five percent of groups surveyed in 2012 indicated their organisation is moderately or totally reliant on gaming funding to support their core business. Fifty-five percent said there would be a high to extreme risk to their organisation and their core business if they did not receive this funding.<sup>1</sup> There is no evidence that this situation has changed for the better since then.

The reduction in gaming trust funding has had a negative impact on community organisations, with many organisations and activities ceasing to operate and others severely reduced in capacity and capability. Grassroots community organisations are struggling with few alternative sources for funding available to replace the loss of gaming funding. Voluntary organisations are increasingly reliant on nationwide public donation campaigns to stay afloat. The Covid-19 pandemic has only worsened this situation.

### Locally in Westland District

Westland District organisations like these that have benefited from NZCT's grants over the last year may miss out in the future if less funding is available.

Organisation	Total amount approved
Buller Basketball Association Inc	\$3,000
Buller High School	\$2,000
Buller Hockey Association Inc	\$2,000
Buller Rugby Union Inc	\$4,000
Buller Sports Alliance Inc	\$5,000
Ngakawau Rugby Football Club Inc	\$1,560
Paroa Tennis Club Inc	\$10,000
Reefton Golf Club Inc	\$2,000
West Coast Badminton Association Inc	\$572
West Coast Cricket Association Inc	\$15,000
West Coast Riding for the Disabled Inc	\$15,000
West Coast Rugby Football Union Inc	\$32,000
West Coast Speedway Association Inc	\$5,000
Westport Old Boys Rugby Football Club Inc	\$1,920
White Star Rugby Football Club Inc	\$1,925
	<b>\$100,977</b>

<sup>1</sup> Page iii, Community Funding Survey, Point Research 2012.

91 cents of every dollar goes back to person gambling yet every year, the gaming trust sector raises around \$294 million<sup>2</sup> for more than 9,700 worthwhile sports and community groups. The sector's contribution to the community through funding, in addition to the contribution to government revenue from GST, other taxes and levies, is acknowledged by central government.

We anticipate that the Government will regulate to require gaming societies to return at least 80% of the net proceeds they generate to the region where the funds were raised. This means communities that do not operate gaming machines will be unlikely to receive gaming grants and their local sports and community groups will suffer. NZCT already aims to return 92% of our funds locally.

This is a good reason to have a cap of 62 machines.

### **The pub gaming sector has already experienced a significant decline**

During the last 18 years the pub gaming sector has experienced a significant decline, yet problem gambling has remained static. Department of Internal Affairs (DIA) statistics show that, between 30 June 2003 and 30 June 2021:

- the number of gaming venues reduced from 2,122 to 1,059 (a 50% reduction)<sup>3</sup>
- the number of gaming machines operating reduced from 25,221 to 14,704 (a 41.7% reduction)<sup>4</sup>.

### **Council policies contribute to the decline in the pub gaming sector**

One of the main contributors to the decline of the pub gaming sector is the inflexibility of council gambling policies, particularly those with sinking lids on gaming machine numbers and those that do not allow relocation of venues in a broad range of circumstances.

Such policies are based on the erroneous belief that limiting gaming machine numbers will limit problem gambling. In fact, despite the 41% reduction in gaming machine numbers during the past 17 years, New Zealand's problem gambling rate has remained consistently low as a percentage of the population. The 2015 New Zealand Gambling Study (the most recent) found the rate was 0.2% and the latest Health and Lifestyles Survey found it was 0.1%. The 2012 New Zealand Gambling Study concluded "...there has probably been no change in the prevalence of current problem and moderate-risk gambling since 2006."<sup>5</sup>

### **Online gambling is the unregulated threat to watch out for**

The public has access to a growing number of overseas gambling websites where they can spend their entertainment dollar. These sites are highly accessible, even to minors, often offer inducements to keep players betting, and have no bet size restrictions or guaranteed return to players. They do not return any funds to the New Zealand community or the New Zealand Government and have no harm minimisation measures in place.

During the Covid-19 lockdown in 2020, 8% of gamblers gambled online for the first time and an additional 12% gambled online more than usual.<sup>6</sup>

Offshore-based online gambling poses considerable risks because it:

- Is highly accessible, being available 24 hours a day from the privacy of your home;
- Has no restrictions on bet sizes;

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<sup>2</sup> *Grant Distribution Modelling*, KPMG, November 2020.

<sup>3</sup> DIA statistics: [https://www.dia.govt.nz/diawebsite.nsf/wpg\\_URL/Resource-material-Information-We-Provide-Summary-of-Venues-and-Numbers-by-Territorial-AuthorityDistrict](https://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-Information-We-Provide-Summary-of-Venues-and-Numbers-by-Territorial-AuthorityDistrict)

<sup>4</sup> Ibid.

<sup>5</sup> Page 7, *New Zealand 2012 Gambling Study: Gambling harm and problem gambling*.

<sup>6</sup> Impact on Covid-19: Topline results, April 17, 2020, Health Promotion Agency

- Has no capacity for venue staff to observe and assist people in trouble;
- Reaches new groups of people who may be vulnerable to the medium;
- Provides no guaranteed return to players;
- Is more easily abused by minors;
- Has reduced protections to prevent fraud, money laundering or unfair gambling practices; and is unregulated, so on-line gamblers are often encouraged to gamble more by being offered inducements or by being offered the opportunity to gamble on credit. For example, many overseas sites offer sizable cash bonuses to a customer's account for each friend that they induce to also open an account and deposit funds.

Offshore-based online gambling does not generate any community funding for New Zealanders, does not generate any tax revenue for the New Zealand Government, and does not make any contribution to the New Zealand health and treatment services as no contribution is made to the problem gambling levy<sup>6b</sup>.

## Broadening the Relocation Provision

- It is recommended the relocation provision proposed be broadened to enable venues to move to new, modern premises and to move if the current landlord is imposing unreasonable terms.

In September 2013, Parliament recognised the merit in enabling venues to relocate, and expressly amended the Gambling Act 2003 to enable venues to relocate and retain the same number of machines when a relocation consent was obtained.

Venue relocation is a harm minimisation tool. Venue relocation allows venues to move out of a suburban/residential area to a more suitable area; the CBD. There is no good policy reason for taking steps to remove this option. Removing the option to relocate simply entrenches venues in undesirable residential locations.

The proposal to remove the relocation provision is contrary to the national trend. Over the last three years, almost all other councils that have reviewed their gambling venue policy have adopted some form of relocation provision. Currently, approximately 55 councils have a relocation policy in place.

Enabling relocation permits venues to re-establish after a natural disaster or fire.

Enabling relocation enables venues to move out of earthquake-prone buildings, an important Health and Safety consideration.

A broad relocation policy is positive as it assists with the revitalisation of the coast. It allows gaming venues to move to new, modern, refurbished premises. Allowing local businesses to upgrade their premises and provide a more modern, attractive offering.

### Location of gaming machines is more important than their number

Research<sup>7</sup> suggests that when it comes to preventing and minimising gambling harm, the location of gaming machines is more important than the number of gaming machines operating. The Government acknowledged this point in 2013 when it amended the Gambling Act<sup>8</sup> to require local authorities to consider adding relocation clauses to their gambling policies.

<sup>7</sup>Brief Literature Review to Summarise the Social Impacts of Gaming Machines and TAB Gambling in Auckland, Gambling & Addictions Research Centre, AUT University, 2012.

<sup>8</sup> Section 97A and 102(5A).

As well as harm minimisation benefits from allowing venues to relocate out of areas of high deprivation, relocation clauses provide sensible options for business owners who are otherwise at the mercy of building owners who know they have captive tenants. Relocation clauses also give councils more flexibility for re-zoning and city planning.

## **Why allowing relocations is important**

### **Helping reduce harm**

Research<sup>9</sup> by Auckland University of Technology shows that problem gambling behaviour is influenced more by the distance to the nearest gambling venue, rather than the number of gambling venues within walking distance.

The Ministry of Health's 2013 Gambling Resource for Local Government acknowledges this point and states that one of the major factors associated with increased prevalence of problem gambling is "location and/or density of gambling venues and machines".<sup>10</sup> The Ministry of Health also found "being a problem gambler is significantly associated with living closer to gambling venues."<sup>11</sup> Allowing gaming operations to move out of high-deprivation areas could potentially diminish gambling harm for at-risk communities.

### **Supporting local hospitality businesses**

Relocation clauses help ensure the continual improvement and growth of your local hospitality sector. Rather than tying gaming operations to a physical address, which may over time become a less desirable location, relocations allow gaming operators to move their business to more suitable premises. This is particularly important if premises are deemed unsafe or unusable for a lengthy period, such as after a fire or earthquake. The result is attractive and safe entertainment environments in your community.

### **Responding to future demand**

Broad relocation clauses help gambling venue policies accommodate urban growth, re-zoning changes or changes in population demographics. This is not possible while gambling machine entitlements are linked to a physical address.

The DIA recommended relocation policies as a way of allowing territorial authorities to future-proof their class 4 gambling policies.<sup>12</sup>

### **Gaming machines can only be played in strictly controlled environments**

Corporate societies licensed to conduct class 4 gambling are fully aware of their obligations under the Gambling Act 2003. All gaming rooms are operated by trained staff at licensed venues.

The DIA is responsible for monitoring the class 4 gambling industry, including venue 'key persons', bar staff and societies, to ensure they adhere to legislative requirements. The penalties for non-compliance include fines, suspensions, loss of operating or venue licence and potential criminal charges.

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6b [http://www.gamblinglaw.co.nz/download/Online\\_gambling\\_Cabinet\\_paper.pdf](http://www.gamblinglaw.co.nz/download/Online_gambling_Cabinet_paper.pdf)

<sup>9</sup> *Brief Literature Review to Summarise the Social Impacts of Gaming Machines and TAB Gambling in Auckland*, Gambling & Addictions Research Centre, AUT University, 2012.

<sup>10</sup> Page 21, *Ministry of Health Gambling Resource for Local Government*, 2013.

<sup>11</sup> *Ibid.*

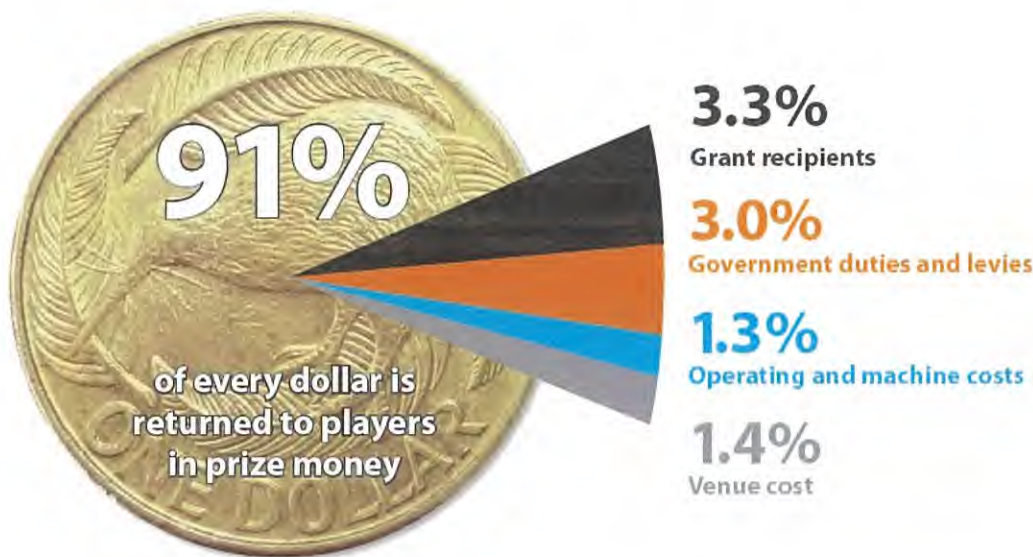
<sup>12</sup> *Internal Affairs Policy Briefing 3: Options for improving territorial authority gaming machine policies*, 28 March 2013.



## Pub gaming's vital support for the community

In most countries, gambling is purely for commercial gain. New Zealand is different. We are one of the few countries with a community-focused model for pub gaming, where the proceeds are returned to the community instead of the private sector.

### NZCT's revenue distribution in 2020/21



In the year ending 30 September 2021, NZCT approved \$44.70 million through 1,921 grants.

In the year to 30 September 2021, NZCT approved \$100,977 through 15 worthy grants that had a direct benefit to Westland District residents (see appendix 1 for details). Most of this was for amateur sporting purposes, as per our trust deed.

NZCT during the same period approved multi regional grants that benefit the West Coast of \$739,664 and National Grants that benefit West Coast of \$1,116,102 (see appendix 1 for details).

Amateur sport has traditionally been our focus, and between 75 and 80% of the grants we distribute go to sports organisations. Each year, NZCT funds around 50 different sports.

In 2020/21, we funded the equivalent of:

- uniforms for 49,998 rugby teams (one uniform costs \$60), or
- 2,999,867 footballs (one football costs \$15), or
- 5,625 four-person waka (one waka costs \$8,000), or
- more than 2.25 million hours – or 256.8 years – of coaching (one hour of coaching costs \$20), or
- 30 artificial playing fields (one field costs \$1.5 million).

To raise this much money themselves, our grant recipients would have had to:

- cook and sell more than 22.4 million \$2 sausages at sausage sizzles and every person in New Zealand would need to buy and eat five sausages, or
- sell five \$2 raffle tickets to every man, woman and child in New Zealand each year, or
- wash more than 8.9 million cars at \$5 a wash, which would take 10 people continuously washing cars for 30 minutes around 50 years to achieve.

Grants distributed by gaming machine trusts were 10% of the total philanthropic funding to the community and voluntary sector in 2011 and were at almost twice the level given by New Zealand businesses. In 2019, the amount of funds returned to the community from non-casino, non-club gaming grants was \$294 million.<sup>13</sup> Class 4 gaming societies are required to distribute a minimum return of 40% to the community, on top of government fees, levies and GST, site rental, and machine and operating costs (see the chart on the next page showing NZCT’s revenue distribution for the 2018/19 reporting period).

Each year the gambling industry pays circa \$18 to \$20 million to the government, so the Ministry of Health can implement its Preventing and Minimising Gambling Harm Strategic Plan. These funds pay for the implementation of public health services, intervention services, research, evaluation and workforce development.

Pub gaming is tightly regulated and no more than 16% of gaming proceeds can be paid to gaming venue operators to cover site rental, including staff costs and business overheads relating to the gambling operation.

### Reasons to maintain the broaden the policy on gaming machines and venues

Gaming machines are an important component of your local hospitality sector and an important source of community funding, and the benefits are considerable.

#### Local hospitality sector

Businesses that host gaming machines are typically pubs and hotels. Gaming machine venues contribute to your local economy by employing staff and providing hospitality options for residents and tourists.

#### Community funding

Around \$294 million is returned to the community every year through grants awarded by class 4 gaming societies. Many community organisations, such as sports clubs, hospices, rescue services and arts groups, would struggle or cease to function without this funding. There is currently no sustainable alternative to this funding to the level provided by gaming societies.

Class 4 gaming societies have probity processes we go through with every grant application to ensure the applicant is authentic and able to deliver the outcomes detailed in their grant application, and that any goods or services to be paid for by the grant are at arm’s length and free from any conflicts of interest.

#### The benefits are considerable

Recent research in 2021 carried out independently by TBD who produced the TBD Advisory report, *Gambling in New Zealand: A National Wellbeing Analysis*, found that gambling in New Zealand had a net positive wellbeing benefit totalling around \$1.7 to \$2.1 billion per annum. The costs and benefits are summarised in table, which can be found on page 87 of the report (replicated below)<sup>7b</sup>

**Table 32: Quantifiable costs and benefits of gambling in New Zealand, p.a., \$ million,**

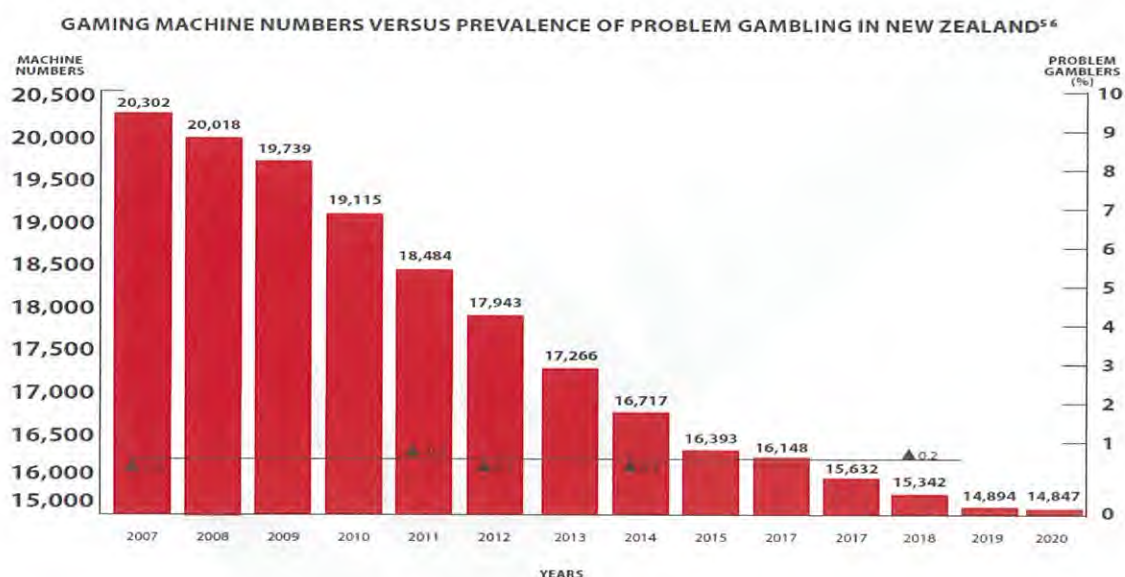
	Gross benefits	Costs	Net benefits
Consumption-side	2,740 to 3,160	2,090	650 to 1,070
Production-side	1,800	990	810
Government	280	-	280
Total	4,820 to 5,240	3,080	1,740 to 2,160

<sup>13</sup> *Grant Distribution Modelling*, KPMG, November 2020.

The report for the first time reliably indicates benefits, as well as costs and shows that this net benefit is provided each year throughout New Zealand.

### Gaming machine numbers have little effect on problem gambling numbers

It is naïve, misleading, and wrong to assume that fewer gaming machines will result in fewer problem gamblers. A gambling addiction is a complex psychological condition, which is influenced by many factors and usually has co-morbidities, such as mental health issues and other addictions. As shown in the graph below, a reduction of almost 6,000 gaming machines across the country between 2007 and 2019 had no impact on the small percentage of problem gamblers nationally.



Note: In the 2006/07 Ministry of Health NZ Health Survey, 0.4% of the population were categorised as problem gamblers using the Problem Gambling Severity Index (PGSI). In the 2010 Health and Lifestyles Survey, the rate increased to 0.7%. In the preliminary findings from the 2012 New Zealand Health Survey, the rate was 0.3% of the population, but the 2012 New Zealand Gambling Study found the rate was 0.7% of people aged 18 years and over. The 2015 wave of the New Zealand Gambling Study found the rate was 0.2% and the 2016 Health and Lifestyles Survey found it was 0.1%.  
 7b [https://www.gamblinglaw.co.nz/download/Gambling\\_in\\_New\\_Zealand.pdf](https://www.gamblinglaw.co.nz/download/Gambling_in_New_Zealand.pdf)

### Gaming machines are a legal and valid entertainment choice

Pub gaming is a legal, valid, and enjoyable source of entertainment for Hutt residents and tourists alike. Most players regard gaming as light entertainment and know when to stop. The Gambling Commission has reminded councils and the regulator that "... conditions can only properly be imposed if they reduce the harm caused by problem gambling, as distinct from simply reducing gambling activity which is a lawful and permitted activity under the Act."<sup>14</sup>

We recognise that Westland District Council aims, to balance the needs of visitors and residents while achieving a focus on wellbeing and economic development. If appropriate measures remain in place to support problem gambling, then funding structure should remain in the community for the good it will bring.

Pub gaming brings many benefits to New Zealand. Business and Economic Research Ltd (BERL)<sup>15</sup> calculated in 2015 that each year the entertainment value to recreational players was around \$250 million, the grants value to the community was also around \$250 million (now \$294 million), and the Government revenue value in the form of tax, duties and levies was around \$279 million.

<sup>14</sup> Gambling Commission decision GC 03/07.

<sup>15</sup> *Maximising the benefits to communities from New Zealand's Community Gaming Model*, BERL, February 2013.

### Problem gambling rates have plateaued

The New Zealand 2012 National Gambling Study found that the number of people who regularly participate in continuous forms of gambling, like gaming machines, decreased from 18% in 1991 to 6% in 2012.<sup>16</sup> The study concluded: “Problem gambling and related harms probably reduced significantly during the 1990s but have remained at about the same level despite reductions in non-casino EGM [electronic gaming machine] numbers and the expansion of regulatory, public health and treatment measures.”<sup>17</sup>

The 2016 National Gambling Study (the most recent) found the problem gambling rate was 0.2% and concluded: “From 2012 to 2015, overall gambling participation has declined whilst problem gambling and low-risk and moderate-risk gambling levels have remained static. This poses a public health challenge of identifying the factors to explain the persistence of harm despite declining gambling participation. One reason may be a high relapse rate [66%].”

The 2016 Health and Lifestyles Survey states that “In 2016, 3.1% of New Zealand adults 18 years and over had experienced an occasion when they had gambled more than intended, but this proportion has been dropping steadily since 2006/07 when it was 11%.”

It also states that the current problem gambling rate has now dropped to an all-time low of 0.1% of the adult population (around 7,500 people), despite an upward trend in gaming machine expenditure.<sup>18</sup>

### Problem gambling rates in New Zealand are relatively low

NZCT is committed to reducing and minimising the harm that can be caused by gambling. As can be seen in the table, New Zealand has one of the lowest rates of problem gambling in the world.<sup>19</sup> Relatively few New Zealanders are gambling at levels that lead to negative consequences; most people who gamble know when to stop.

Country	Problem gambling prevalence (% population*)
New Zealand	0.1–0.2
UK	0.7
Norway	0.7
Australia	2.3
USA	2.6
Canada	3
Mixture of CPGI, PGSI and SOGS scores <sup>20</sup>	

### Strict harm minimisation obligations

A key purpose of the Gambling Act is to prevent and minimise the harm that can be caused by gambling, including problem gambling. To that end, in all class 4 gambling venues:

- stake and prize money are limited
- odds of winning must be displayed
- gaming rooms are restricted to people over the age of 18 years

<sup>16</sup> Pg 8, NZ 2012 National Gambling Study: Overview and gambling participation.

<sup>17</sup> Pg 18, *ibid*.

<sup>18</sup> DIA media release: <http://livenews.co.nz/2017/04/21/new-zealand-gaming-pokie-spending-patterns-continue/>

<sup>19</sup> *Maximising the benefits to communities from New Zealand's community gaming model*, BERL, February 2013.

<sup>20</sup> A range of different measurements are available to measure problem gambling rates. CPGI refers to the Canadian Problem Gambling Index, PGSI is the Problem Gambling Severity Index and SOGS is the South Oaks Gambling Screen.

- gaming rooms can only be operated in adult environments, such as pubs, nightclubs and clubs
- play is interrupted every 30 minutes with an update on how long the player has been at the machine, how much money they've spent, and their net wins and losses
- \$50 and \$100 notes are not accepted
- no ATMs are allowed in licensed gambling areas
- gaming advertising is prohibited
- the DIA monitors every gaming machine's takings
- syndicated play is prohibited
- all venues must have staff trained in gambling harm minimisation on duty whenever gaming machines are operating
- all venues must have a gambling harm minimisation policy in place
- all venues must display pamphlets and signs directing gamblers to help services
- venue staff must be able to issue and enforce Exclusion Orders
- venue staff must help problem gamblers if they have an ongoing concern about them.

### Ongoing obligations

The Gambling Act obliges venue staff to provide ongoing help to a potential or current problem gambler. Offering help once, and then ignoring continued warning signs, is not sufficient.

A venue is automatically in breach of the law if an excluded person enters the gambling area. Venues must be able to show they have robust systems and processes in place that restrict excluded people from entering.

### Training

NZCT provides face-to-face and online problem gambling training to staff at each of its gaming venues and trains over 500 staff a year.



Trainers deliver a presentation on problem gambling and take staff members through each part of the problem gambling resource kit in detail. Venue staff also work through an online training tool, which includes an assessment that they must pass. Refresher training is provided annually. Gaming venues are continually reminded of their obligation to ensure a person trained in harm minimisation is always on duty when gaming machines are operating.

### Support is available for problem gamblers

Each year the gambling industry pays circa \$18 - 20 million to the government in the form of a problem gambling levy, so the Ministry of Health can implement its Preventing and Minimising Gambling Harm Strategic Plan (PMGH). These funds pay for the implementation of public health services, intervention services, research, evaluation and workforce development.

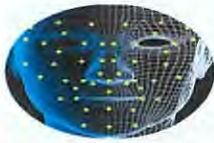
### Harm minimisation activities

Gaming trusts take legal obligations very seriously, none more so than those around minimising the harm that can be caused by gambling. To meet our harm prevention and minimisation requirements, NZCT provides a problem gambling resource kit to each of its gaming venues. The kit includes:

- NZCT's Harm Prevention and Minimisation Policy
- a plain language harm prevention and minimisation manual and policy guide

- exclusion orders and guidance on the exclusion order process
- a pad of gambling host responsibility record sheets to record any problem gambling issues and action taken by staff
- signage, pamphlets and other problem gambling resources.

In addition to this toolkit, increasingly facial recognition technology is used to identify problem gamblers and assist them to be excluded. NZCT has strongly recommended to the Ministry of Health on the proposed Strategy to Prevent and Minimise Gambling Harm 2022/23 to 2024/25 that this technology be rolled out further as part of problem gambling harm minimisation work underway.



### The Guardian - Facial Recognition System

A fully integrated, market-leading system that identifies excluded persons as they enter a gaming room, by matching them against a centralised database.

Three short videos showing how the facial recognition system works can be viewed at:

<https://www.coms.net.nz/the-guardian-facial-recognition/>

NZCT also provides all its gaming venues with the Health Promotion Agency’s harm minimisation signs to display in and around the gaming area, wallet cards with information for potential problem gamblers and host responsibility resources for staff.



Two of the findings from the inaugural PMGH baseline report were that problem gambling services are effectively raising awareness about the harm from gambling, and interventions for gambling-related harm are moderately accessible, highly responsive and moderate to highly effective.<sup>21</sup>

The world’s largest clinical trial<sup>22</sup> for problem gambling treatment found that, one year after calling the Gambling Helpline, three-quarters of callers had quit or significantly reduced their gambling.

## About NZCT

Established in 1998, New Zealand Community Trust (NZCT) is the one of the largest gaming trusts with 13% market share, operating in venues and communities throughout New Zealand. In the 12 months to 30 September 2021, NZCT approved \$44.70 million in grant funding to sporting, local government and community groups nationwide.

NZCT’s Board, Regional Advisory Committees and management take risk mitigation and assurance seriously and our risk framework recognises the need for effective controls and mitigation tools/strategies to prevent and minimise harm from problem gambling.

While most New Zealanders gamble without experiencing any harm, a small minority who participate suffer some degree of harm and the impacts for them and people affected by their gambling, can be significant.

NZCT contributes through the problem gambling levy approximately \$1 million per annum to the collective annual levy of \$18-20 million. That is a significant amount, on top of an estimated \$800 thousand which NZCT expends within the organisation each year, on training, resourcing, and

<sup>21</sup> Page 16, *Outcomes Framework for Preventing and Minimising Gambling Harm Baseline Report*, May 2013.

<sup>22</sup> *The Effectiveness of Problem Gambling Brief Telephone Interventions*, AUT, Gambling & Addictions Research Centre.

technology, such as facial recognition technology (FRT), directed to identifying and mitigating problem gambling in our venues. We have a strong interest in seeing the levy spent effectively.

Over the last 10 years, the Ministry of Health has received more than \$186 million in funding from the four gambling sectors that contribute to the annual levy.

In that period, it appears the problem gambling rate has not reduced, and the key objectives of the strategy have not been met, as confirmed by the damning Needs Assessment Report.

We have twin goals of serving both our publicans and the communities in which they operate. At least 75% to 80% of the funds we currently distribute are directed towards sports activities, making NZCT the largest funder of amateur sports participation in New Zealand. We focus on sport because of the many positive benefits it offers communities, such as:

- crime reduction and community safety
- economic impact and regeneration of local communities
- education and lifelong learning
- participation
- physical fitness and health
- psychological health and wellbeing
- social capital and cohesion.<sup>23</sup>



Overseas research<sup>24</sup> has found participation in sport can lead to increased health and productivity for individuals, and increased wealth or wellbeing of society. While amateur sport is our main focus, we are also strong supporters of other worthy community activities, including local government projects.

## Further information about our submission

For further information, or if you have any questions about NZCT's submission, contact Don Martin, Communications and Marketing Manager on (04) 495 1594 or [don.martin@nzct.org.nz](mailto:don.martin@nzct.org.nz)

## Our Southern Regional Advisory Committee members

### Stephen Boock

Chair, Southern Regional Advisory Committee

### Todd Heller

Member, Southern Regional Advisory Committee

### Julie Seymour

Member, Southern Regional Advisory Committee

### Brian McKechnie

Member, Southern Regional Advisory Committee

<https://www.nzct.org.nz/about-us/meet-our-regional-advisory-committees/>

<sup>23</sup> Sport England's Value of Sport Monitor.

<sup>24</sup> [http://www.ausport.gov.au/information/asc\\_research/publications/value\\_of\\_sport](http://www.ausport.gov.au/information/asc_research/publications/value_of_sport).

## **Our Trustees**

**Alan Isaac**

Board Chair

**David Pilkington**

Board Member and Net Proceeds Committee Chair

**Kerry Prendergast**

Board Member and Audit and Risk Committee Chair

**Peter Dale**

Board Member

**Lesley Murdoch**

Board Member

**Peter Miskimmin**

Board Member

<https://www.nzct.org.nz/about-us/#meet-our-trustees>

# **Appendix 1**

## **Grants to Westland District by NZCT - October 2020 to September 2021**



Grants to West Coast - October 2020 to September 2021

Grant #	Organisation	Total amount approved	Amount drawn from Purpose West Coast	Date of approval
87594	Buller Basketball Association Inc	\$3,000	\$3,000 Travel and accommodation	22/06/2021
87654	Buller High School	\$2,000	\$2,000 Travel and accommodation	22/06/2021
87699	Buller Hockey Association Inc	\$2,000	\$2,000 Travel and accommodation	22/06/2021
86487	Buller Rugby Union Inc	\$4,000	\$4,000 Salary	20/04/2021
87797	Buller Sports Alliance Inc	\$5,000	\$5,000 Salary	22/07/2021
86359	Ngakawau Rugby Football Club Inc	\$1,560	\$1,560 Travel	22/03/2021
87936	Paroa Tennis Club Inc	\$10,000	\$10,000 Court turf repair and court turf replacement	22/07/2021
89069	Reefton Golf Club Inc	\$2,000	\$2,000 Course maintenance products	21/09/2021
86992	West Coast Badminton Association Inc	\$572	\$572 Court hire	18/05/2021
87099	West Coast Cricket Association Inc	\$15,000	\$15,000 Cricket training nets	22/06/2021
85773	West Coast Riding for the Disabled Inc	\$15,000	\$15,000 Roof insulation and installation	19/01/2021
86548	West Coast Rugby Football Union Inc	\$32,000	\$32,000 Salary	20/04/2021
82370	West Coast Speedway Association Inc	\$5,000	\$5,000 Safety utility vehicle	17/11/2020
85650	Westport Old Boys Rugby Football Club Inc	\$1,920	\$1,920 Travel	19/01/2021
87108	White Star Rugby Football Club Inc	\$1,925	\$1,925 Playing uniforms	22/06/2021
		<b>\$100,977</b>	<b>\$100,977</b>	
<b>Multi-regional grants that benefit West Coast</b>				
86934	Canterbury West Coast Sports Trust	\$130,000	\$3,811 Salary - Events Assistant and Top Team Coordinator; Salary - Regional Manager West Coast; Salary - Regional Manager Mid Canterbury; Salary - Community Coach Advisor; Salary - Sport Development Advisor	18/05/2021
86502	Christchurch Schools Music Festival Association Inc	\$8,000	\$246 Venue hire	20/04/2021
85485	No 5 District Federation of NZ Football Inc - Capital Football Inc	\$106,049	\$317 Venue hire and flights for 2021 Futsal National Age Group Tournament	19/01/2021
87364	No 5 District Federation of NZ Football Inc - Capital Football Inc	\$140,000	\$527 Accommodation (excludes catering) and flights for 2021 National Age Group Tournament	22/06/2021
86626	No 6 District Federation of NZ Football Inc - Mainland Football	\$179,615	Salary - Federation Player Development Manager (excluding allowances); Salary - Operations and Administration Manager Nelson Bays (excluding allowances); Contractor - FC Nelson Director of Football; Contractor - Nelson Suburbs Director of Football; Salary - Director of Football (excluding bonus); Salary - Referee Development Officer (excluding allowances); Salary - Womens Development Officer; Salary - Futsal Development Officer; Salary - Competitions Manager	22/06/2021
86219	Southern Zone of NZRL Inc	\$120,000	Contractor - Canterbury Rugby League Development Officer from 31 July 2021; Salary - Club Capability and Events Manager; Salary - General Manager (excluding expenses)	22/03/2021
85915	Squash Canterbury Inc	\$26,000	\$692 Salary	20/04/2021
88931	Swimming Canterbury West Coast Inc	\$30,000	\$854 Salary	21/09/2021
		<b>\$739,664</b>	<b>\$13,772</b>	

Grant #	Organisation	Total amount approved	Amount drawn from Purpose	Date of approval
<b>Grants to national organisations that benefit West Coast</b>				
86503	Gymsports NZ Inc	\$189,102	\$1,149 Relationship Manager (excludes wage subsidy); Salary - Central Relationship Manager; Salary - Southern Relationship Manager	22/03/2021
89266	Helberg Foundation	\$120,000	\$429 Salary - Disability Sport Adviser (Canterbury, West Coast & Tasman); Salary - Disability Sport Adviser (Hawkes Bay & Wellington); Salary - Disability Adviser - Lead (Taranaki, Whanganui & Manawatu); Salary - Disability Sport Adviser (BOP & Gisborne); Salary - Disability Sport Adviser (Waikato); Salary - Disability Sport Adviser (Auckland); Salary - Disability Adviser - Lead (Auckland)	21/09/2021
85435	Netball NZ Inc	\$205,000	\$4,897 Office space rental (excluding furniture allowance); Vehicle leases; Salary - Performance Coach - Mainland; Salary - Participation Lead - Mainland; Salary - Community Trainer-Umpire and Coach Mainland; Salary - Netball Relationship Manager (excluding allowances)	15/12/2020
84535	NZ Golf Inc	\$150,000	\$540 Salary - Regional Support Manager - Lower North Island; Salary - Regional Support Manager - South Island; Salary - Regional Support Manager - Waikato/BOP; Salary - Regional Support Manager Northern	17/11/2020
88504	Scout Association of NZ	\$50,000	\$234 Salary - General Manager South Island; Salary - General Manager Lower North Island; Salary - General Manager Upper North Island	2/09/2021
85902	Special Olympics NZ	\$250,000	\$669 Salary - Regional Sports Coordinator - Bay of Plenty, Waikato; Salary - Regional Sports Coordinator, Auckland; Salary - Regional Sports Coordinator - Auckland; Salary - Sports Director - Auckland; Salary - Regional Sports Coordinator - Otago; Salary - Regional Sports Coordinator - Taranaki, Manawatu/Wanganui; Salary - Regional Sports Coordinator - Auckland; Salary - Regional Sports Coordinator - Gisborne, Hawkes Bay, Wellington, Manawatu/Wanganui; Salary - Regional Sports Coordinator - Canterbury, Nelson & West Coast	23/02/2021
85826	Yachting NZ Inc	\$152,000	\$656 Salary - Regional Support Officer (Auckland, Northland); Salary - Regional Support Officer (Central including Bay of Plenty and Gisborne); Salary - Regional Support Officer (Auckland, Bay of Plenty); Salary - Regional Support Officer (West Coast, Canterbury, Otago, Southland)	23/02/2021
		<b>\$1,116,102</b>	<b>\$8,573</b>	

10 November 2021

Te Aroha Cook  
Group Manager Regulatory and Community Services  
Westland District Council

Tēnā koe Te Aroha,

**Re: Class 4 Gambling Venue Policy Review**

Thank you for the opportunity to comment on Westland District Council's Class 4 gambling policy review.

A key part of our public health work at PGF Group includes advocating for the development of public policy that contributes to the prevention and minimisation of gambling-related harms.

Firstly, we would like to remind Council of the main objectives of the Class 4 gambling policy. This includes: 1) To minimise the harm to the community caused by gambling; and 2) To control the growth of gambling in the District. We believe that this policy review provides the Council with an opportunity to increase its efforts to minimise gambling harm in Westland.

The 2018 Class 4 Gambling Venue Policy outlines a venue cap of three within the Westland District outside of Hokitika, and that no new venues may be established in Hokitika. While the number of electronic gaming machines (EGMs or 'pokies') in Westland has fluctuated in the last five years, the gaming machine profits (GMP), or the money lost on EGMs, has generally been following an upward trajectory. Westland's annual GMP was approximately \$1.7 million in 2018, \$1.8 million in 2019, and \$1.5 million in 2020<sup>1</sup> (although GMP for 2020 was largely affected by the nationwide COVID-19 alert level 4 lockdown).

It is our view that it would be timely to review the Class 4 gambling policy. Data published by the Department of Internal Affairs shows that, as at 30 June 2021, all five venues within the district are located in Hokitika.<sup>2</sup> The venue cap outside of Hokitika provides an opportunity for an additional three venues to be installed in the district. This could lead to further losses in the community and an increase in gambling harm. Given that Class 4 gambling is the most harmful form of gambling in New Zealand<sup>3</sup>, this policy review allows for Westland District Council to consider effective policies that can help safeguard residents from gambling harm.

We advocate for Westland District Council to adopt a sinking lid policy, which includes the following three provisions:

1. A ban on any new venues – no permit to be given to operate any new Class 4 gambling venues in the Council area if that venue proposes having EGMs, including TAB venues;
2. No relocations – if a venue with EGMs closes for any reason, the Council will not permit the EGMs to be relocated to any venue within the Council area, and;
3. No mergers – the Council will not permit any merging of Class 4 EGMs to one venue under any circumstances.

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<sup>1</sup> Department of Internal Affairs, "Gaming machine profits (GMP dashboard)".

<sup>2</sup> Department of Internal Affairs, "Gaming machine profits (GMP dashboard)".

<sup>3</sup> Ministry of Health, *Strategy to prevent and minimise gambling harm 2019/20 to 2021/22*, 8.

A recent study by Auckland University of Technology's New Zealand Work Research Institute revealed that a sinking lid is one of the most effective policies at reducing GMP.<sup>4</sup> Moreover, TLAs that adopted restrictions above and beyond those mandated by the Gambling Act 2003 experienced less gambling harm than TLAs that did not.

We also appreciate that many community and sports groups depend on grants from Class 4 Trusts and Societies who are required to return 40% of GMP to the community by way of grants or applied funding. However, it cannot be guaranteed that GMP lost in Westland is returned to groups in Westland. For example, Westland's GMP was \$1.8 million in 2019. Based on the 40% requirement, approximately \$720,000 was the minimum amount of grant funding that could have been available in Westland. However, just over \$220,000 was returned to groups in Westland (please refer to our report on grants to Westland District Council). This means that around half a million dollars was allocated to recipients in other regions in 2019.

You may be aware that, in addition to introducing sinking lid policies, some councils (for example, Wellington City Council), are advocating to government about the urgent need to replace Class 4 funding with sustainable, ethical funding for community sports, cultural and other groups who currently benefit from this funding. It is important to note that central government already collects approximately a third of Class 4 expenditure by way of GST, regulator fees, and the problem gambling levy.

There is also concern from some councils about sinking lids not going far enough to minimise the harm from gambling, particularly in high deprivation communities. We note that four out of the five venues (as at 30 June 2021) in Westland are in medium-high deprivation areas.<sup>5</sup> Ōpōtiki District Council has recently sent a letter to the Minister of Internal Affairs Jan Tinetti asking her to use her powers to further regulate the use of EGMs.

In closing, PGF Group strongly urges Westland District Council to consider adopting a sinking lid policy for the whole of Westland in this Class 4 gambling policy review. A sinking lid policy is the best policy we currently have to minimise gambling harm and it shows that the Council supports the wellbeing of the community. We hope that steps are made in this direction.

We appreciate the opportunity to provide comment on this matter. Please contact me if you have any questions regarding this submission. You can contact me on 09 553 6896 or via email ([kristy.kang@pgf.nz](mailto:kristy.kang@pgf.nz)).

Ngā mihi nui,

Kristy Kang  
Manager Policy and Public Health

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<sup>4</sup> Erwin et al., *Capping problem gambling in NZ: The effectiveness of local government policy intervention*, 1.

<sup>5</sup> Department of Internal Affairs, "Gaming machine profits (GMP dashboard)".

## Class 4 Gambling

### Report on Grants to Westland TLA

### For: WESTLAND DISTRICT COUNCIL

#### Introduction

At the time of writing this report, the PGF Group database held data for 97 grants made to the Westland District Council area for the period 1 January 2015 to 30 June 2021. The PGF Group grants database currently has 157,135 recorded grants, beginning in 2014.

Every care has been taken to ensure the demarcation of grants to each Territorial Local Authority (TLA) is as accurate as possible, but information published by some Trusts can be inconsistent. The grant data provided in this report is only as accurate as its original source and the PGF Group holds no responsibility for errors in published information.

Although every effort is made to make our database an all-inclusive list of grants, we cannot guarantee that all grants made under Class 4 gambling legislation have been identified and included in our database. Moreover, Gaming Machine Profits (GMP) generated from Electronic Gaming Machines (EGMs or 'pokies') in chartered clubs are not required under the Gambling Act to be distributed in the same way as pubs. Rather, clubs are required to allocate GMP to an authorised purpose, which includes the running of club properties and operations and distributing funds to certain community groups. However, the details around how clubs apply its net proceeds to its authorised purpose varies from club to club and that information is reported to the Department of Internal Affairs (DIA). Unlike grants from Class 4 Trusts and Societies, this information is not required to be publicly available.

Grant figures for the 2020 calendar year should be regarded as an overview only. Of important note is that during the nationwide COVID-19 alert level 4 lockdown (and subsequent lockdowns in Auckland), Class 4 gambling venues were closed. This has resulted in fluctuating GMP figures, and this should be taken into account when analysing figures for 2020.

#### The Class 4 Funding System in New Zealand

The money lost on EGMs is called the GMP. It is the amount wagered, less the amount paid back as prizes.

All Class 4 EGMs are owned by Gaming Trusts and Societies. The GMP for each machine is monitored by the DIA's Electronic Monitoring System and collected by the Trust that owns the machine. The GMP is then applied in a complex model before it can be distributed to the community as grants:

- A Trust can pay up to 1.28% of a venue's weekly turnover as commission to the venue hosting machines. Payments to all venues across the financial year must not exceed 16% of losses for that year. Moreover, the primary purpose of any venue cannot be Class 4 gambling under the Gambling Act 2003 and Sale and Supply of Alcohol Act 2012.
- The government receives 23% of GMP as the gambling duty (20%) and DIA regulator fees (3%).
- Trust operating costs must be kept as low as possible and only used for 'reasonable' costs. The true proportion will be unique to each Trust based on its grant contributions but is estimated at 20%.
- The problem gambling levy is 0.78% of GMP and funds treatment services, public health and research.

Finally, Societies and Trusts must return 40% of total proceeds to the community by way of grants or applied funding.

## EGM Statistics

The number of Class 4 gambling venues in Westland has decreased slightly, with 7 in 2015 and 6 as at 31 December 2020. The number of EGMs in Westland has fluctuated but experienced a general decline, with 60 in 2015 and 55 in 2020.

Despite the fluctuation in the number of machines, Westland has followed the national pattern of a general growth in GMP. While we cannot be sure why this is happening, what we do know is that EGM numbers are not being reduced in areas where they need to.

Under the current policy, there is a venue cap of three within the Westland District outside of Hokitika while Hokitika has a sinking lid. We believe that a sinking lid policy for the whole district area is the best public health approach available to prevent and minimise gambling harm. We advocate for a policy that does not permit relocations or club mergers under any circumstances as it strengthens a sinking lid policy. If a venue closes, the pokie machines cannot be moved and the number of machines gradually reduces.

Table 1: Annual number of Class 4 gambling venues, 2015-2020

	2015	2016	2017	2018	2019	2020
<b>National</b>	1,224	1,197	1,146	1,103	1,078	1,068
<b>Westland</b>	7	6	7	6	6	6

Table 2: Annual number of Class 4 EGMs, 2015-2020

	2015	2016	2017	2018	2019	2020
<b>National</b>	16,274	16,031	15,490	15,118	14,828	14,781
<b>Westland</b>	60	56	63	58	55	55

Table 3: Annual GMP, 2015-2020 (\$ '000)

	2015	2016	2017	2018	2019	2020
<b>National</b>	828,026	858,236	883,384	910,679	939,075	810,951
<b>Westland</b>	1,663	1,582	1,607	1,700	1,758	1,462

Fifty percent of all EGMs in New Zealand are located in our most deprived communities (decile 7-10 on the Ministry of Health measurement of deprivation). Approximately 1.8% of adults in New Zealand are considered severe or moderate risk gamblers. Further, the DIA estimates that 30% of EGM expenditure comes from these severe and moderate risk gamblers.

What this could mean locally is that of the approximately 6,795 usually resident adults in Westland per the 2018 Census, around 122 residents are losing 30% of the city's GMP – or \$510,000 (\$4,180 each). Conversely, the remaining 70% of GMP losses would come from the remaining 6,673 residents, equalling only approximately \$178 each.

When the \$510,000 lost by severe and moderate risk gamblers in 2018 is compared to 2018 grants to Westland organisations, which totalled just over \$200,000 (Table 4), it becomes evident that a majority of the community funding from EGMs comes from a small number of people who experience the greatest harm from gambling. In fact, 83% (5 out of 6) of venues in Westland in 2018 were in medium-high deprivation areas.

## Grants to Authorised Purposes

The following grant data presents:

- Grants made to groups operating within the Westland District Council area.

Instead of listing individual grants, grant data has been categorised into organisational types: Community Groups, Community Services and Sports.

Table 4: Grants to Westland organisations, 2014-2020 (\$)

	2014	2015	2016	2017	2018	2019	2020
<b>Community Groups</b>	<b>41,043</b>	<b>28,208</b>	<b>6,750</b>	<b>51,067</b>	<b>72,460</b>	<b>93,782</b>	<b>7,955</b>
Arts		3,500		15,000	8,000	15,000	
Community Groups	41,043	24,708	6,750	36,067	57,860	78,782	7,955
Faith Based					6,600		
<b>Community Services</b>	<b>57,500</b>	<b>107,204</b>	<b>50,754</b>	<b>15,535</b>	<b>73,772</b>	<b>52,451</b>	<b>76,626</b>
Ambulance Services				10,000		6,000	
Community Services						2,451	10,000
Council	30,000	3,200	1,500		52,500	2,500	
Education	22,500	77,598	31,404	5,535	16,272	41,500	66,626
Fire Services		26,406					
Kindergartens / Child Care / Plunket			17,850		5,000		
Search and Rescue (excludes Surf Clubs)	5,000						
<b>Sport</b>	<b>70,159</b>	<b>38,433</b>	<b>57,877</b>	<b>66,391</b>	<b>57,253</b>	<b>76,399</b>	<b>4,806</b>
Bowling				990		10,000	
Equestrian / Pony Clubs				1,000			
Gym Sports (includes weightlifting/boxing/wrestling)	6,600	10,000	30,000			20,000	
Hockey	1,872	2,780			2,000		
League		5,000	9,600	15,293	8,068		
Motorsports	30,000						
Netball		5,516			850		
Other Sports	15,134	9,965		9,600	10,496	18,250	
Racing	1,630		2,500	15,000		5,000	
Racquets	1,000	3,214	2,000	4,350	5,200	9,573	390
Rugby	10,000		11,000		7,000	1,387	
Special Olympics / Sports for the disabled				13,820	21,809	4,809	
Water Sports	3,923	1,958	2,777	6,338	1,830	7,380	4,416
<b>Total</b>	<b>168,702</b>	<b>173,845</b>	<b>115,381</b>	<b>132,993</b>	<b>203,485</b>	<b>222,632</b>	<b>89,388</b>

Kindergartens have been combined with childcare, toy libraries and Plunket. Racing is horse or hound racing only, with the majority of this funding going to horse racing.

Some codes of sport receive significantly more than others and therefore have been identified and tabulated. If a sports club for instance names the sport the grant has gone to, then that grant goes against the specific sport. If, however, it is a sports club with several codes and the grant is not specified then that goes against the 'Other Sports' category.

# Snapshot of Westland TLA: Gaming Machine Profits (GMP) and Community Grants

**Total GMP for the Westland District Council area compared to the total amount of grants provided to community organisations**

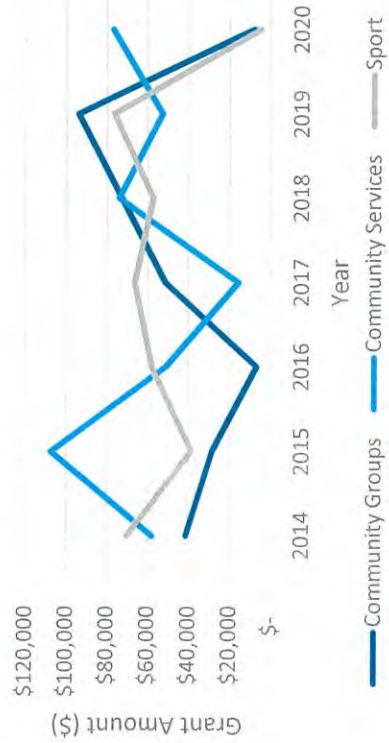


**Total amount of grants provided to community organisations**



**Total GMP made by EGMs**  
**Total amount of grants provided to community organisations**

**Breakdown of grants provided to community organisations**



**Disclaimer:** This snapshot is to be interpreted in conjunction with the 'Reports on Grants to Westland TLA'. Every care has been taken to ensure the demarcation of grants to each TLA is as accurate as possible, but information published by some Trusts can be inconsistent. Although every effort is made to make our database an all-inclusive list of grants, we cannot guarantee that all grants made under Class 4 gambling legislation have been identified and included in our database.



## GRANTS DATABASE LIMITATIONS

1. The database is not regularly audited. The last independent audit was in 2009 and carried out by PWC. PWC noted that whilst best endeavours were used to ensure accuracy, the lack of comprehensive checks and balances means that accuracy cannot be guaranteed
2. The information is collected from gaming society websites which themselves can have inaccuracies
3. If a grant period has been missed or appears to be delayed we will usually know and will contact the society concerned and ask them when they expect to publish their grants. They are usually helpful with such requests. At any one time there will usually be outstanding information ie grants have been made and not yet reported or recorded by PGF.
4. The assignment of organisations to a particular category (recipient type) is done by PGF staff to the best of their ability, given the information published with each grant.
5. When grant information is assigned to a particular year it is classified by the last date of the grant period that the grant is reported to have occurred.
6. Some societies withdraw information from their website a short time after publication (say a year or two) and thus cannot be checked when this has been done
7. Pivot tables extracted from the raw data will often have an issue of varying names for the same organisation and thus need to be “massaged” to get a workable set of totals.
8. The information should be read as E & OE.



# Oasis

## Reducing Gambling Harm

### Notes on Class 4 Gambling in Westland For Westland District Council November 2021

Thank you for the opportunity to provide our comments on the Westland District Council proposed Class 4 Gambling review.

#### **Background**

Te Ope Whakaora -The Salvation Army is a Christian social services organisation providing a range of vital services and support to over 120,000 New Zealanders in need from budgeting advice, food and clothing assistance, life skills programmes and other support.

The Salvation Army Oasis is a national programme providing clinical and public health services with the aim of preventing and minimising gambling harm. We are contracted by the Ministry of Health to serve the community. We work with around a thousand tāngata whaiora per year, in addition to our public health work, which targets harm at the national and community level.

Public health workers at The Salvation Army Oasis are contracted to work with gambling venues to support host responsibility practices and processes for referring patrons to gambling harm services where needed. We also coordinate Multi Venue Exclusions in class 4 venues, assisting people to exclude themselves from pokie venues for a period of time and liaise with local venues and societies if breaches and other issues arise. As a result of this work, we have a lot of interface with gambling venues and industry staff and can provide a unique perspective on the impact of gambling venues upon the community.

Gaming machines ('pokies') are a particularly harmful gambling product. Pokies are considered especially dangerous because they're continuous, meaning people can play multiple successive games and immediately re-gamble their winnings, they have a fast rate of play, and are designed to encourage compulsive behaviour with intermittent reinforcement, immersive graphics and sound environment. These factors have been shown to create addictive behavioural patterns; also, research indicates that the density of machines positively correlates to problem gambling prevalence (DIA 2008). This provides a rationale for policy interventions that reduce the number of gaming machines (gambling opportunities) in communities.

#### **Class 4 Gambling in the Westland District**

There are currently 6 Class 4 venues with 55 machines. Five of these are in medium-high deprivation areas, meaning that people in lower socio-economic regions of Westland have more access to the potential harm of gambling.

In 2019, \$1.7 million dollars was lost on class 4 gambling in Westland, more than \$4,000 per day (PGF 2019). Of this \$1.7 million, only \$219,000 (13%) was returned to the Westland District in community grants.

The total Gaming Machine Profits (GMP) in 2020 were reduced (as were the community grants) due to the effects of Covid-19. However, in the year ending June 2021, the losses to Westland District increased to \$1,732,510, or \$4,747 per day (DIA 2021). Despite this increase in losses, the community is unlikely to see a higher return of funds due to covid-19 policy changes which allow societies and trusts to reduce their level of community funding for a fixed time period (DIA 2021; RNZ 2021).

Covid 19 effects: Westland tourism, previously a major source of revenue, has been heavily impacted by the Covid 19 pandemic, and the Westland District Council forecasts assumption is that this will remain low for at least the next three years – the duration of this policy review. It is also forecast that the population of Westland will remain static or reduce over the next 10 years. Given these figures, we see no reason for the Council to allow any increase the numbers of venues or gaming machines in the region, as this would only increase the opportunities for negative impact on the population.

Another concern is the potential risk of community dependence on gambling income. By providing grants to community groups, gambling providers can position themselves as morally upright corporate citizens and bolster their social licence to operate. The arrangement also creates ethically challenging relationships between gambling providers and charity recipients. Many charities, sports clubs, churches, schools, arts groups and other recipients, locked into long-term dependence on gambling profits, have become “vociferous advocates for gambling” and opponents of public health interventions that might reduce consumption—even organisations that might otherwise have played an advocacy role in shaping public health approaches to gambling (Adams & Rossen, 2012).

We do not doubt that the recipients of gambling society grants are worthy causes, in many cases essential. It is our view that they deserve access to funding that does not create moral jeopardy for them or compromise their integrity and purpose, particularly for community organisations dealing in areas which may be affected by gambling, such as mental health, domestic violence and addictions (Abacus, n.d.).

Additionally, The Salvation Army Oasis does not believe that the harm caused by gambling can be ‘offset’ by charitable contributions. The focus should be on preventing harm in the first place and minimising its impact—and there is certainly much work to be done in this space. The location of gambling venues in medium to high deprivation areas suggests that the losses from gambling are coming disproportionately from the most vulnerable community groups in the first place, despite where grants are being returned to and in a much smaller volume than what is lost. Additionally the highest burden of harm is on Maori community and this is also seen in the Westland region which shows a disproportionate distribution of gambling losses to those of Māori ethnicity, whose per capita losses in Westland at \$77.57 are higher than the national figure \$61.18. This mirrors largely the pattern for the whole country.

While returns from gambling to the Westland community are relatively low, we believe there are better options for community funding than a reliance on gambling proceeds, which often harm the very community the funding aims to support.

During the covid lockdown in 2020, TSA, Hāpai and PGF produced a White Paper Ending community sector dependence on pokie funding 2020 (attached) which discusses alternatives to the current funding model. A public health perspective considers the health impact of a broad range of determinants, including charitable funding arrangements that contribute to the social and political acceptability of gambling.

**With regard to gambling harm in the Westland District, The Salvation Army Oasis supports a sinking lid and no relocation policy. Westland ranks in the top ten TAs for gaming venues per capita, which places Westland residents at higher risk of gambling harm.**

A sinking lid is a cap that reduces the number of gaming machines over time as venues close, which is suggested as the most beneficial policy for reducing gambling harm (DIA 2020). We recommend that the Westland Council consider extending the sinking lid currently in place in Hokitika, to cover the whole Westland region, as a way of maintaining a healthier gambling policy for the future of the district.

**We also recommend reconsideration of item 4 in the current Class 4 Venue Policy.** A sinking lid policy would not allow for any new venues, making item 4.1 ('New venues outside Hokitika shall be allowed a maximum of no more than 4 gaming machines') irrelevant; and given the already high number of gaming machines per capita in Westland consider revoking items 4.2 ('Venues with licences issued after 17 October 2001 and operating fewer than 9 gaming machines shall be allowed to increase the number of gaming machines operated at the venue to 9') and 4.3 ('Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines in the venue to no more than 9 and where, at the date of the adoption of this policy, existing numbers of machines are greater than 9, that number can be maintained.').

This is, as requested, a commentary prior to the review of the Westland District Council Class 4 Gambling Venues Policy. We look forward to providing a full submission to that review if a public consultation is undertaken.

With thanks  
Nicky Taylor  
Public Health Worker  
The Salvation Army Oasis  
126 Bealey Ave  
Christchurch

Attached:

1. White Paper on ending community sector dependence on pokie funding
2. Westland DLD charts Oasis 2021
3. DIA notes

References (in order of use):

DIA (2008). *Problem Gambling in New Zealand – a brief summary*. Retrieved 28 October 2021 from: [https://www.dia.govt.nz/pubforms.nsf/URL/ProblemGamblingFactsFinal.pdf/\\$file/ProblemGamblingFactsFinal.pdf](https://www.dia.govt.nz/pubforms.nsf/URL/ProblemGamblingFactsFinal.pdf/$file/ProblemGamblingFactsFinal.pdf).

DIA (2021). Retrieved 28 October 2021 from: [Gaming Machine Profits \(GMP\) Dashboard - Quarterly GMP Dashboard Statistics \(CSV machine readable\) - data.govt.nz - discover and use data](#)

DIA (2020). Te Tari Taiwhenua Department of Internal Affairs, *Class 4 COVID-19 response measures* Retrieved 28 October 2021 from:

[Gambling - Covid-19 class 4 response measures - dia.govt.nz](#)

RNZ 2021: Retrieved 28 October 2021 from: [Organisations hold onto pokie proceeds | RNZ News](#)

DIA. (2020). Te Tari Taiwhenua Department of Internal Affairs, *Gambling Expenditure Statistics – Annual Figures – All Gambling Activity*. Retrieved 18/02/2021 at <https://www.dia.govt.nz/gambling-statistics-expenditure#annual-figures-all-gambling-activity>.

Adams, P. J., & Rossen, F. (2012). A tale of missed opportunities: pursuit of a public health approach to gambling in New Zealand. *Addiction (Abingdon, England)*, 107(6), 1051–1056.  
<https://doi.org/10.1111/j.1360-0443.2012.03800.x>

# Westland District Council Electronic Gambling Machine Expenditures

Source: DOT Gambling within New Zealand Communities & DIA data tables

Paul Barber

Social Policy and Parliamentary Unit  
The Salvation Army Te Ope Whakaora

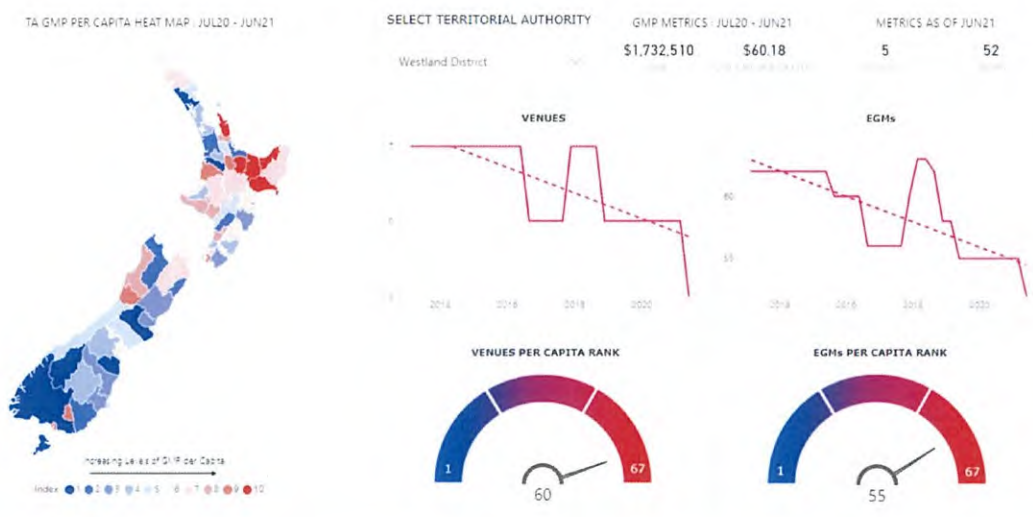
October 2021

### Westland – Venues per capita

Westland ranks in the **top ten of TAs** (60 out of 67) when measured by venues per capita

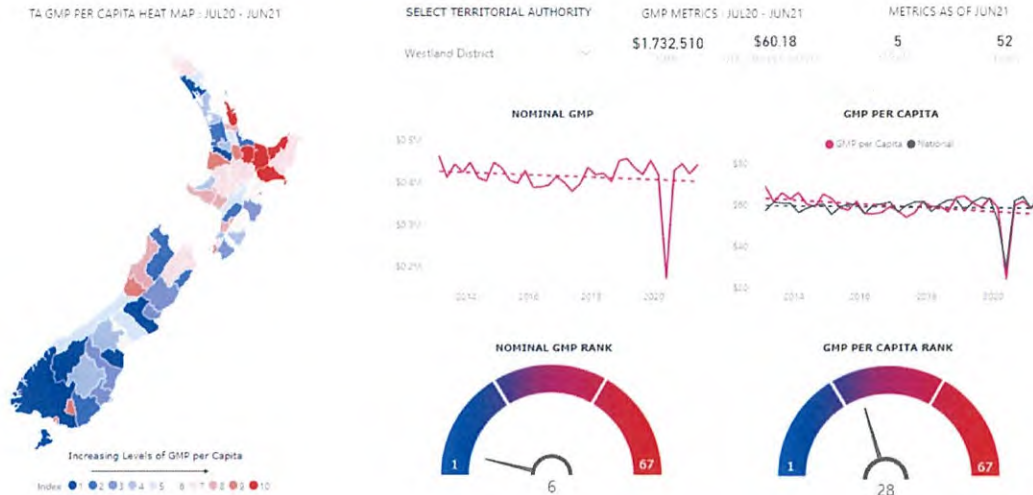
EGM machines per capita ranking is almost as high (55 out of 67)

The **number of venues decreased** from 7 in September 2018 to 5 in June 2021 and the number of machines decreased from 63 to 52 over the same time.



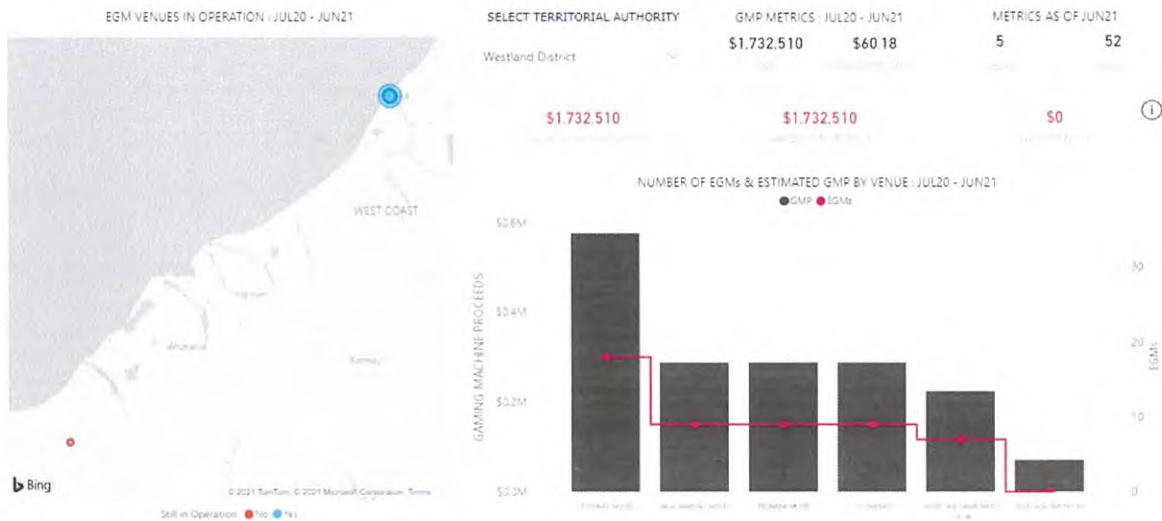
**Westland - Gaming Machine Profits (GMP)**

Westland ranks as *one of the lowest TAs for nominal GMP losses* (6<sup>th</sup> lowest) \$1,732,510 for the year to June 2021, which is not surprising given it has one of the smallest populations.  
 But on a GMP per capita basis, it ranks in the middle of TAs (28<sup>th</sup>) \$60.18 per capita and around the national average.  
 The trend in *nominal losses is for little change* over the past seven years, and per capital losses largely match the national trend.



**Westland District – EGM Venues in Operation**

- Venues in operation – there are five venues in operation in the district, with the largest number of machines and GMP losses at the Beachfront Hotel, Hokitika, with annual losses \$575,327 in 2021.



**Westland Venues & EGMs June 2021 quarter**

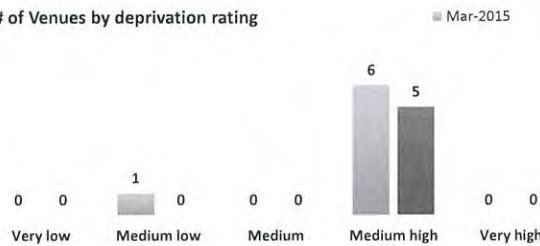
Five venues still in operation – Fox Glacier no longer operating. All the venues are to be found in medium-high deprivation areas  
 GMP losses per EGMs has increased by 21.1% or \$1,476.13 between Mar 2015 \$7,001.39 – June 2021 \$8,477.52. This means players are spending longer hours playing gaming machines, betting more per game or more players are playing pokie machines. This compares with a much larger increase nationally of 52.4% \$6,094.65 (Mar 2015 \$11,629 – June 2021 \$17,724) less is being lost per machine in Westland than nationally and losses are increasing more slowly.

Society Name	Venue Name	Venue Physical Address	Name	GMP	EGMs	Still in Operation
THE LION FOUNDATION (2008)	BEACHFRONT HOTEL	111 REVELL STREETHOKITIKAWESTLAND 7900	RAILWAY HOTEL	\$575,327	16	Yes
Hokitika Club Incorporated	HOKITIKA CHARTERED CLUB	42 HAMILTON STREETHOKITIKAWESTLAND 7810	BEACHFRONT HOTEL	\$287,663	9	Yes
Pub Charity Limited	PIONEER HOTEL	80 GIBSON QUAYHOKITIKAWESTLAND 7900	PIONEER HOTEL	\$287,663	9	Yes
AIR RESCUE SERVICES LIMITED	RAILWAY HOTEL	34 WELD STREETHOKITIKAWESTLAND 7900	STUMPERS	\$287,663	9	Yes
THE LION FOUNDATION (2008)	STUMPERS	94-96 REVELL STREETHOKITIKAWESTLAND 7900	HOKITIKA CHARTERED	\$223,738	7	Yes
			FOX GLACIER HOTEL	\$70,455	0	No

**GMP per EGM**

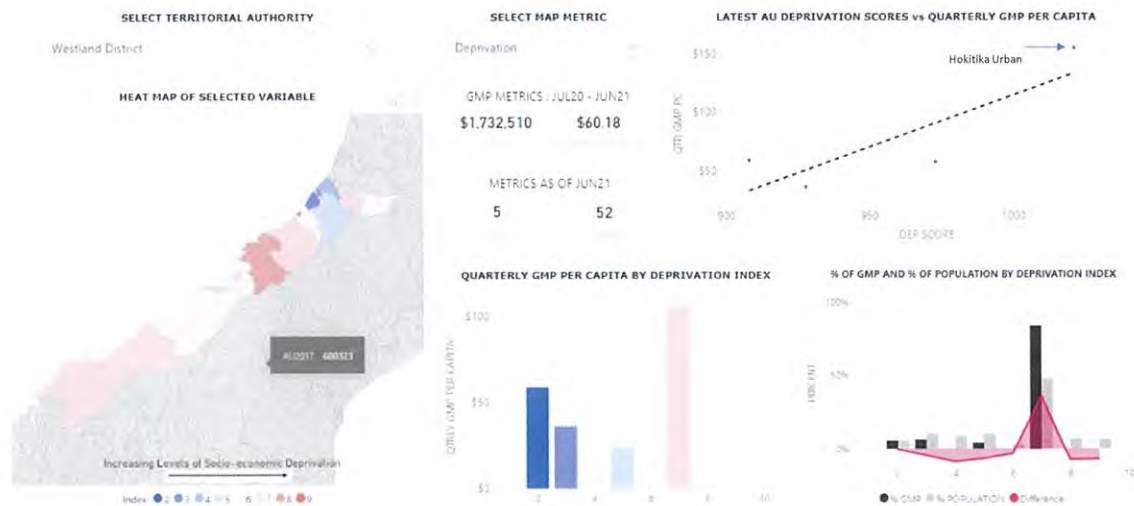


**# of Venues by deprivation rating**

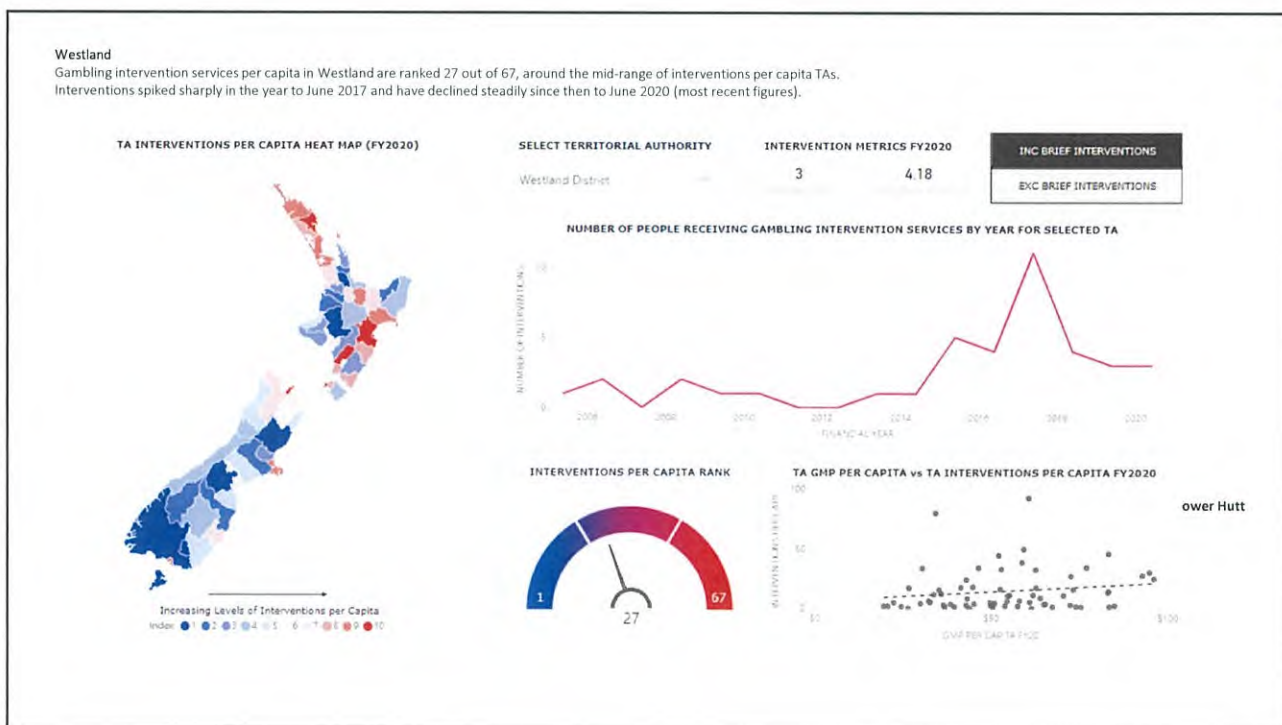
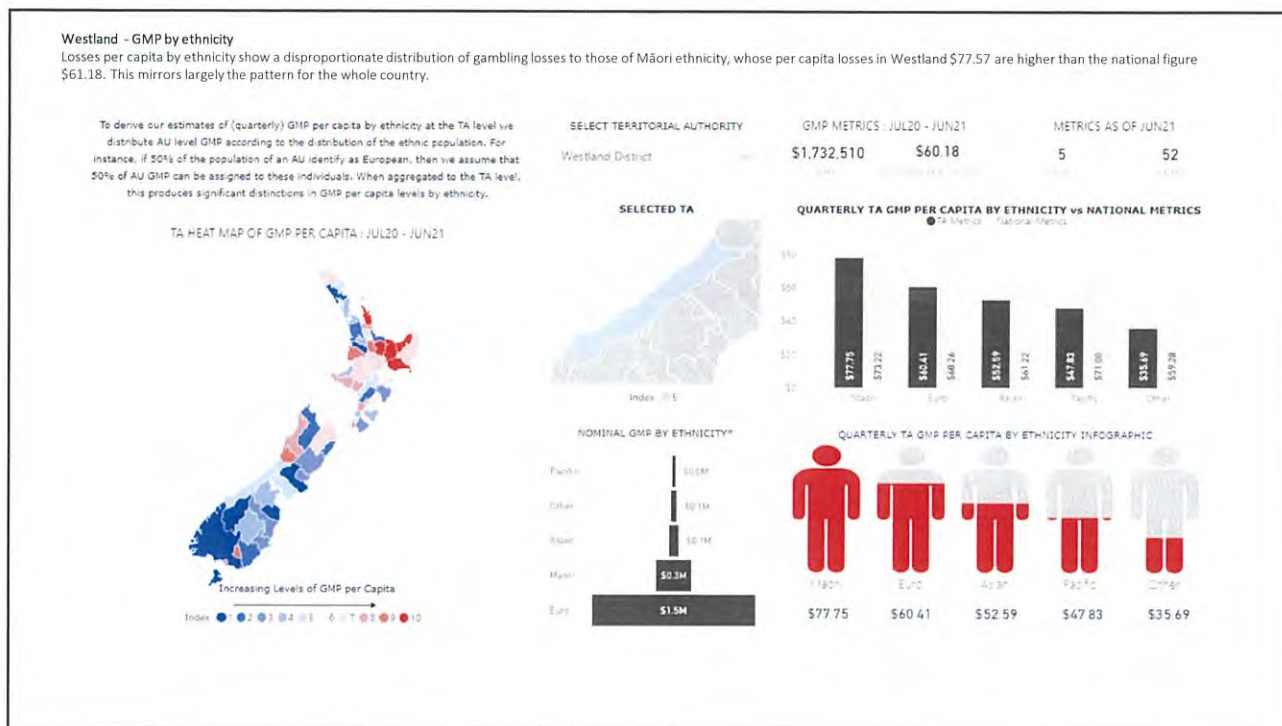


**GMP & Socio-Economic Deprivation – Westland District**

Heat mapping socio-economic deprivation against GMP per capita shows Hokitika Urban area unit with high deprivation and very high losses \$154.57 per capita



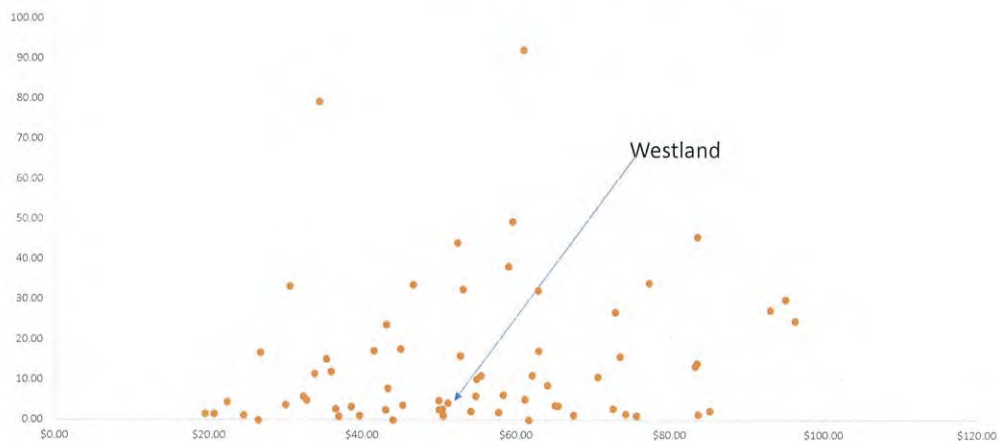




PB1

### Interventions per capita - Westland

GAMBLING INTERVENTIONS PER CAPITA & GMP LOSSES PER CAPITA  
YEAR TO JUNE 2020



### Methodology of DLD

NZ has one of the highest per capita expenditures on gambling in the developed world. Electronic Gaming Machines (EGMs), commonly known as pokie machines, account for around 40% of NZ's total gambling expenditure.

EGM gambling is widely considered to be the **most harmful** form of gambling. Around 50% of people receiving gambling intervention services identify EGMs as their primary mode of gambling.

Each quarter, DOT uses data published by the Department of Internal Affairs to produce estimates of Gaming Machine Proceeds (GMP) at each Electronic Gaming Venue (EGV) across the country.

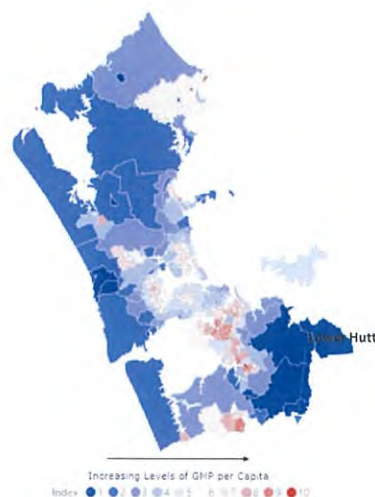
GMP at each venue is then distributed to the surrounding localities, before being combined with population levels to derive estimates of GMP per capita.

[CLICK HERE TO LEARN MORE ABOUT OUR METHODOLOGY](#)

ESTIMATED CATCHMENT ZONE FOR TAB - HUNTERS CORNER



GMP PER CAPITA HEAT MAP OF AUCKLAND



## Methodology continued

### EGM Gambling Data:

All data relating to electronic gaming machine gambling is taken from the following DIA websites:  
[https://www.dia.govt.nz/diawebsite.nsf/wqg\\_URI/Resource-material-Information-We-Provide-Gaming-Machine-Proceeds-\(GMP\)-Data](https://www.dia.govt.nz/diawebsite.nsf/wqg_URI/Resource-material-Information-We-Provide-Gaming-Machine-Proceeds-(GMP)-Data)

[https://www.dia.govt.nz/diawebsite.nsf/wqg\\_URI/Resource-material-Information-We-Provide-All-Venues-and-Numbers-by-Territorial-AuthorityDistrict](https://www.dia.govt.nz/diawebsite.nsf/wqg_URI/Resource-material-Information-We-Provide-All-Venues-and-Numbers-by-Territorial-AuthorityDistrict)

These data sets do not contain information on the number of EGMs located within casinos or the level of GMP therein. Casino based GMP is not publicly reported. In territorial authorities where casinos are present, our estimates of GMP per capita are likely to be under estimates as a result.

### Gambling Treatment Data:

Data relating to the number of people receiving gambling intervention treatment is taken from the Ministry of Health website:

<https://www.health.govt.nz/our-work/mental-health-and-addictions/gambling/service-user-data/intervention-client-data>

### Population Estimates:

All per capita figures within this dashboard are expressed in terms of the adult population (i.e. the population aged 18 or over). Our estimates of the adult population of each geographic unit are derived from Statistics New Zealand population estimates: <http://nzdotstat.stats.govt.nz/wbos/index.aspx>. These estimates were last updated by Statistics New Zealand on 09 October 2020.

### GEOGRAPHIC DEFINITIONS:

**Meshblocks (MB)** - Meshblocks are contiguous geographical units defined by Stats NZ. Each meshblock borders another to form a network covering all of NZ. In urban areas meshblocks can be thought of as streets or city blocks. There are over 50,000 meshblocks in NZ having a median population of around 80 people.

**Area Unit (AU)** - AUs are aggregations of meshblocks. In urban areas AUs can be thought of as suburbs (or part thereof). There are 1,896 populated AUs across NZ with a median population of around 2,000 people.

**Territorial Authority (TA)** - TAs are aggregations of AUs. There are 67 TAs across NZ.

### NON-GEOGRAPHIC DEFINITIONS:

**Department of Internal Affairs (DIA)** - The DIA is the public service department of NZ. It maintains and publishes data relating to EGM gambling.

**Electronic Gaming Machine (EGM)** - EGMs are often referred to as pokie machines, slot machines, video lottery machines or one arm bandits.

**Electronic Gaming Venue (EGV)** - An EGV is any premises that contains an EGM.

**Gaming Machine Proceeds (GMP)** - GMP is effectively the amount lost by individuals playing EGMs.

**Gaming Machine Proceeds per Capita** - GMP per capita is the amount lost by individuals playing EGMs over a given period of time divided by the adult (18+) population.

# Gaming Machines Statistics Dashboard

## Region

TA Specific

Westland District

Class 4 Gaming Machine Profits (GMP) is expenditure or player loss on Electronic Gaming Machines (EGMs) in the Class 4 Sector. Each year roughly 40% of GMP is returned to the New Zealand community.

Yearly GMP (Jun-2021)

National \$986,652,226.38

Yearly GMP (year ending)

Jun-2020 \$1,460,134.84  
 Jun-2021 \$1,732,510.39  
 Difference 18.7%

Quarterly GMP

\$260,617,914.88

Quarterly GMP

Mar-15 \$434,086.12  
 Jun-21 \$440,831.03  
 Difference 1.6%

# Venues

1,059

Venues

7  
 5  
 Difference -28.6%

# EGMs

14,704

EGMs

62  
 52  
 Difference -16.1%

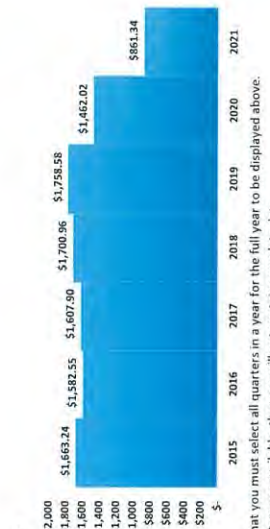
## GMP



## GMP per EGM

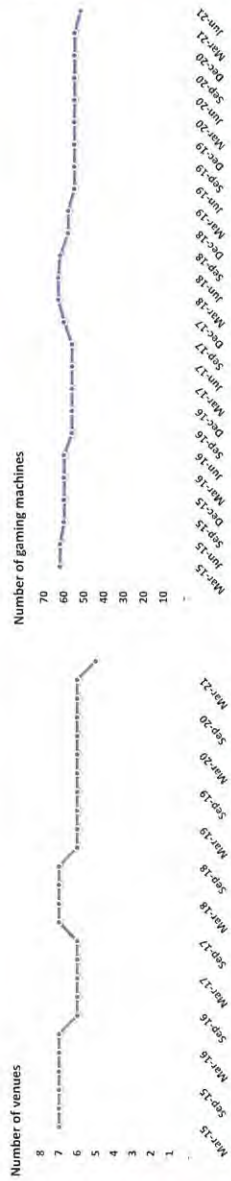


## GMP per year

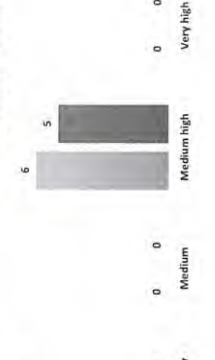


Please note that you must select all quarters in a year for the full year to be displayed above. If not all quarters are available, the year will not contain complete data.

## Venues and EGMs



## # of Venues by deprivation rating



## Overall

- According to the Household Economic Survey (2016) from Stats NZ, New Zealanders spend roughly 11 billion dollars a year on all forms of entertainment, which includes games of chance.\*
- From Mar-2015 to Jun-2021 quarters, GMP for Westland District increased by \$6,745 or by 1.6%. Based on the Jun-2021 quarter and historic gambling patterns, trends for the Sep-2021 quarter indicate a decrease by \$4,978, although this is uncertain due to COVID-19 and potential Alert Level changes.
- From year end Jun-20 to year end Jun-21, GMP increased by \$272,376 or by 18.7%.
- From Mar-2015 to Jun-2021 quarters, venues decreased by 2 or by -28.6%. Gaming machine numbers decreased by 10 or -16.1%.
- A way to compare year on year expenditure equally is to remove orders of magnitude by taking GMP as a proportion of EGMs which has increased by 21.1% or \$1,476.13. This means players are spending longer hours playing gaming machines, betting more per game or more players are playing pokke machines.

## Comparison

- From Mar-2015 to Jun-2021 quarters GMP for Westland District increased by 1.6% compared to multiple selections which increased by 32.8%. Both Westland District and multiple selections show similar downward trends for EGMs and venues.
- In order to compare GMP expenditure in different areas, we show GMP as a proportion of the number of gaming machines. That way, when comparing areas, any difference in size is removed which allows you to compare GMP equally.
- GMP per gaming machine in Westland District increased by \$1,476 since Mar-2015, which translates to \$8,478 in Jun-2021 or a 21.1% change.
- As a comparison, multiple selections increased by \$8,477, which translates to \$23,688 in Jun-2021 or a 55.7% change.

## Disclaimers

The data is provided for all venues and gaming machines licensed as at the last day of each quarter. Note data for venues without an active licence at this date are excluded. Please see the Notes tab for more details.

\* (Stats NZ)

## Commentary

# By the numbers

## Quarterly table

## Yearly table

Quarter	GMP (\$)	Δ GMP (\$)	GMP per EGM of revenues	Δ venues # of EGMs	Δ EGMs	Year	GMP (\$)	Δ GMP (\$)
Mar-15	\$ 434,086.12	\$ 7,021.33	\$ 6,528.22	7	62	2015	\$ 1,463,342.35	\$ -
Jun-15	\$ 405,769.70	\$ -309,386.43	\$ 6,528.22	7	0	2016	\$ 1,582,847.72	\$ -880,684.63
Sep-15	\$ 397,935.12	\$ 67,214.58	\$ 6,626.59	7	60	2017	\$ 1,607,900.77	\$ 245,353.05
Dec-15	\$ 426,071.41	\$ -359,336.25	\$ 7,114.52	7	60	2018	\$ 1,700,856.67	\$ 93,057.90
Mar-16	\$ 388,223.58	\$ -394.46	\$ 6,445.54	7	60	2019	\$ 1,736,216.48	\$ 35,717.81
Jun-16	\$ 395,038.41	\$ -2,879.83	\$ 7,021.06	6	56	2020	\$ 1,460,916.44	\$ -276,300.04
Sep-16	\$ 413,088.61	\$ -13,395.26	\$ 7,316.58	6	56	2021	\$ 861,339.05	\$ -599,677.39
Dec-16	\$ 379,750.33	\$ -10,897.75	\$ 6,753.82	6	56			
Mar-17	\$ 376,169.40	\$ 16,848.62	\$ 7,241.05	7	60			
Jun-17	\$ 434,888.99	\$ 38,999.19	\$ 6,336.36	7	63			
Sep-17	\$ 418,090.80	\$ -16,408.19	\$ 6,678.54	7	63			
Dec-17	\$ 420,748.17	\$ 62,657.37	\$ 6,485.12	7	62			
Mar-18	\$ 460,042.22	\$ 18,670.68	\$ 7,931.76	7	58			
Jun-18	\$ 456,063.54	\$ -3,978.68	\$ 7,863.16	6	58			
Sep-18	\$ 433,232.00	\$ -22,840.34	\$ 7,876.79	6	55			
Dec-18	\$ 418,372.98	\$ -14,850.22	\$ 7,606.78	6	55			
Mar-19	\$ 450,916.76	\$ 32,543.78	\$ 8,198.49	6	55			
Jun-19	\$ 418,128.28	\$ -32,788.48	\$ 7,600.33	6	55			
Sep-19	\$ 427,814.32	\$ -245,411.46	\$ 3,140.31	6	55			
Dec-19	\$ 443,357.02	\$ 25,097.50	\$ 7,778.44	6	55			
Mar-20	\$ 420,508.02	\$ 15,542.70	\$ 8,061.04	6	55			
Jun-20	\$ 440,831.03	\$ -22,849.00	\$ 7,645.60	6	55			
Sep-20	\$ 1,732,510.39	\$ 20,323.01	\$ 8,477.52	5	52			
Dec-20	\$ 1,460,134.84							
Mar-21	\$ 1,751,406.44							



# Ending community sector dependence on pokie funding

## White Paper

Published Tuesday 12 May 2020

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## ABOUT THIS PAPER

PGF Group, Hāpai Te Hauora and the Salvation Army have long been concerned at the reliance many community groups have on grants from pokie trusts or societies to underpin their operations.

Many of these groups share our concerns because of the ethical dilemma it poses for them. The services that these organisations provide are largely essential to many people and they deserve to have certainty and sustainability in their funding providers. The current system of funding from pokies does not provide that surety, relying on a small group of people in our poorer communities putting money into the machines.

A number of important community social services and sporting groups rely on community funding and know that in doing so the money is often coming from the very whānau and communities they are trying to support into wellbeing.

The COVID-19 Level 4 lockdown and the consequent closure of hospitality businesses has starkly highlighted the dependency of community organisations on grants from pokie machine losses in the Class 4 gambling sector.

There is no better time to look at reforming this system for funding community services to give more direction and certainty in a whole of community approach.

At this time, the system needs to be substantially supported. We believe there should be a publicly funded continuation of grant distribution for a year from the time of the beginning of the alert level 4 lockdown and there are a number of ways this could be done.





## EXECUTIVE SUMMARY

- From losses of \$939 million in pokie machines in pubs, clubs and TABs in 2019, a total of \$241 million was paid out in grants to community and sports groups

Community	\$120,812,075
Sports	\$120,444,774
<b>Total</b>	<b>\$241,256,849</b>

- Four of those groups received \$1 million in one year. The top recipients in the calendar year 2019 are listed in the table below.

Community	
Supreme Sikh Council of New Zealand	\$4,241,691
New Zealand Flying Doctor Trust	\$2,513,000
Canterbury West Coast Air Rescue Trust	\$1,952,267
Bruce Pulman Park Trust 2018	\$1,947,789
Sports	
Auckland Rugby Union Inc.	\$1,520,000
Waikato Rugby Union	\$897,427
NZ Metropolitan Trotting Club	\$747,677
Bay of Plenty Rugby Union	\$707,914
Auckland City FC	\$639,213

- Problem gamblers contribute between 30% - 60% of the amount paid out in community grants meaning that problem gamblers either lose the amount equal to grants or considerably more: \$282m, \$376m or \$563m.
- Grants in 2019 totalled \$289 million.

- Fifty percent of the 15,476 machines (7,700) are in the most deprived communities (Decile 8-10).
- It is estimated that community groups and services would need up to approximately \$60 million to continue uninterrupted services to their communities and the wider public, for six months.
- It is estimated that sports groups would need about \$60 million to continue uninterrupted services to their respective disciplines for six months.
- However, government may want to review the larger Unions' needs in relation to measures they are taking themselves to manage the impact of COVID-19 level 4 and beyond.
- If pokie machine losses were replaced with a government grants programme, four things would be achieved:
  - Community and sports funding would be secured so services can continue to be delivered where they are needed.
  - Losses from the most deprived communities would stop being diverted to national public programmes and national sports interests.
  - Transparency about who gets what money and what it is used for would be provided.
  - Time would be provided to review the whole programme and manage the reintroduction of pokie machines in ways that did not exacerbate gambling harm and is manageable as the COVID-19 levels of lockdown are worked through.

# THE POKIE SYSTEM

Trusts and Societies were created to collect gambling proceeds and distribute grants. Together with clubs they make up the Class 4 gambling sector.

There are currently 34 Trusts and Societies holding licenses for the 15,470 Class 4 pokie machines. It should be noted that this excludes the 3078 pokies in casinos and casinos are sited as the largest contributor to problem gambling for the Asian community. A Trust or Society may be based in one location but will have their machines in venues across New Zealand.

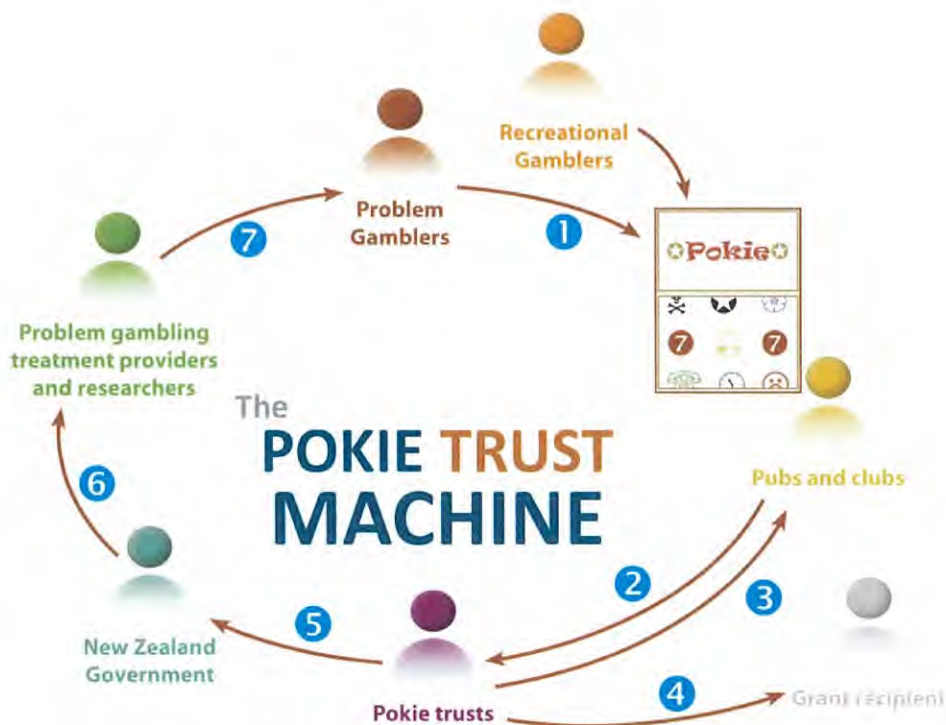
In the 2019 calendar year, Class 4 Trusts and Societies had a surplus of \$124 million<sup>1</sup> to run their operations which largely incur processing, management and machine replacement and maintenance costs.

There are 205 clubs with 2,702 machines reported in Department of Internal Affairs (DIA) gambling statistics who retain all gambling proceeds for the purposes of the club.

At Territorial Local Authority (TLA) gambling policy reviews, the Class 4 sector are well heard and often with legal representation. They are also supported by groups who receive funding in the form of grants. The voice heard the least is that of the problem gambler and their family and community.

There is also significant risk of self-interest and inequity in the system when the Boards of the Trusts and Societies are self-appointed and only accountable to themselves when deciding which groups do and do not receive the proceeds of pokie losses.

<sup>1</sup> Calculated using 40% of ex GST losses for the grants distributed and 16% of the ex GST losses for the venue payment



## WHERE IS THE MONEY COMING FROM?

In the 2019 calendar year, \$939 million (GST inc.) was lost in pokie machines in pubs, clubs and TABs (Class 4 gambling).

Only 1.3% of New Zealanders regularly use pub pokie machines<sup>1</sup>, and 50% of the 15,476 machines (7,700) are in the most deprived communities (decile 8-10). It is therefore reasonable to conclude that the majority of the money being paid out by Trusts and Societies to community groups is coming from the poorest New Zealanders.

There are a range of estimates on how much of pokie machine expenditure comes from problem gamblers, outlined in the table at Appendix 1. The rate of losses from problem gamblers is at best equal, but most likely exceeds the amount paid out in community grants that go back to the families and communities who lost the \$939 million in 2019.

At whatever percentage, it is evident that community grants come from a small number of people who cannot afford this level of losses and even less so now with the impacts of COVID-19.

We think there should be a publicly funded continuation of the Class 4 system payments for a year from the time of the beginning of the level 4 lockdown. This could be done in a number of ways, but services should get a roll-over to take them through this transition.

In doing so, groups can continue to support communities of interest or specific communities and provide wider population needs where for some time, there will likely be more not less demand.

The DIA estimate that 30% of Electronic Gaming Machine (EGM) expenditure is from problem and moderate risk-gamblers (2016). This is based on self-reported expenditure from National Gambling Study (NGS) participants. Self-reported EGM (pokie) gambling expenditure has historically been shown to be inaccurate.

Published sections of the NGS have already warned that self-reported expenditure does not often correspond to actual expenditure, especially for EGM gamblers<sup>2</sup>. The NGS self-reported EGM expenditure estimates for Class 4 gambling were \$296m in 2012, \$193m in 2013, and \$157m in 2014; the actual expenditure recorded by the DIA was \$854m, \$826m, and \$808m, respectively<sup>3</sup>. Similarly, an Australian study found respondents in the ACT reported an expenditure that was 45% of their actual spend<sup>4</sup>.

A NZ study relating time and money spent gambling with quality of life measurements noted that their use of self-reported expenditure data likely underestimated losses, and their results would have been stronger if they had an objective way to measure expenditure<sup>5</sup>. Whatever estimate is applied, it is problem gamblers who support the community funding scheme and many of the recipients perform necessary and valuable services to the community and the public of New Zealand.

<sup>1</sup> Health Promotion Agency (HPA) 2018. *Kupe 2016: Health and Lifestyles Survey [data file]*. Retrieved from <http://kupe.hpa.org.nz/>

<sup>2</sup> Abbott, Bellringer, Garrett, & Mundy-McPherson, 2014, pp. 140-141; Bellringer, Garrett, Kolandai-Matchett, & Abbott, 2015

<sup>3</sup> Bellringer et al., 2015, p. 72

<sup>4</sup> Australian Institute for Gambling Research, 2001

<sup>5</sup> Lin et al., 2010

## THE FUNDING MODEL

The money lost on pokie machines is called Gross Machine Proceeds (GMP). GMP is the amount wagered, less the amount paid back as prizes. The money collected is applied in a complex model before it can be distributed in grants.

**Venue Payments** A Trust can pay up to 1.28% of the venue's turnover that week to a venue as commission, meaning higher earning venues can be paid proportionately more.

Prior to 2016, venues were paid on a fixed rate. Payments to all venues across the financial year must still not exceed 16% of losses for that year.

**Problem gambling levy** The levy is 0.78% of GMP and funds treatment services, public health and research.

**Trust Operating Costs** These must be kept as low as possible and only used for "reasonable" costs. The true proportion will be unique to each Trust based on their grant contributions etc. but estimated at 20%.

**Regulator fees** Fees are 3% and are paid to the Department of Internal Affairs.

**Gaming duty** Duty is 20% (GST inclusive, paid to the Crown): Section 12C of the Gaming Duties Act 1971.

**Community grants** Grants must be 40% of GMP but Trusts can pay more.

The table at Appendix 2 details the source of GMP and the amount distributed in grants for the year ended December 2019. The Department of Internal Affairs publishes GMP figures quarterly.

## GRANT DISTRIBUTION

In the year to December 2019, a total of 13,000 organisations received approximately \$241 million in grants (according to the PGF Group grants analysis system which uses discoverable published grants lists from the gambling societies and trusts rather than the theoretical figure of 40% of GMP).

PGF categorises grants into community services, community groups and sports groups.

Community services are classified as groups that provide paid and volunteer services. Community groups are classified as groups that service a discreet population and include faith-based groups but also include arts societies and some research groups.

Sports groups include everything from large Unions to local tennis clubs and children's sports. Grants are generally shared 50/50 between sports groups and community groups and services.

For grant recipients, many of which support laudable causes and communities, the Class 4 community funding programme represents revenue of between \$250 million to \$300 million per year. Few community recipients can see any alternative to meet their revenue needs.

### 2019 calendar year grants split

Community	\$120,812,075
Sports	\$120,444,774
<b>Total</b>	<b>\$241,256,849</b>

## CLASS 4 GRANTS FOR COMMUNITY SERVICES

The types of community groups that benefit from Class 4 funding include amateur dramatics, arts groups and recreational groups outside clubs.

It also includes health, mental health and social services groups, often working with vulnerable people and communities. Other groups might include groups like those involved in public-benefit research but who aren't providing any services, for example some medical researchers.

The community services which benefit from the community funding scheme are all services which the whole of the New Zealand public benefit from either directly or indirectly.

The existence of an ambulance service, for example, may not be used by each of us, but that it is there for those who do, is a benefit to all New Zealanders.

These groups of beneficiaries are more difficult to plan for because they are often small and are only known in their immediate communities.

A way of dealing with this is to provide more government support to the Community Organisation Grants Scheme (COGS). An alternative model is to utilise the regional community foundations.

Government guidance could be provided for the philanthropic sector on applications and criteria but recognising these programmes often service valuable niche and localised organisations. At current grant levels the funding programme would be about \$60 million per annum. Community group dependency is significant.

A categorised list of community funding recipients can be found at Appendix 3.

## CLASS 4 GRANTS FOR SPORT

Approximately \$120 million, or about half of the money raised through the Class 4 community funding scheme, goes to sports.

National sports bodies and community sports groups are now highly dependent on Class 4 gambling losses. This dependency, in terms of the history of New Zealand sport is relatively contemporary.

While there may be long standing relationships and "rollover" application processes in place between some sports groups and some Trusts or Societies, this is not the case for all. For some groups the annual and uncertain application cycle limits development.

A categorised list of sport funding recipients can be found at Appendix 4.

## IMPACT ON TAX COLLECTED

The benefits to government from gambling losses are made up of the:

- GST collected
- gaming machine duty and levy, providing problem gambling services and research
- community funding not demanded from Vote

The GST is a function of money spent and it seems very reasonable to assume that if the money spent on pokies in Class 4 was not spent there, it would be spent elsewhere, and with the possibility that a multiplier effect would see revenue to the government increased.

The gaming machine duty is an income/turnover tax proxy. As such, this may equal the amount of income tax the government

collects through businesses paying income tax on the level of income that would have been spent on pokies (ex GST). This approximation may overstate or understate the tax take by the government from taxable business activity.

A multiplier effect may act in the government's favour in this regard if the money was going through non-pokie businesses. The levy is derived from gambling losses and is a function of the size of the problem. Gambling treatment services are not taxpayer funded.

Government dependency is not significant with opportunity money spent for the tax gathered from losses, to be spent on other consumables.

## COVID-19

The grants system on which valuable community services survive is based on the assumption that it is acceptable for a small proportion of New Zealanders living in the poorest communities to lose money in support of a national benefit. Many community groups would rather not take pokie funding to deliver their programmes but have no other option.

There is little transparency about the application process and who gets what grants. In addition, some Trusts and Societies are approving grants from proceeds of pokie losses gathered from areas outside of which the community group may be operating. The Class 4 funding system may be seen as a way to keep the hospitality industry afloat at the time of this pandemic. The Gambling Act (2003) prohibits venues operating as pokie dens (section 69A(e) and 70 (1) (i)).

As lockdown levels change and pubs are permitted to operate, the license conditions for pokie machines must be maintained and monitored. If a pub with pokies does not reopen, then the machines cannot be moved to another location if the TLA gambling policy prohibits this. Nor can alternative venues increase their number of pokie machines, if the TLA policy precludes this.

Of note also is that gambling policy reviews are subject to TLA public consultation processes. As 50% of pokies are in the poorest areas in New Zealand and these areas are likely to be in need of significant COVID-19 income support for the foreseeable future, it would make sense to ensure that gambling harm is not further exacerbated, despite the need to support community and sports groups.

## AN INTERIM SOLUTION

Pubs and clubs face a long and uncertain future before revenue streams return. Even if pubs return to some normal operation it is likely that social distancing rules for various levels of lockdown may preclude some or all pokie machines operating in the same way.

Both limited patronage and the limited number of machines able to be used at any one time will impact on gambling losses. This is positive. However, it will also flow into less revenue for the community grants programme.

Most Trusts and Societies have suspended grants, effective from COVID-19 alert level 4 lockdown.

An interim solution is for the Government to directly fund current community and sports grant recipients as part of its COVID-19 support packages. This could be done for a six month period while the whole programme is reviewed.

It is estimated that community groups and services would need up to about \$60 million to continue uninterrupted services to their community groups and wider public, for six months. This will cover the period of level 4 lockdown through to September 2020.

It is estimated that sports groups would need about \$60 million to continue uninterrupted services to their respective disciplines for six months. However, government may want to review the larger Unions' needs in relation to measures they are taking themselves to manage the impact of COVID-19 Level 4 and beyond.

If pokie machine losses were replaced with a government grants programme several things would be achieved.

Firstly, community and sports funding would be secured so services can continue to be delivered.

Secondly, there would be transparency about who gets what money and what it is used for. This does not mean that funding would only go to approved government projects but does mean there can be some equity oversight.

Importantly, losses from the most deprived communities would stop being diverted to national interests.

Finally, this will provide time to review the whole programme and manage the reintroduction of pokie machines in ways that does not exacerbate gambling harm and is manageable as the COVID-19 levels of lockdown are worked through.

## ABOUT THE AUTHORS

### **PGF Group**

The Problem Gambling Foundation is now trading as PGF Group, with Asian Family Services, Mapu Maia Pasifika Service, and PGF Services, part of this overarching brand. The organisation is a Charitable Trust operating nationally with services delivered under contract to the Ministry of Health (MoH) and funded from the gambling levy.

Established in 1988 as the Compulsive Gambling Society, the organisation started out as a telephone service then expanded to include face-to-face services as demand grew. In 2001, the Problem Gambling Foundation succeeded the Compulsive Gambling Society and today, we deliver treatment and public health services nationwide. We have a skilled and diverse workforce with staff who are qualified in clinical work and in health promotion.

PGF Services provide free counselling, advice and support to gamblers and their families and work to ensure that support for our Māori clients fits a kaupapa Māori way of working. Our specialist teams provide culturally and linguistically appropriate support to Asian and Pasifika communities living in New Zealand.

### **Hāpai Te Hauora**

In 1996, Hāpai Te Hauora Tapui Ltd (Hāpai) was established as a regional provider of Māori public health services in the greater Auckland region. Hāpai was created from a tripartite Memorandum of Understanding between Te Rūnānga o Ngāti Whātua, Raukura Hauora o Tainui and Te Whānau o Waipareira Trust Board. The subsequent arrangement provided an integrated and collaborative entity that cemented regional Maori public health services in one place for Tāmaki Makaurau.

The mission and vision of Hāpai is to increase opportunities for Māori to enjoy good health and to be sustained by healthy environments. This is done by providing a strategic focus that is underpinned by our values, evidence based research, innovation and leadership for the advancement of health and well-being for all. Work is undertaken regionally and nationally to address health inequities and provide strategic solutions for long term outcomes across all areas of well-being.

### **The Salvation Army Oasis**

For over two decades, The Salvation Army has provided help to those impacted by harmful gambling. The Salvation Army Oasis was formally established in June 1997 in Auckland in response to growing evidence that the proliferation of gambling opportunities was having a negative impact on society. Prior to this in 1992 and 1995, services to support gamblers were established in Wellington and then Christchurch after the opening of the Christchurch casino. Consequently, the Army's reducing gambling harm services have expanded to seven regions across New Zealand.

We are funded by the Ministry of Health to provide preventing and minimising gambling harm clinical and public health services. We have a diverse team of professional and clinically qualified and registered counsellors and public health practitioners. Our team support and encourage wellbeing and reduce gambling harm through education, self-reflection and creative and research based therapies. Public health workers provide accurate information and education to raise awareness and support community and professional groups, services and Government to be free from gambling harm.



## APPENDICES

### Appendix 1: Problem gambler contribution to annual GMP

Rate of problem gambler contribution to losses	2019 Losses	2019 Grants (40% of 2019 Losses less GST)	Contribution from problem gamblers
30% Department of Internal Affairs	\$939 million	\$292 million	\$282 million
40% Australian Productivity Commission minimum	\$939 million	\$292 million	\$376 million
60% Australian Productivity Commission maximum	\$939 million	\$292 million	\$563 million

### Appendix 2: 2019 GMP Sources and Distribution of Grants

2019 Calendar Year	\$ Millions	Non-club Class 4 operating payments
Class 4 losses	939	
Club losses	98	
Non-club losses	841	
GST on non-club losses	110	
Non-club losses less GST	731	
GST exclusive Machine duty (23%)	168	
Non-club tax paid losses	563	
Grants (40% ex GST losses)		292
Venue payments (16% ex GST losses)		117
Levy (0.78% ex GST losses)		6
Fees (3% ex GST losses)		22
Total gambling society operating payments	437	437
Gambling society surplus to run the trust	126	
Percentage of ex GST paid losses available to trust	17%	

### Appendix 3: 2019 Community Services and Community Groups sub-categories

Community groups	\$37,838,195
Education	\$23,466,718
Arts	\$12,952,443
Health related	\$10,446,792
Community services	\$10,420,915
Faith based	\$6,819,355
Search and Rescue (excluding surf clubs)	\$6,656,072
Māori	\$5,092,069
Kindergartens/Childcare/Plunket	\$2,452,638
Ambulance services	\$2,401,716
Council	\$1,516,343
Fire Services	\$748,819
<b>Total</b>	<b>\$120,812,075</b>

### Appendix 4: 2019 Sport Groups sub-categories

Rugby	\$19,982,236
Other sports	\$19,861,454
Soccer	\$11,295,064
Cricket	\$8,908,166
Water sports	\$8,046,758
Racquets	\$6,012,940
Sports stadiums/academies/events centres	\$5,478,896
Hockey	\$4,757,123
Basketball	\$4,743,441
Netball	\$4,524,828
Surf lifesaving clubs	\$4,438,863
Bowling	\$3,431,502
League	\$3,179,766
Racing	\$2,861,218
Cycling	\$2,695,279
Special Olympics/sports for the disabled	\$2,433,512
Gym sports	\$2,341,199
Softball	\$1,766,541
Athletics	\$1,412,553
Equestrian/pony clubs	\$1,303,274
Motorsports	\$970,161
<b>Total</b>	<b>\$120,444,774</b>



## The Salvation Army Oasis – Christchurch

Submission to  
**Westland District Council**

on the  
**Draft Westland District Long Term Plan 2021-2031**

**Authorisation statement:**

This submission has been authorised by the National Operations Manager – Oasis within the Addiction, Supportive Accommodation and Reintegration Services of The Salvation Army

**Please contact**

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## 1 BACKGROUND

- 1.1 The Salvation Army is an international Christian and social services organisation that has worked in New Zealand for over one hundred and thirty years. The Army provides a wide range of practical social, community and faith-based services, particularly for those who are suffering, facing injustice or those who have been forgotten and marginalised by mainstream society.
- 1.2 The Salvation Army Oasis service was formally established in June 1997 in Auckland in response to growing evidence that the proliferation of gambling opportunities was having a negative impact on society. We are funded by the Ministry of Health to provide gambling harm reduction clinical and public health services.
- 1.3 The Salvation Army Oasis offers free outpatient services for gamblers, their families and affected others, alongside public health services, throughout Aotearoa New Zealand.

## 2 GENERAL COMMENTS

- 2.1 We submit that the Government and local Councils should make harm reduction a key focus of all gambling policy reforms they undertake; to *prevent and minimise the harm caused by gambling* as per section 3(b) of the Gambling Act 2003.
- 2.2 As a provider of services to those affected by gambling harm, The Salvation Army Oasis sees the detrimental effects that gambling harm has on the wellbeing of communities around New Zealand. Research shows that the range of potential harms from gambling spans multiple domains of individual and community wellbeing, including mental and physical health, material welfare, employment and productivity, quality of life and social

cohesion.<sup>1 2 3 4</sup> While recent estimates of the prevalence of problem gambling vary widely, it is likely that between 3.2%<sup>5</sup> and 7.5%<sup>6</sup> of adult New Zealanders are currently placed at risk by their gambling. Policy remains one of the most effective means of addressing this threat.

### 2.3 Non-Casino Gaming Machines

The Salvation Army is particularly concerned with non-casino gaming machines (NCGMs), which are responsible for most of the harm observed in New Zealand.<sup>7</sup> NCGMs are also the most highly accessible mode of gambling in New Zealand aside from online gambling, with 1,100 outlets nationwide.<sup>8</sup> The literature clearly states that

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<sup>1</sup> Centre for Social and Health Outcomes Research and Evaluation & Te Roopu Whariki (2008). *Assessment of the Social Impacts of Gambling in New Zealand*. Prepared for the Ministry of Health. Auckland: Massey University.

<sup>2</sup> Centre for Social and Health Outcomes Research and Evaluation & Te Ropu Whariki (2010). *Problem Gambling Research: A study of community level harm from gambling - Phase One Final Report*. Prepared for the Ministry of Health. Auckland: Massey University.

<sup>3</sup> KPMG (2013). *Fraud, Bribery & Corruption Survey 2012: A report on the key findings*. Auckland: KPMG Forensics.

<sup>4</sup> Rossen, F. (2015). *Gambling and Problem Gambling: Results of the 2011/12 New Zealand Health Survey*. Centre for Addiction Research, Prepared for the Ministry of Health. Auckland: Auckland UniServices Limited, The University of Auckland.

<sup>5</sup> Ibid. [Prevalence rate among those aged 15 and older].

<sup>6</sup> Abbott, M., Bellringer, M., Garrett, N., & Mundy-McPherson, S. (2014). *New Zealand 2012 National Gambling Study: Gambling Harm and Problem Gambling – Report Number 2*. Gambling & Addictions Research Centre, Prepared for the Ministry of Health. Auckland: AUT University. [Prevalence rate among those aged 18 and older].

<sup>7</sup> Rossen, F. (2015).

<sup>8</sup> Department of Internal Affairs. (2015). *Society, Venue and Gaming Machine Numbers*. Retrieved from [http://www.dia.govt.nz/diawebsite.nsf/wpg\\_URL/Resource-material-Information-We-Provide-Society-Venue-and-Gaming-Machine-Numbers](http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-Information-We-Provide-Society-Venue-and-Gaming-Machine-Numbers)

one of the best-supported strategies to minimise and prevent problem gambling involves limiting access to gaming machines.<sup>9 10</sup>

#### 2.4 Vulnerable Population Groups

Gambling addiction can be found across all groups in society, but it is those groups at the lower end of the socio-economic spectrum that suffer most. Groups most likely to be in poverty and hardship include women, sole-parent families, Maori, Pacific Island peoples, refugees, people living with disability or illness, beneficiaries and people in low-paid employment.<sup>11 12 13</sup> Continued failure to address and respond to these inequities is not only unjust, but in the case of Maori, also constitutes a violation of Clause 1 of Te Tiriti O Waitangi, which requires the Crown to protect the interests of tāngata whenua.<sup>14</sup>

#### 2.5 Sustainability of Community Funding

The Salvation Army maintains that the Class 4 funding model is neither sustainable in the long term, nor favourable in the short term for New Zealand communities. The Salvation Army believes that councils have an important role to play in incentivising communities to seek less harmful ways to fund necessary services<sup>15</sup>.

### 3 SUBMISSION COMMENTS

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<sup>9</sup> Pearce, J., Mason, K., Hiscock, R., & Day, P. (2008). A national study of neighbourhood access to gambling opportunities and individual gambling behaviour. *Journal of Epidemiology & Community Health*, 62(10) pp.862-868

<sup>10</sup> Vasiliadis, S. D., Jackson, A. C., Christensen, D. & Francis, K. (2013). Physical accessibility of gaming opportunity and its relationship to gaming involvement and problem gambling: A systematic review. *Journal of Gambling Issues*, 28.

<sup>11</sup> Centre for Social and Health Outcomes Research and Evaluation & Te Ropu Whariki (2008).

<sup>12</sup> Centre for Social and Health Outcomes Research and Evaluation & Te Ropu Whariki (2010).

<sup>13</sup> Abbott, M., Bellringer, M., Garrett, N., & Mundy-McPherson, S. (2014).

<sup>14</sup> Health Promotion Forum of New Zealand – Runanga Whakapiki ake i te Hauora o Aotearoa (2002). *TUHA-NZ: A Treaty Understanding of Hauora in Aotearoa-New Zealand*. Auckland: Health Promotion Forum of New Zealand.

<sup>15</sup> PGF Group, Hapai Te Hauora & Salvation Army Oasis (2020). *Ending community sector dependence on pokie funding White Paper*. Retrieved 15 March 2021 at [White Paper Ending community sector dependence on pokie funding.pdf \(hapai.co.nz\)](https://www.hapai.co.nz/white-paper-ending-community-sector-dependence-on-pokie-funding.pdf)

- 3.1 Thank you for the opportunity to submit on the draft Long- Term Plan for Westland District 2021-31. We have reviewed the draft plan and offer comments below.
- 3.2 **Gambling harm in the Westland District:** The Department of Internal Affairs statistics show that \$1.7 million was lost on Class 4 Pokie Machines in the Westland District, which equates to around \$4,000 per day. This is a substantial loss for a community of around 8,000 people and does not include losses via TAB or Lotto gambling. There is also a high rate of NCGM venues and ‘pokie’ machines per capita (one machine per 156 people, compared to the national average of 1 machine per 333 people.) This indicates higher than average access to gambling, and with the current status of reduced international tourism due to Covid-19 expected to remain static for at least the next three years<sup>16</sup> (the term of the Class 4 policy before next review), this seems a good time to review the district’s needs in terms of this.
- 3.3 We notice that gambling is not mentioned in the draft plan, and also that the Westland District Class 4 Gambling policy is due for review in 2021.
- 3.4 We request that the **gambling policy reviews be included in the Long Term Plan**. As the Class 4 policy is reviewed every three years this work will occur three times in the course of this Long Term Plan. The Council will need to have resources available to cover public consultation, including social impact assessments as required.
- 3.5

## CONCLUSION

- We submit that Buller District Council includes gambling harm in its Long-Term Plan 2021-31.
- This could include setting aside resourcing for public consultation and social impact assessments for a thorough review of the Class 4 and TAB Gambling Policies every three years.
- Establish ongoing engagement relationships with gambling harm service providers like Oasis.

To this end, the Salvation Army Oasis Centre would be happy to work with you to support the Buller community and ensure the best and safest policies around gambling harm.

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<sup>16</sup> Westland District Council (2021). *Consultation document Draft Long Term Plan 2021-2031*. Retrieved 2 June 2021 from [Long Term Plan 2021 - 2031 | Westland District Council \(westlanddc.govt.nz\)](https://www.westlanddc.govt.nz/Long-Term-Plan-2021-2031)

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Westland District Council  
Private Bag 704  
Hokitika 7842

re: Submission to the Westland District Council's Long Term Plan 2021-2031.

### **Active West Coast**

Active West Coast (AWC) is a network of agencies and groups committed to improving the health and wellbeing of West Coasters through the promotion of healthy lifestyles and the creation of healthy social and physical environments. While member organisations were involved in preparing this submission, the recommendations in their entirety, do not necessarily reflect the views of each individual agency.

The World Health Organisation, as part of its Healthy Communities initiative, has stated that:

People in a healthy community enjoy a clean, safe physical environment, including:

- adequate housing
- a responsible use of resources sustainable for the long term
- strong, mutually supportive networks
- high levels of participation and control over decisions affecting health and wellbeing
- adequate access to food, water, shelter, income, safety, and recreation
- programmes for promoting health, preventing disease, and limiting the ill effects of disability
- a chance for a wide variety of contact, interaction and communication, including educational experiences
- a diverse, vital and innovative local economy
- a strong local cultural and spiritual heritage, and
- access to quality health services.

We acknowledge the importance of Council's huge role in creating a healthy environment in which its residents can live, grow, learn, thrive, play and work.



### **Physical Activity Opportunities**

Human beings are designed to be physically active across the life span to remain healthy, independent and productive. Lack of physical activity is fast becoming a primary cause of disease and death across the globe. Accessible facilities and environments designed to encourage people to be active is an investment in individual and community wellbeing.

*We encourage Council to utilise the West Coast Sport and Active Recreation Spaces and Places Strategy in decision-making to ensure investment meets the identified needs of the community.*

### **Westland Wilderness Trail**

We commend Council for its continued investment in maintenance and enhancements on the West Coast Wilderness Trail. This unique facility encourages residents to be active and will continue to be a draw-card for visitors to the area.

### **Walking and Cycling**

We commend Council for its intention to provide linked, pleasant and safe-to-use footpaths and cycleways as this will support people to be healthy. Accessible and well-maintained footpaths and cycle areas provide opportunities for people of all ages to be active and connect with their community. There are also positive benefits to the environment when people choose to walk or cycle over using a car.

As identified in the Plan, the aging population of the Westland District is likely to increase demand for new and improved footpaths. Older people are also likely to cycle (including e-bikes and tricycles) or use mobility scooters as a transport means if they think they can do so safely and the infrastructure to support this connects them to where they want to go.

We acknowledge the steps Council has taken recently to create more pedestrian friendly and vibrant spaces; for example, the reduced speed limits within the district, and the trial outdoor dining areas in Hokitika. These interventions are in line with the Walk 21 International Charter for Walking and, when done well, have been shown to have a range of community benefits from increased road safety to better health and economic outcomes.

*We encourage Council to become a signatory to this Charter to show its commitment to walking as a key indicator of healthy, efficient, socially inclusive and sustainable communities. For more information and an outline of how each of the principles can be enacted please see [www.walk21.com](http://www.walk21.com).*

### **Swimming Pools**

Swimming pools support well-being through provision of physical activity opportunities and through the 'Learn to swim' programmes.

*We support the proposal to expand the Hokitika Centennial Swimming Pool to cater for toddlers and learners and the improvements to the Ross Pool.*

### **Community Halls**

Community halls are a place where locals can gather, run events and are often used in times of emergency.

*We support Council's intention to undertake condition assessments to determine required maintenance and create Asset Management Plans for the buildings. We understand some buildings are almost beyond repair and we endorse Council's intention to discuss the viability of running these halls with each community.*

### **Cass Square and the Racecourse**

As described in the draft Plan, both the Racecourse and Cass Square are assets that contribute to the wellbeing of the Westland District. We are pleased to see Council is asking for community input into the future developments at these sites.

*We support the upgrade of Cass Square including the development of the new pavilion and investment to upgrade the skate park. We also support the siting of public toilets closer to the playground area and the introduction of low-impact outdoor equipment within the square. We would like to see some of the low-impact equipment included within, or very close to the children's playground, to encourage older people visiting with young children to 'have a go' at using the equipment. This may then entice them to use the rest of the equipment sited in the proposed area.*

### **Parks and Reserves**

The provision of well-maintained parks and reserves promotes wellbeing as it increases opportunities to be physically active, develop skills and commune with nature.

*We are pleased to see Council is considering installing a low-impact equipment area within Cass Square (see comments above). We would like to see Council extending this idea to other playgrounds within the district as part of future upgrades. The inclusion of such equipment has been shown to encourage older people, and people who may not visit gyms, to add a bit of activity into their daily lives.*

We are also aware that playgrounds within Westland provide little sunshade especially under the play areas. *We encourage Council to consider how it can*

*improve sunshade within these areas to protect users.* There may be an opportunity to work with other stakeholders and local communities on a specific project to make sunshade improvements.

We commend Council for its partnership with the Hokitika Lions to develop the accessible playground at Lazar Park. The playground is likely to become a magnet playground due to its focus on accessibility. *Our members would like to see the park more substantially enclosed to create a safe place for parents and caregivers of children and/or others who do not understand the hazard of the street or those who may wander off.*

### **Alcohol**

The misuse of alcohol continues to harm individuals, whānau and the wider Westland District community.

*We encourage Council to work with Buller and Grey Councils, and other stakeholders, to create a formal mechanism (joint LAP) to ensure a consistent Coast-wide approach to both alcohol licensing and regulation with the goal of reducing alcohol-related harm within our communities.*

We acknowledge Council is displaying public notices of liquor licence applications on their website, however to ensure equitable access for people wishing to view alcohol licence applications and, where appropriate, make objections, we suggest Council also includes an electronic copy of the full application (with appropriate redactions) as other Councils around New Zealand have done. We commend Council for posting the public notices on its social media page (Facebook) which further enhances equitable access.

*We strongly recommend that Council considers developing a Joint LAP with the two other West Coast District Councils. We also recommend that Council make full licence applications available on its website (with appropriate redactions).*

### **Smokefree Environments**

While non-smokers now make up a large majority of our population, tobacco use remains a major contributor to disease and mortality on the West Coast. Therefore, creating environments that support Smokefree lifestyles is an investment in the wellbeing of our communities.

Policy is a good intervention to improve the health and wellbeing of communities and the wider population. To further protect people from the harms of smoking, we

*encourage Council to review and extend its Smokefree Environments-Council Buildings and Public Spaces Policy to:*

- *include Vaping/Vapefree in all instances in line with its inclusion in the new Smokefree Environments and Regulated Products Act 1990.*
- *state that events owned or sanctioned by Council will be promoted as smoke free and vape free events, and that advertising material promoting such events will clearly indicate that it will be smoke free and vape free. This is in line with other Council's policies and its inclusion will provide positive role modelling behaviour for our tamariki and rangatahi, and also reduce harm from second-hand smoke.*

Creating smokefree environments reduces visibility of tobacco products and smoking which prevents uptake by non-smokers and supports smokers who are trying to quit. Other steps for implementing the policy could include:

- identifying areas that would benefit from having more visible smokefree/vapefree signage,
- agreeing on the look of any proposed signage, stickers or stencils,
- installing smokefree/vapefree signage
- ensuring there is adequate signage outside Council owned buildings, particularly the building entrances and exits to inform individuals in your community of the policy,
- keeping the community informed about the smokefree/vape free spaces through a variety of channels including media articles, social media, and items in Council newsletters and website.

### **Gambling**

We are aware Council's Class 4 Gaming Venue Policy is due for review later this year. In 2019, \$1.7million was lost to Class 4 Gaming Machines within the Westland District. Our member organisations would be happy to assist Council in a review of this policy.

### **Road Safety and Accessible Transport**

We endorse Council's role in the promotion of road safety and accessible transport through its continued membership of the West Coast Road Safety Committee, and its ongoing support for both the Total Mobility programme and the Hokitika Taxi service.

### **Westland Safe Community Coalition**

AWC congratulates Council for its leadership in the Westland Safe Community Coalition. This is a useful mechanism for stakeholders and the community to work

together to identify issues and develop projects to enhance safety within the district.

### **Waste Management**

We acknowledge Council is under constant pressure with respect to its solid waste activities. We are aware many Councils across New Zealand partner with community groups to run programmes that promote a circular economy. This often includes recycling/reuse outlets where people can donate goods they no longer need and/or find goods they do need. An example of this is the Eco Store on Blenheim Road in Christchurch. A model such as this could work well within the district or region.

We commend Council for its continued investment in the Enviroschools programme as this will assist the community to make positive changes with respect to the physical environment and waste minimisation practices.

We also commend Council for its ongoing support of the Green Team in Hokitika. This group brings many organisations and individuals together to support a more sustainable approach to the environment and promote better waste decisions and practice within Westland.

### **Pensioner Housing**

We continue to support the provision of pensioner housing, especially as demand is outstripping supply and is predicted to continue to do so for the near future. We appreciate there are limits to how Council can operate its pensioner housing and that this is done on a cost-recovery basis, as no ratepayer funding provided for this activity. We are therefore encouraged to see Council is looking at ways to ensure this type of housing remains available to older people, including kaumātua, within its district. However, we are hesitant about how this can be done and how effective it will be in providing for the most vulnerable of the older population if, as Council suggests, rents will need to be charged at a market rate in the future. This seems to be counter productive to the ethos behind providing housing of this type.

### **Libraries and Museums**

Provision of libraries and museums promotes life-long learning and offers residents the opportunity to extend their knowledge about 'their place' which assists with community connectedness.

*We support Council's decision to develop a new fit-for-purpose library and museum display and research site at the Pakiwaitara building. We appreciate the need to continue to use the Carnegie Building within its museum activity, and we support the intention to upgrade and seismically strengthen the building.*

*We also recommend that Council has a strong focus on accessibility, including provision of a dementia-friendly environments, when developing plans for both the Pakiwaitara and Carnegie buildings.*

### **Food Security**

Members of Active West Coast are part of the West Coast Food Security network and have been involved in developing the start of a response plan to improve food security on the West Coast. Food security means having access to a variety of nutritious food that is safe, meets cultural needs and supports active healthy lifestyles. Being well nourished leads to improved health and wellbeing. However, one in five New Zealand children are not currently food secure and local qualitative research indicates a similar situation for the West Coast. Food insecurity is also exacerbated in times of emergency. People who struggle with food security on a daily basis are unable to prepare emergency kits while potential closure of the lifelines network will increase food insecurity for all people across the West Coast.

The West Coast Food Security Network has been working across a number of areas including: a local research projects (report with recommendations due out in 2021); connecting existing sustainable initiatives across the West Coast such as community edible gardens and other food supply initiatives; and strengthening support for people who require more food on a daily or weekly basis.

We are aware of the community garden at Lazar Park and propose that this is a model that could be replicated across towns within the Westland district. Provision of kai in public spaces is becoming more common both globally and within New Zealand. These types of community development initiatives assist people to connect with their community and learn gardening and other skills that they can then share with others and their whānau.

We invite you to connect with the Food Security Network to support future food security initiatives for the Westland District.

Thank you for the opportunity to submit on the draft Long Term Plan. We do not wish to speak to this submission, however we may be contacted by phone on 768 1176 or by emailing [rosie.mcgrath@cdhb.health.nz](mailto:rosie.mcgrath@cdhb.health.nz) if required.

Rosie McGrath  
Coordinator  
Active West Coast



# International Charter for Walking

**Creating healthy, efficient and sustainable communities where people choose to walk**

I/We, the undersigned recognise the benefits of walking as a key indicator of healthy, efficient, socially inclusive and sustainable communities and acknowledge the universal rights of people to be able to walk safely and to enjoy high quality public spaces anywhere and at anytime. We are committed to reducing the physical, social and institutional barriers that limit walking activity. We will work with others to help create a culture where people choose to walk through our commitment to this charter and its strategic principles:

- 1. Increased inclusive mobility*
- 2. Well designed and managed spaces and places for people*
- 3. Improved integration of networks*
- 4. Supportive land-use and spatial planning*
- 5. Reduced road danger*
- 6. Less crime and fear of crime*
- 7. More supportive authorities*
- 8. A culture of walking*

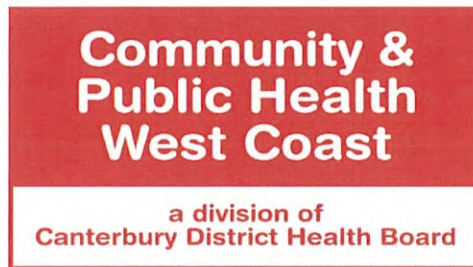
*Signed*.....

*Name*.....

*Position*.....

*Date*.....

[www.walk21.com](http://www.walk21.com)



**Submission from  
Community and Public Health, West Coast**

**June 2021**

**Westland District Council  
Draft Long Term Plan 2021/2031**



## Details of Submitter

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Please note we do not wish to speak to this submission.

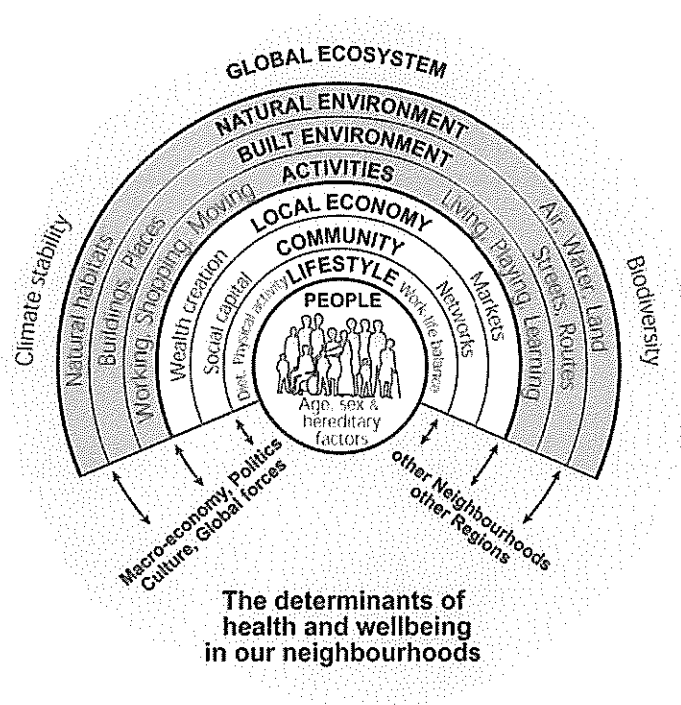
## Introduction

Community and Public Health West Coast is a regional office of the Community and Public Health Division of the Canterbury District Health Board and provides a regional public health service to the West Coast. We welcome the opportunity to comment on the Westland District Council's Draft Long Term Plan 2021-2031.

The goal of our organisation is that of improving and protecting the health and well-being of the people of the West Coast. However, while health care services are an important determinant of health, health is also influenced by a wide range of factors beyond the health sector.

The Dahlgren and Whitehead 1991 model below illustrates how individuals are influenced by factors that generally lie outside their control. These factors; often referred to as the social determinants of health and well-being, can be described as the conditions in which people are born, grow, live, work and age; they are affected by environmental, social and behavioural factors.

As depicted in the diagram, the sphere of influence is very wide and, in many instances, beyond the health sector. Furthermore, changes in any of these factors can affect health and wellbeing dramatically (both positively and negatively). In order to maximise people's wellbeing, these factors need to be taken into account by policy and decision makers, including Councils. The Long Term Plan provides Westland District Council with an opportunity to influence the determinants of health for the people of the Westland District through prioritising funds for activities that support health and wellbeing.



Another way to incorporate wellbeing into Council's decision making and planning is to use the 5 Ways to Wellbeing developed by the New Economics Foundation in 2008. The five ways are a set of evidence-based public health messages aimed at improving the mental health and general wellbeing of the whole population.



Auckland University of Technology researchers recently published the results of the Sovereign Wellbeing Index project. The report found that the five **Ways to Wellbeing** were all strongly associated with higher wellbeing. People experienced higher levels of wellbeing when they:

- were connected socially with others (**Me whakawhanaunga-Connect**)
- gave time and resources to others (**Tukua-Give**)
- were able to appreciate and take notice of things around them (**Me aro tonu-Take notice**)
- were learning new things in their lives (**Me ako tonu-Keep learning**)
- were physically active (**Me kori tonu-Be Active**)

These five ways are being used by councils in the UK to build stronger communities:

*'It is conscious planning in a way that will actually promote wellbeing. If we have wellbeing in mind at the point of planning, we have a better chance of building resilience in communities to enable them to survive in difficult times.'* (Ashton, Leigh and Wigan PCT in the Five ways to wellbeing, New application, new ways of thinking 2011) p.30

Investing in wellbeing benefits more than just the individual. For example, people who report higher levels of wellbeing tend to be more involved in social and civic life, are more likely to behave in environmentally responsible ways, have better family and social relationships at home and are more productive at work. (*Five ways to wellbeing, New application, new ways of thinking 2011*) p.6  
[http://dnwssx4l7gl7s.cloudfront.net/nefoundation/default/page/-/files/Five\\_Ways\\_to\\_Wellbeing.pdf](http://dnwssx4l7gl7s.cloudfront.net/nefoundation/default/page/-/files/Five_Ways_to_Wellbeing.pdf)

CPH encourages Council to consider the 5 Ways to Wellbeing in its decision-making processes to support the district and its residents to flourish. CPH is happy to work with and support Council to do this.

Specific topics referred to in the Draft Plan	Discussion/Comment	CPH's suggested amendments to the Plan /suggested action points
Climate Change	<p>We endorse Council's acknowledgement of the district's vulnerability to the effects of climate change and the potential risks to its communities. We support Council's commitment to manage its assets to address risk and support the resilience of its communities through activities such as increasing the capacity of its 3 Waters and roading infrastructure, seismic strengthening of Council buildings, and its work with respect to the Franz Josef Township Masterplan.</p>	
Infrastructure	<p>We support Council's focus of maintaining its assets at existing levels, funding renewals so they are safe and meet legal requirements to ensure its critical assets are resilient. We acknowledge Council is addressing under-resourcing by external contracting where required, and through increasing staff within its assets team. This will assist in a more timely delivery of renewals and upgrades.</p> <p>We commend Council's decision to make sure every bit of spending provides value and agree that spending now will decrease the likelihood that extra spending will be needed in the future.</p> <p>While we support the need for Council to continually improve its assets, we appreciate that the increasing cost to ratepayers can be onerous, especially for those on low incomes. We are pleased to see Council has a rates assistance programme for people in financial hardship. We anticipate there may be an increased number of applications for this assistance due to the ongoing disruptions caused by the COVID pandemic.</p> <p>We are pleased to see that Council intends to seek external funding</p>	

	and partnerships to support co-sharing costs as this will reduce the burden on the ratepayer.
<b>Vision and Community Outcomes</b>	<p>We support Council's vision to "work with the people of Westland to grow and protect our communities, our economy and our unique natural environment". This shows a commitment from Council to include residents as partners in its activities.</p> <p>CPH congratulates Council on its recent community consultation to develop the Community Outcomes and related actions to achieve the vision.</p> <p>We commend Council for identifying its values of Integrity, Accountability, Active Collaboration, Commitment to innovation and improvement, and Westland wellbeing as its framework for operating.</p> <p>We endorse Council's commitment to seeking Māori contributions to decision-making and, in particular, to working with mana whenua of the Westland District. We congratulate Council on adopting the Manatu Whakaaetanga Partnership Agreement with Te Rūnanga o Ngāi Waewae and Te Rūnanga o Makaawhio to formally grow the relationship with mana whenua of the district and to ensure their voice is heard within Council decision making and activities. To further embed Councils commitment to mana whenua we encourage Council to invest in ongoing staff training to build its cultural capacity.</p>
<b>Council Activities</b>	
<b>Leadership</b>	<p><u>Democracy</u></p> <p>We endorse Council's commitment to its relationship with Poutini Ngāi Tahu, participation by communities and working with other organisations to achieve mutually agreeable outcomes for the district.</p>

	<p>We support Council's decision to hold Council meetings in locations across the district to encourage local participation, and its continuing to live stream meetings. These actions support communities to stay connected with Council activities.</p> <p>We commend Council for its intention to have good representation and participation from its community, including young people, continuing across election cycles. The voice of youth is essential to ensure Council plans and delivers services that keep them engaged and connected to their place.</p> <p><u>Corporate Services</u></p> <p>We support Council's ongoing goal to create a customer-focused philosophy throughout the organisation and the intention to streamline customer experience to ensure most queries are managed at first contact. This will create financial efficiencies and improve customer satisfaction.</p> <p><u>Destination Westland (CCO)</u></p> <p><u>Elderly Housing</u></p> <p>We understand the need to be strategic with the delivery of housing options for older people to ensure that pensioners on low incomes are housed in reasonable accommodation locally. We agree that demand for this type of housing will continue to grow as the population ages, and it is reassuring to see Council has identified a need for housing allocation specifically for kaumātua.</p> <p>We acknowledge that Council's rationale for delivering some of its services through CCOs is to run these services with a more commercial focus. We also acknowledge Destination Westland's role in managing</p>
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	<p>the units and recent investment made to improve the units. We also understand that many units require major upgrades.</p> <p>We agree that elderly residents are a critical sector of our community and that elderly housing should be warm and easily accessible. However, we are unsure if provision of elderly housing for low income people has capacity to be self-funding, especially as many current or future occupants will not be able to afford a market rental (as identified on page 56 under key issues).</p> <p>We are aware that housing, particularly housing for older people, is a focus of the West Coast Cross Sector Forum. Opportunities may arise from this forum to work collaboratively to secure funding for construction, maintenance and rental support. Currently the Forum is undertaking a survey of people over 55 in the region to assist in determining the types of housing that will be required across the West Coast into the future. We are aware that Council has representation on the Forum via Destination Westland Ltd.</p> <p><u>Hokitika Wildfoods, Events, and Visitor Information Services</u></p> <p>Festivals and events are mechanisms for community get-togethers, fundraising and opportunities to show-case the district to visitors. The ongoing disruption caused by the COVID19 pandemic, and the potential effect of natural hazard events has capacity to undermine the benefits to the community of tourism and national and local events. However, ensuring visitors to the area are both welcomed and that they have a great time, (whether they are attending events or just visiting), will support the economic viability of the Westland District.</p>
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<p><b>Planning and Regulatory</b></p>	<p>Council, through its Planning and Regulatory activities, has a role in creating environments that support the health and wellbeing of its residents. We recognise that securing specialist staff in these activities is an ongoing issue for Council.</p> <p><u>Resource Management</u>  We agree that delivery of sound policy and regulation to protect the environment is necessary for Council to achieve its vision and community outcomes. We appreciate that the recent and proposed changes to the RMA may further affect Council's capacity to deliver its activities. However, the development of the Te Tai o Poutini Plan should assist with activities into the future. Given the community have identified a sustainably managed environment as one of the three community outcomes, we are not surprised that there has been increasing public demand to better monitor compliance of the resource consents issued by Council. Ensuring compliance is one way that Council shows its commitment to the aspirations of the wider community.</p> <p><u>Local Alcohol Policy</u>  As we have stated in previous submissions alcohol is a psychoactive substance that continues to cause significant harm in our community. For example, the West Coast has higher rates of alcohol involved road traffic crashes compared to the national average with alcohol was a factor in 34% of death and serious injury crashes on West Coast roads between 2016 and 2020.</p> <p>Local alcohol policies are a tool which can help to address alcohol-related harm in our communities. We understand that Council has been unwilling to proceed further on the development of a Local Alcohol Policy (LAP), at least in part because of the very real prospect</p>
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	<p>of legal challenge from the alcohol industry. We encourage Council to consider the development of a joint LAP with the two other West Coast District Councils as a way of sharing this risk. Many other Councils have successfully adopted LAPs in recent years and attitudes, behaviours and awareness of alcohol harm in our communities have also changed. A joint LAP would also have benefits for the local hospitality and tourism industries by bringing consistency to licensing requirements across the Coast and a “level playing field” for new entrants to these industries, regardless of where they set up on the Coast. A joint LAP would be supported by NZ Police and the Medical Officer of Health as reporting agencies.</p> <p>We note that Council has indicated it ‘<i>could do a LAP if required</i>’. We are unsure if this remark refers to future legal obligations, however, we encourage Council to engage further with its communities to assess what the community would like to see with respect to alcohol control within the district.</p> <p>We acknowledge Council is displaying liquor licence public notices on their website and are no longer publishing applications in print media. However, to ensure equitable access for people wishing to view alcohol licence applications and, where appropriate, make objections, we suggest Council also includes an electronic copy of the full application with appropriate redactions. We commend Council for posting the public notices on its social media page (Facebook) which further enhances equitable access. We are aware that other councils within New Zealand utilise social media and web-sites to fully inform residents of liquor licensing applications.</p> <p><u>Smokefree Environments Policy</u>  CPH commends Council for its commitment to ‘being proactive in</p>
<p><b>Recommend:</b> Council works with the two other West Coast District Councils to develop a joint Local Alcohol Policy and makes full licence applications available on Council’s website with appropriate redactions.</p>	

	<p>promoting a healthier community' (WDC Smokefree Environments – Council Buildings and Public Spaces Policy). We commend Council for extending its policy in 2016 to include dining areas on Council land as this inclusion helps protect the health and wellbeing of Westland District residents and visitors from second-hand smoke, supports people who are thinking about, or in the process of, quitting as well as enhancing the enjoyment of dining outdoors. It is also an indication of support for the Government-endorsed goal of a Smokefree Aotearoa by 2025. We are working actively with Council and businesses to implement this and to provide signage which has had good uptake so far.</p> <p>While the number of people who smoke is decreasing we are still not on track to achieve Smokefree Aotearoa 2025 where less than 5% of the population smoke. The 2018 Census indicated that 13.2% New Zealanders aged 15+ years are regular smokers. However, here on the West Coast the rate is significantly higher at 18.1% with the rate for WDC at 18%. Consequently, our population continues to suffer more from smoking-related harm. Reducing the visibility of tobacco products and smoking and supporting smokers to quit are important elements of the Smokefree 2025 goal.</p> <p>Policy is a good intervention to improve the health and wellbeing of communities and the wider population. To further protect people from the harms of smoking we encourage Council to review and extend its Smokefree Environments-Council Buildings and Public Spaces Policy, to include the following:</p> <ul style="list-style-type: none"> <li>• Vaping/Vapefree in all instances in line with its inclusion in the amended Smokefree Environments and Regulated Products Act 1990 and similar Council policies across New Zealand.</li> </ul>	
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	<p>Vaping is a quitting tool and is not for non or ex-smokers therefore its inclusion will help to prevent the uptake of vaping by young people and non-smokers and decrease normalisation.</p> <ul style="list-style-type: none"> <li>• Inclusion of events owned or sanctioned by Council to be promoted as smoke free and vape free events with advertising material promoting such events clearly indicating that it will be smoke free and vape free. This is in line with other Councils policies and its inclusion will provide positive role modelling behaviour for our tamariki and rangatahi and reduce harm from second-hand smoke.</li> </ul> <p>Creating smokefree environments reduces visibility of tobacco products and smoking which prevents uptake by non-smokers while supporting smokers who are trying to quit. Other steps for implementing the policy could include:</p> <ul style="list-style-type: none"> <li>• identifying areas that would benefit from having more visible smokefree/vapefree signage,</li> <li>• agreeing on the look of any proposed signage, stickers or stencils,</li> <li>• installing smokefree/vapefree signage</li> <li>• Ensuring there is adequate signage outside Council owned buildings, particularly the building entrances and exits to inform individuals in your community of the policy</li> <li>• Keeping the community informed about the smokefree/vapefree spaces through a variety of channels including media articles, social media platforms and within the Council's newsletters.</li> </ul>	<p><b>Recommend:</b> Council includes vapefree/vaping, events and endorse Smokefree Aotearoa 2025 goal in Councils Smokefree Environments-Council Buildings and Public Spaces Policy. We are able to provide Smokefree/Vapefree signage to assist with implementation.</p>
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<p>Community and Public Health is happy to work with the Council to assist with implementing the policy changes and to provide advice and assistance on smokefree matters, including support with signage.</p> <p><u>Class 4 Gaming Venue Policy</u></p> <p>Council's Class 4 Gambling Venue Policy is due for review in November 2021. We are aware that more than \$4000 a day was lost in the 'pokie' machines within Westland in 2019 (up \$57 617 from the previous year). The recent BERL: Assessment of the effects of Class 4 gambling on Wellbeing in New Zealand Final report May 2020 concluded that '<i>Class 4 gambling has a tendency to magnify community disadvantage. The evidence strongly suggests that it transfers wealth from more deprived communities to less deprived communities.</i>' <b>The Westland District has a high number of venue and machines compared with the rest of New Zealand.</b> The BERL finding suggests that our most vulnerable communities are further disadvantaged by Class 4 Gaming. This is alarming given that five of the six Class 4 venues in the district are situated in medium-high deprivation areas. We have assisted Council with previous reviews of the Class 4 Gaming Policy through applying a social impact assessment lens. We again offer Council our assistance with review of this policy.</p> <p><u>Animal Control</u></p> <p>We support Council's goal of protecting the public from harm, nuisance and damage from dogs and other animals, especially as complaints regarding wandering dogs has increased. We endorse Council's decision to provide a permanent Dog Pound in Hokitika.</p> <p>We support the development of a by-law to allow enforcement with respect to effluent on roads at stock crossings and to provide</p>	<p><b>Recommend:</b> Council utilise a Social Impact Assessment process when reviewing its Class 4 Gaming Venue Policy. We offer our assistance with this process.</p>
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<p>regulation around the keeping of other animals such as roosters, poultry, bees and livestock in residential areas.</p> <p><u>Civil Defence Emergency Management</u></p> <p>We support Council's continued investment in ensuring its staff and communities are prepared for and can respond to emergency situations. The increased frequency of storm events and the recent report upgrading the potential for an alpine fault rupture highlights the need for communities to be prepared. We support the distribution of Civil Defence Emergency containers to vulnerable isolated communities and for this activity to be extended if other areas are identified.</p> <p>We support Council's plans to identify a long-term Hokitika-based coordination centre and a suitable location to build a Hokitika-based EOC.</p> <p>We are aware that a growing number of people in our community are living week-to-week and, despite any desire to do so, are not able to adequately prepare for such an event. We encourage Council to include actions to address this in its emergency preparedness plans. Actions could include support for food production on public land and support for food rescue/redistribution projects to help build food resilience within the Westland District. The community gardens at Lazar Park are an example of how growing produce can be incorporated in public spaces.</p> <p>We congratulate Council for its support of the recent Resilience study conducted by a PHD student at the Otago University. This has already brought members of the community together to discuss how Hokitika and its surrounds can prepare for and respond to emergency</p>	
<p><b>Recommend:</b> Council explores ways in which it can engage with and support vulnerable members of the community to be better prepared for emergencies.</p>	

	<p>situations. The discussion included the benefits of developing a Resilience Strategy for communities within the district and wider West Coast.</p> <p>(Please also see comment under Food Security below)</p> <p>We also support the investment to upgrade the Hannah's Clearing Fire Station.</p>	<p><b>Recommend:</b> Council engage with communities and other stakeholders to develop a Resilience Strategic Plan that could help prepare communities better prepare for emergency situations</p>
<p><b>Community Services</b></p>	<p><u>Community Development and Assistance</u>  We support Council's activities under this section as this assists communities to be involved in decision making and projects that enhance wellbeing.</p> <p>We acknowledge Council's role in the Safe Westland Community Coalition. CPH is an active member of this coalition. The administration of the network provided by Council facilitates agencies, organisations and community groups to work in a more coordinated way to improve safety within Westland.</p> <p>We support Council's operation of the Taxi Chit Scheme to provide a transport option for older people who are no longer able to drive. This helps them remain independent and connected to their town.</p> <p>We support Council's provision of grants and funds to enable community cultural and sporting activities and events to take place.</p> <p><u>Community Halls</u>  We support Council's continued provision of safe and useful community halls as these facilities assist with creating connected and socially active communities. Communities halls are also utilised in</p>	

	<p>periods of civil emergency. We support Council's intention to undertake condition assessments to determine required maintenance and create Asset Management Plans for the buildings. We understand some buildings are almost beyond repair and we endorse Council's intention to discuss the viability of running these halls with each community concerned.</p> <p><u>Townships</u> We commend Council for supporting and funding township development projects in communities across Westland as this will support communities to upgrade and develop their local areas. We support Council working with communities to create integrated planning documents to determine how funding will be allocated.</p>	
<p><b>Leisure Services and Facilities</b></p>	<p><u>Cemeteries</u> We support Council's intention to offer cemetery plots to meet the needs of other religions/cultures, as this is a way of valuing and supporting diversity in the community.</p> <p><u>Hokitika Museum</u> Access to cultural amenities such as museums connects people to their past, promotes lifelong learning and assists with developing a community identity. As described in the draft Plan there is also potential to generate funds from research facilities. We support the upgrade of both the Carnegie and Pakiwaitara buildings to improve public access, provide a dedicated research space and improved display space.</p> <p><u>Westland District Library</u> We support the provision of the Westland Library and the community</p>	

	<p>outreach libraries, as this activity supports education, promotes lifelong learning and provides areas for people to connect with others.</p> <p>We applaud Council for working with communities and agencies to provide a wide range of programs and services. We particularly support the development of a network of Digital Champions to provide digital assistance to their communities. These programmes and services will assist people to learn a new skill and further participate in society.</p> <p>The development of the new Hokitika Library within the Pakiwaitara building will provide Westland with an up-to-date and fit for purpose Library facility that will be attractive to residents and visitors.</p>
	<p><u>Land and Buildings</u></p> <p>We congratulate Council for including community need and demand within its asset management plans for this activity.</p> <p>We support the capital projects included in this activity particularly the earthquake strengthening of the Council Headquarters, the restoration of Jackson Bay Wharf and the new pavilion at Cass Square.</p>
	<p>We are pleased Council intends to facilitate discussion with stakeholders and the community to determine a suitable long-term use of the land at the Hokitika Racecourse. We would like to be involved in these discussions.</p>
	<p><u>Parks and Reserves</u></p> <p>We support Council's proposed activities under this section as provision of parks and reserves promote physical activity, learning and connectedness. We are aware there is a growing trend across the world to include equipment in parks designed for use by older people.</p>



<p>They are often the ones taking their grandchildren to the park, also and older people will make up a growing proportion of residents, and visitors to the district, in the future. We support the idea to install low-impact outdoor equipment within the Square and encourage Council to consider installing some of the equipment, (along with seating and handrails), within the playground space at the Square, as well as in other playgrounds across the district.</p> <p>We would like to congratulate Council for working with the Lions group to upgrade Lazar Park. We appreciate the effort that has gone into this and the focus on accessibility as this will provide a safe and attractive recreational option for people with physical and other disabilities and their caregivers. To further increase accessibility, and to safely 'house' users (children or older adults) who may be inclined to 'run', we suggest Council investigates installing fencing along the boundaries of the Park. We are aware the raised gardens help to facilitate this on one side at the front, so there may be options to provide a barrier that serves more than one purpose.</p> <p><u>Public Toilets</u></p> <p>We support Council's commitment to ensure public toilets are clean, accessible, functional and suitably maintained as this activity protects the health of residents, visitors and the environment. We acknowledge Councils increased funding will go towards increased cleaning throughout the district, often in provided in partnership with community volunteers.</p> <p>We endorse the proposal to invest in new toilets on Gibson Quay and the upgrade of toilets on the Hokitika Beachfront.</p>	<p><b>Encourage:</b> Council to consider installing equipment suitable for older people when upgrading playground equipment.</p>
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	<p><u>Swimming Pools</u> We support Council's continued provision of swimming pool services as these provide an opportunity for people to be active, learn new skills and connect with others.</p> <p>We commend Council's desire to maintain and operate swimming pools that are affordable and available to people of all ages and abilities.</p> <p>We therefore support the intention by Council to use central Government funding to improve and upgrade the Hokitika Pool and to implement Stage 2 as funding becomes available. We also support the upgrades to the Ross Pool.</p> <p>We note Council did not include the swimming pool in the bi-annual resident survey and is considering a more regular way of measuring satisfaction for this activity. To get a full appreciation of community expectations around pool provision and barriers to access we encourage Council to also survey non-users of the pool.</p> <p><u>West Coast Wilderness Trail</u> We agree with Council's goal for the trail to be a nationally recognised cycleway that is safe and well used by both tourists and locals. We believe the Trail has already achieved national recognition. For example, both the Grey and Westland Districts have benefited from the rise in domestic tourism as a result of COVID related restrictions on international travel, as many local tourists have chosen to come and ride the Trail.</p> <p>We understand the constraints on budgeting for maintenance and appreciate Council's commitment to secure ways to ensure the trail is</p>	<p><b>Support:</b> the enhancement of the Westland Wilderness Trail as funds</p>
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	maintained to a safe level while also looking at ways to enhance the Trail experience.	become available.
<p><b>Infrastructure</b></p> <p><u>Land Transport</u> We support Council's function to provide a transport network that is accessible for all people as a safe and reliable land transport network is essential to economic and community wellbeing.</p> <p>We commend Council for its continued involvement in the Total Mobility Scheme to assist the transport disadvantaged. We agree with the performance measure to have a reduction in the number of fatalities and serious injury crashes. We are also pleased to see Council is working with other local councils to take a more integrated approach to road management on the West Coast. Council's involvement in the West Coast Road Safety Committee will assist with achieving this goal.</p> <p>We also applaud Council's goal of having linked, pleasant and safe to use footpaths and cycle ways, and the intention to maintain footpaths in good condition. This will encourage people to be active and connect with, and feel part of, their local community as well as promoting less reliance on motorised vehicle travel, especially in the district's urban areas. We commend Council for its decision to reduce speed limits on roads within the district. This helps to create a safer environment for people to walk and cycle.</p> <p>The existence of a safe and well-maintained footpath network is essential to the safety and wellbeing of the district's residents, particularly for older people, people with disabilities and children.</p>	<p><b>Support:</b> Council's involvement in the Total Mobility Scheme.</p> <p><b>Commend:</b> Council for its membership and support of the West Coast Road Safety Committee.</p> <p><b>Support:</b> Commitment to providing linked, pleasant and safe to use footpaths and cycleways.</p>	

<p>Council's endeavours to promote more walking friendly environments through the lowering of speed limits within the district and</p> <p>There are also sound environmental and economic reasons to support walking and cycling infrastructure. We encourage Council to become a signatory to the Walk 21 movement and commit to making the Westland District more walking friendly. See <a href="https://www.walk21.com/about">https://www.walk21.com/about</a> for further information.</p> <p><u>Drinking Water</u> We commend Council for its continued investment in the district's water supplies as clean and safe drinking water is critical to the health and wellbeing of communities.</p> <p>We support Council's goal to ensure all water supplies are treated and meet the Ministry of Health's drinking water standards as well as meeting the demands of both the local and tourist populations. However, analysis shows there are still issues with bacterial and protozoal compliance across the nine supplies. We therefore support investment to upgrade assets and improve the level of service within the district's drinking water supplies.</p> <p>We support upgrade works at Fox Glacier water supply and improvements at Harihari. We congratulate Council on the new plant at Arahura and the potential for the marae to connect to the scheme.</p> <p>We are pleased to see that Council has identified the need to protect mahinga kai sites as this shows respect for cultural practice.</p> <p>We are pleased to see Council is mitigating for the effect of natural</p>	<p><b>Encourage:</b> Council to become a signatory to the Walk 21 movement.</p>
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hazards and climate change by siting new treatment plants away from coastline and rivers, and by installing back up generators at all plants.

However, it appears Council is expecting a decrease in customer satisfaction with drinking water as the performance target for complaints is increasing from the current level of 16 complaints per 1000 connections to 25 complaints per 1000 connections. This seems at odds with Council's desire to have supplies that meet the demand of both locals and tourists within the district.

Stormwater

The provision of stormwater systems assists with protecting property, the health and wellbeing of residents, and benefits environmental sustainability both on a day-to-day basis and in times of emergency. We therefore support Council's activities in this area. We are pleased to see Council is looking at ways to support this service in other areas outside of Hokitika and is preparing catchment designs to determine key stormwater vulnerabilities.

Wastewater

Collection, treatment and disposal of wastewater is essential to protecting the physical environment and the health of the community. Effective wastewater management has positive impacts on quality of life and supports economic development.

We therefore support Council's aim to deliver wastewater treatment plants that consistently meet resource consent standards and ensure minimal infiltration of stormwater into the systems.

We are pleased to see that the Franz Josef plant is now compliant and that the treatment systems in Fox Glacier and Haast will continue to

	<p>be improved.</p> <p>We appreciate the need to focus on the replacement of the Hokitika Wastewater Treatment Plant and we support Council's proposed investment within the first half of the period covered by the LTP.</p> <p><u>Solid Waste</u> The management of solid waste is necessary for the health and quality of life of the community, the local economy and the environment.</p> <p>We applaud Council's desire to raise community awareness of the need to minimise waste. We also endorse Council's support of the Enviroschools programme as this will help spread the waste minimisation message to schools and communities.</p> <p>We are aware there may be changes to legislation regarding the types of plastics allowed in packaging. If this goes ahead it will assist in minimising waste within the District.</p> <p>Many communities across New Zealand have Council supported reuse and recycling areas where unwanted items are donated, sorted and chosen by others to take away for use. This circular economy model is a way to reduce, recycle and reuse, and can hugely reduce the amount of waste going to landfills. This has positive outcomes for ratepayers and the environment. We are aware Council provides a similar service at Butler's landfill. We encourage Council to consider taking a lead in creating a more circular economy through the introduction of a model similar to one of the following: Nelson Environment Centre <a href="https://www.nec.org.nz/reuse">https://www.nec.org.nz/reuse</a> EcoCentral <a href="https://ecocentral.co.nz/about">https://ecocentral.co.nz/about</a> Waiuku Zero Waste <a href="https://www.waiukuzerowaste.co.nz/">https://www.waiukuzerowaste.co.nz/</a></p>	<p><b>Support:</b> Council's investment in the Enviroschools programme.</p>
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Food security	<p>When people are food secure they have access to a variety of nutritious food that is safe, meets their cultural needs and supports them to live active healthy lives. People are better able to participate in society when they are healthy and well.</p> <p>However, one in five New Zealand children are living in moderate to severe food insecurity within their households and local qualitative research indicates a similar situation on the West Coast. While this issue coincides on a national level with insufficient access to resources such as disposable income, transport options, fuel and warm housing, on the West Coast many people are further bound by geographical isolation from the largest food stores, less options of where they can buy local food produce, and a likely overall higher cost of food than in the rest of New Zealand.</p> <p>The West Coast Food Security Network is looking at short and long-term solutions for West Coast whānau and communities. This has so far included local research with communities (report due out later in 2021), connecting existing sustainable initiatives across the West Coast such as community edible gardens and other food supply initiatives, and how support may be strengthened for people who require more food on a daily or weekly basis. Some of these initiatives may also feed into the West Coast Emergency Management Team Coordination over time.</p> <p>New strategies to improve food security will need to be mana-enhancing (i.e. they support the aspirations of local whānau and communities), while support will be required from national and local governments and local community. Coordination with local Councils, various agencies, community members and local iwi will need to take</p>	<p><b>We invite</b> Council to connect with the Food Security Network by attending our</p>
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	<p>place to ensure initiatives are driven by and meet the needs of West Coast communities, particularly rural isolated communities who may be worst affected by food insecurity in emergencies.</p>	<p>next Food Security Network meeting on  <b>July 26<sup>th</sup> in Hokitika</b> (venue TBC),  <b>10:30am – 12pm</b></p>
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# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Group Manager, Corporate Services

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## Ordering of candidate names on voting papers

### 1. Summary

- 1.1. The purpose of this report is to for Council to consider the order of candidate names on the voting papers for the 2022 local elections.
- 1.2. This issue arises from legislative requirements to resolve on order of candidates other than alphabetical.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council resolve that the names of candidates for the 2022 council triennial elections and any subsequent by-elections be arranged in random order.

### 2. Background

- 2.1. The reason the report has come before the Council is due to the Local Electoral Regulations 2001 31(1) that Council must determine by Council resolution the order of candidate names on voting papers.
- 2.2. If Council does not resolve on the ordering, then the ordering will be alphabetical.
- 2.3. For the 2019 council triennial elections Council resolved for random ordering of candidate names.

### 3. Current Situation

- 3.1. The voting papers for the 2022 election will contain elections for the Mayoral election and Election of ward councillors.
- 3.2. Election of constituency councillors for Westland District Regional Council.
- 3.3. Election of members of Development West Coast.

- 3.4. Council is required to determine the voting order for 3.1 above.
- 3.5. For the 2019 triennial elections 57% of District and City Councils were fully random, and 55% of Regional Councils were fully random.
- 3.6. There are three options on the order of names on voting papers.
- 3.6.1. **Alphabetical.** This needs no explanation.
- 3.6.2. **Pseudo-random order.** Under this option, the candidates' names for each issue are placed in a receptacle, with candidates' names being drawn out of the receptacle, with candidates' names being placed for all voting documents for that issue in the order that they are drawn. If this method of ordering is used, the Electoral Officer must state, in the public notice required to be given, the date, time, and place in which the order of the candidates name will be arranged. Any person is then entitled to attend while the draw is in progress.
- 3.6.3. **Random order.** Under this option the names of the candidates for each issue are shown in a different order on each and every voting document, utilising software which enables the names of candidates to be printed in a different order on each paper.

#### **4. Options**

- 4.1. Option 1: Random order
- 4.2. Option 2: Pseudo-random order
- 4.3. Option 3: Alphabetical

#### **5. Risk Analysis**

- 5.1. Risk has been considered and no risks have been identified.

#### **6. Health and Safety**

- 6.1. Health and Safety has been considered and no items have been identified.

#### **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as being low as the decision to determine voting order of candidate names is administrative in nature.
- 7.2. No public consultation is considered necessary.

#### **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 – Random Order;  
Recent research on voting patterns has indicated that candidates with a surname starting at the top of the alphabet may have a slight advantage over others with a lower alphabetical ranking. Random order for voting papers has been increasingly adopted by local councils and other agencies, with more than 50% using random order. With technological developments for printing ballot papers having improved, there is no difference in cost or quality for the printing between alphabetical and randomised voting papers.
- 8.2. There are no extra financial implications to this option.
- 8.3. Option 2: Pseudo-random order;

Although the drawing of the names is random, all voting papers would then be in the same order. In 2019 approximately 10% of District and City Councils utilised Pseudo-random order. There are extra administrative burdens on using pseudo-random order. With COVID restrictions there may be difficulty in obtaining premises to accommodate the process if these restrictions are still in place.

**8.4. Option 3: Alphabetical Order;**

Prior to the 2019 triennial election Council had used alphabetical ordering of candidate names, however as recent research has indicated, there may be perceived preferences to candidates being ordered alphabetically.

**9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1.

9.2. The reason that Option 1 has been identified is that using random order will provide consistency with best electoral practice and remove the perceived preference to candidates being ordered alphabetically.

**10. Recommendation(s)**

10.1. That the report be received.

10.2 That Council resolve that the names of candidates for the 2022 Council triennial elections and any subsequent by-elections be arranged in random order.

**Lesley Crichton**  
**Group Manager, Corporate Services**

# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Community Development Advisor

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## MARKS ROAD BEAUTIFICATION FUNDS

### 1. Summary

- 1.1. The purpose of this report is to request the release of funds to the Haast Community, from previously approved funding that Council put aside for the Marks Road Beautification project.
- 1.2. This issue arises from a request from the Haast Promotions Group as a result of a Haast Promotions Group Public Meeting 3 March 2022 where use of the funds were identified and agreed to.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council release \$10,000 of the pre-approved fund to the Haast Promotions Group for the Marks Road Beautification Project.

### 2. Background

- 2.1. The reason the report has come before the Council is due to a request from the Haast Promotions Group to release the fund of \$10,000 for the Beautification of the Marks Road Reserve, Haast. Council resolved to make this fund available in 2016/2017

### 3. Current Situation

- 3.1. The current situation is that the Haast Community has decided through a Public Meeting, 3 March 2022, (Appendix 1) to use the Marks Road Beautification funds of \$10,000 for fencing to extend the playground area, to place two bench seats and to put in extensive native plantings.

### 4. Options

- 1.5. Option 1: That Council release funds of \$10,000 to the Haast Promotions Group for the Marks Road Beautification Project.
- 4.1. Option 2: That Council do not release the Marks Road Beautification funds.

### 5. Risk Analysis

5.1. Risk has been considered and no risks have been identified.

## **6. Health and Safety**

6.1. Health and Safety has been considered and no items have been identified.

## **7. Significance and Engagement**

7.1. The level of significance has been assessed as being low

7.2. No public consultation is considered necessary

## **8. Assessment of Options (including Financial Considerations)**

8.1. Option 1 – That Council release \$10,000 to the Haast Promotions Group for the Marks Road Beautification Project. The advantage of this option is that funding has been set aside since 2016-2017 and it is timely that the community has held a Public Meeting 3 March 2022 (Appendix 1) to discuss and decided on the use of funds for the Marks Road Beautification Project.

8.2. Option 2 - That Council do not release funds. The advantage of this is that funding can be held over to the next financial year and the Haast Community can hold another Public Meeting in the next financial year. The disadvantage of this option is that these funds have been held for some time and the Haast Community have held a meeting and followed process to utilise these funds.

8.3. There are no financial implications to this option.

## **9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1

9.2. The reason that Option 1 has been identified as the preferred option is that this funding has been discussed and approved by the Haast Community through a Public Meeting in Haast on 3 March 2022, and it is timely that the Marks Road Beautification Project be realised.

## **10. Recommendation(s)**

10.1. That the report be received.

10.2. Recommend that Council release the previously approved fund of \$10,000 to the Haast Promotions Group for the Marks Road Beautification Project.

**Sarah Brown**  
**Community Development Advisor**

**Appendix 1:** Haast Meeting 3 March 2022

*“To promote and retain the natural beauty and resources of the Haast, to share the experience of our lifestyles and to encourage the visitor to stay longer”.*

## **Community Meeting Minutes – Thursday 3<sup>rd</sup> March 2022**

### **Haast Town Hall – Meeting pened 7.08pm**

**Present:** Chair – Tania Frisby, Secretary – Tracey Dinan, Sue & Dave Henderson, Paul Elwell-Sutton, Rachel Norton, Phillip Glubb, Mauryne Cannell, Sean Millington, Ollie White, Blair Farmer, Nicky Watson.

**Apologies:** Nicola Ludwig.

Balance in community Funds as of March 3<sup>rd</sup> 2022 is **\$30,675.34** (Opening Balance 1/04/2021 \$19,054.32 plus 20/10/21 \$14,000.00 Westland District Council).

Of which money being held from last community meeting of Small Township Development Funds money 2020 - \$5,000.00 for Playground equipment, \$2271.00 Haast School for instalation of basket ball hoops, \$2000.00 for Photo Sign Jackson Bay.

Play Ground Equipment \$5000.00 – NZ Energy also donated another \$1500.00 2022 for play ground equipment Total - \$6500.00 - Quotes in

Rachel Norton noted that the school has installed basket ball hoops and was completed by Gary Norton Builders with no cost to school.

Jackson Bay Photo Frame – Dayna Buchanan brought in a quote of \$5175.00 last year so no ground has been made with this.

- Voted that the \$2271.00 and \$2000.00 be pulled back into this round of funds – with the option for the Jackson Sign Frame be pushed for next round of funding. **So this Funding amount is \$25,675.34**
- **All in agreement - Montioned by Ollie White, Seconded by Blair Farmer**

### **Small Township Development Fund**

- **Option 1 – Okuru Church – Mauryne Cannell**

Church entrance has a concrete ramp and wider steps that now require handrails for H&S purposes. Asking for funding of \$5000.00

- **Option 2 – Haast Community Library – Mauryne Cannell**

To replace lock and keys at the Community Library located in the Haast Hall (separate locking to Town Hall). Asking funding of \$500.00

- **Option 3 – Okuru Hall – Phillip Glubb**

To supply and install a dishwasher for new kitchen being installed at the Okuru Hall. Asking for funding of \$3000.00

- **Option 4 – Haast Cementry – Rachel Norton**

To install a wall of remembrance. Asking for funding of \$5000.00

- **Option 5 – Haast Beach – Nicola Ludwig**

Asking for AED until to be supplied at Haast Beach, Asking for Funding of \$3000.00

To go back and ask who is going to keep up the maintenance of this ie new pads and batteries when needed

- **Option 6 – Ararua Pump Track & Play Ground – Tania Frisby/Nicky Wilson**

Wanting to buy toddler play equipment for bike track (Infant swing). Asking for funding of \$6000.00

**Total of \$22,500.00 being ask for:**

**All voted that funding be given to all above – Quotes now to be sourced.**

### **\$10,000.00 Council Held Funds for Beautification of Marks Road Reserve**

Bench Seats x2 = \$2000.00 quote from Urban Effects

Extra Fencing for the playground extensions \$3400.00

Native Planting \$4600.00

**All voted yes – Invoice to be sent to council - Past Phillipa Glubb seconded Ollie White**

**Paureka Road Reserve Funds – \$20,000.00 of which balance of \$10,234.50 has been spent on footpath.**

Balance \$9765.50

**All Voted that we install 2 park bench on concrete pads \$3000.00**

Trees and plants of \$2000.00

And using \$4000.00 for more bark chips for the playground

**Passed by Ollie White Seconded by Sue Henderson**

### **Kokako Track**

Still to be completed – Billards to be installed Beach Side – talk about also installing honstey box to help with funding for future maintenance.

Small Sign of bottom of hill to the look out point – that this is not part of the track – for insurance purposes.

Going forward to put aside some money from the Development funding for future maintance of Kokako Track, Play ground, Bike Track etc. Amount to be decided at next Development meeting.



# Report to Council



**DATE:** 24 March 2022  
**TO:** Mayor and Councillors  
**FROM:** Community Development Advisor

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## WELCOMING COMMUNITIES – TE WAHAROA KI NGĀ HAPORI

### 1. Summary

- 1.1. The purpose of this report is to have a commitment from Council to confirm and endorse an Expression of interest to be part of the Welcoming Communities programme.
- 1.2. This issue arises from an approach from Immigration New Zealand through the Ministry of Business, Innovation and Employment (MBIE) for Westland District Council to put forward an Expression of Interest to join the Welcoming Communities programme
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council confirm and endorse an Expression of Interest from Westland District Council be submitted to MBIE to join the Welcoming Communities programme.

### 2. Background

- 2.1. The reason the report has come before the Council is that Council received an invitation to put forward an Expression of Interest to join the Welcoming Communities programme (Appendix 1,2, & 3).
- 2.2. In 2019, Cabinet agreed to expand Welcoming Communities – Te Waharoa ki ngā Hapori. Over the next three years up to 30 local government councils will join the councils already in the programme.
- 2.3. Westland like the rest of New Zealand's population is diverse, with 25.2 per cent of all New Zealanders identify as having been born overseas in the 2013 Statistics New Zealand national census. This percentage is projected to increase. New Zealand's economy depends on attracting migrants to fill skill gaps in the workforce. Welcoming Communities provides a way for key players in regions like Westland to support newcomers to feel they belong from when they first arrive which supports retention of workers in our community. Welcoming Communities is about every member of a community having the opportunity to shape and participate in welcoming activities.

### 3. Current Situation

- 3.1. The current situation is that for an Expression of Interest to be submitted, Council need to have considered the Welcoming Communities programme (Appendix 1), the benefits to our Westland Community (Appendix 1 & 3), and the financial support offered by MBIE – seed funding \$50,000 per annum for 3 years (Appendix 2).
- 3.2. Welcoming Communities would draw together many current initiatives in the Westland community: Safer Westland, New Coasters, West Coast Multi Cultural Council, Inclusion and diversity activities at Westland Library, MTFJ and the Think Rural Campaign. Council are able to consider the programme and then confirm and endorse that an Expression of Interest be submitted to join the Welcoming Communities programme.

#### **4. Options**

- 4.1. Option 1: That Council confirm and endorse an Expression of interest to join the Welcoming Communities programme.
- 4.2. Option 2: That Council do not confirm and endorse an Expression of Interest to join the Welcoming Communities programme.

#### **5. Risk Analysis**

- 5.1. Risk has been considered and no risks have been identified.

#### **6. Health and Safety**

- 6.1. Health and Safety has been considered and no items have been identified.

#### **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as being low
- 7.2. No public consultation is considered necessary

#### **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 – That Council confirm and endorse an Expression of Interest to join the Welcoming Communities programme. The advantages of submitting an Expression of Interest to this programme are that it comes with many benefits, a set of standards as a key component, resources and support, seed funding, and the ability to opt out of the programme if it is no longer viable for Council to participate. The disadvantage of not confirming and endorsing an Expression of Interest is that this may not be offered in the future.
- 8.2. Option 2 - That Council do not confirm and endorse an Expression of Interest to join the Welcoming Communities programme. The advantage of Option 2 is that council can reapply if this Expression of Interest is offered again. The disadvantage of not confirming and endorsing an Expression of Interest is that Westland misses out on an opportunity to be part of the Welcoming Communities programme.
- 8.3. There are no financial implications to this option.

#### **9. Preferred Option(s) and Reasons**

- 9.1. The preferred option is Option 1

9.2. The reason that Option 1 has been identified as the preferred option by confirming and endorsing an Expression of Interest gives Westland the opportunity to engage with Welcoming Communities that will assist Westland in developing a community that is open, friendly and easy for new migrants to enter and become established, regardless of culture, religion and background.

## **10. Recommendation(s)**

10.1. That the report be received.

10.2. That Council confirm and endorse an Expression of Interest to join the Welcoming Communities programme.

**Sarah Brown**  
**Community Development Advisor**

**Appendix 1:** Welcoming Communities Standard

**Appendix 2:** One page information overview

**Appendix 3:** Slide Pack July 2021

# Welcoming Communities

## Te waharoa ki ngā hapori

Standard for New Zealand

December 2017





Welcoming Communities New Zealand works closely with your community with support from Immigration New Zealand, the Department of Internal Affairs, (including the Office of Ethnic Communities) and the New Zealand Human Rights Commission.



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# About Welcoming Communities

Welcoming Communities brings together local government councils (councils) and communities to make the places we love more welcoming for everyone.

Kiwis are seen as friendly, hospitable and welcoming – qualities highlighted in Welcoming Communities / Te Waharoa ki ngā Hapori. Talk to any visitor and the first things they are likely to comment on are New Zealand’s beautiful scenery and friendly locals.

New Zealand has traditionally thought of itself as being a welcoming place for newcomers to settle, without major discrimination concerns or overt racism. However, in recent years global anxiety over increasing levels of migration has risen, with negative narratives about migrants and refugees becoming prominent in the media and in social discourse. New Zealand has not been immune to these messages.

Newcomers settle in communities – so it is the local councils, working with their communities that are best placed to lead and implement Welcoming Communities.

Previous settlement initiatives have focused solely on supporting newcomers, whereas Welcoming Communities actively seeks to mobilise and involve local residents in welcoming activities. This new approach creates bridges between the receiving community and newcomers.

It recognises that welcoming activities lead to a shared understanding and appreciation of each other – and with that come positive social, economic and cultural benefits for the participating regions and New Zealand as a whole.

Nine councils in five regions are working with their communities to pilot Welcoming Communities. They are putting out the welcome mat to newcomers: recent migrants, former refugees and international students. While the focus is on newcomers from overseas, we know newcomers from other parts of New Zealand will also benefit.

Communities that make newcomers feel welcome are likely to enjoy better social connections and stronger economic growth. In a welcoming environment, everyone is able to fully participate in the economic, civic and social life of the community. Building links between locals and newcomers makes everyone feel included and ‘at home’.



**9 local government councils in five regions are working with their communities to pilot Welcoming Communities.**

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# Welcoming Communities – Te Waharoa ki ngā Hapori

Koinei te kōkiritanga tuatahitanga o te hōtaka nei, Te Waharoa ki ngā Hapori, e whakakotahi ai i ngā kaunihera me ngā kaiārahi ā-hapori, e noho ai ō tātou tāone hei wāhi whakamanuhiri ki te katoa. He kōkiritanga tuatahitanga iti tēnei, ā, ka whai mai te tukanga arotake hei ngā tau e rua e tū mai nei. E whāia ana kia kōkiritia ki Aotearoa whānui hei te 2019/20.

E rima ngā kaunihera ā-rohe e mahi tahi ana ki ō rātou hapori ki te kōkiri i Te Waharoa ki ngā Hapori. He hōtaka hou tēnei kia rere atu ai te reo pōhiri ki te hunga tauhou ki Aotearoa: ngā kaiheke, te hunga whakaruru o mua me ngā tauira nō whenua kē. Kei te tautoko te Ratonga Manene i ngā kaunihera me ngā kaiārahi ā-hapori ki te whakahaere i ētahi āhuatanga e whakamanuhiri ai te katoa.

Ki te manaakitia ngā tauhou e te hapori, ka reka ake ngā painga ki te taha whakahoahoa, te whakakotahitanga me te taha ki te ohanga anō hoki, ā, ka horapa ngā painga ki te rohe, ki te motu whānui anō hoki. Mā tēnei tūāhuatanga, e taea ai e te katoa te mahi tahi ki ngā peka ohanga, mahi hapori, mahi papori anō hoki a te hapori. Mā te whakaū i ngā hononga i waenganui i te iwi kāinga me ngā tauhou, ka whakamanuhiritia te katoa, ka tau te noho.

Kei te āhua o ngā pūkenga whakamanuhiri o te hapori te āhua o te taunga o te wairua o te tauhou. Ko ngā tāngata e mōhio mārika ana ki te āhua o tō rātou hapori ko ngā kaunihera me ngā kaiārahi ā-hapori.

E taea ana e rātou te whakamōhio ki ō rātou hapori ngā painga ka kawea mai e te hunga tauhou ki te tāone me te rohe, ā, ka toro atu ngā ringa ki te iwi kāinga mō ngā mahi pōhiri. E mōhio ana te hōtaka nei, mā roto i ngā mahi pōhiri ka mārama ake, ka tupu te tōnuitanga.

Ko tā Te Waharoa ki ngā Hapori, he whakatau i ngā tauhou, e mōhio ai rātou ka manaakitia tō rātou ahurea me tō rātou tuakiritanga, ā, he nui ngā pekanga hei toronga mā rātou i te hapori. Mā te tau o te wairua, ka tere tau te noho a ngā tauhou, ā, ka wātea rātou ki te takoha ki ō rātou oranga, me te oranga o tō rātou hapori.

E mōhio ana te hōtaka Te Waharoa ki ngā Hapori he wāhi matua tō te tangata whenua ki te whakawhanaketanga me te whakatinanatanga o Te Waharoa ki ngā Hapori ki Aotearoa. Ko 'te reo tuatahi' te iwi Māori.

E rua ngā mātāpono Māori e whai wāhi atu ana ki ngā mātāpono o Te Waharoa ki ngā Hapori. Ko te Whanaungatanga, te hirahira o ngā hononga, me te Manaakitanga, te whakamanuhiri me te manaaki i te tangata.

Ka whai whakaaro hoki mātou ki te hītori o Aotearoa me te hunga nō iwi kē, waihoki te Treaty of Waitangi/Te Tiriti o Waitangi hei tuhinga whakapūmau mā Aotearoa. Ka whakautengia te tangata whenua hei kaiārahi ā-hapori, ā, ka pōhiritia rātou hei reo matua i ngā mahi i Te Waharoa ki ngā Hapori.

# Who is involved?

The programme is an initiative of Immigration New Zealand, working in collaboration with the Office of Ethnic Communities, the Department of Internal Affairs and the Human Rights Commission. Elements of the programme, including this standard, have been designed together with these agencies and the councils participating in the pilot.

## The councils and communities taking part in the pilot programme are:

- › Tauranga/Western Bay of Plenty (Tauranga City Council and Western Bay of Plenty District Council)
- › Southland (Gore District Council, Invercargill City Council and Southland District Council – coordinated through Venture Southland)
- › Whanganui (Whanganui District Council)
- › Palmerston North (Palmerston North City Council)
- › Canterbury (represented by the Ashburton and Selwyn District Councils).

Welcoming Communities is part of an international 'welcoming' movement that shares best practice. Similar initiatives operate in Australia (Welcoming Cities), Canada (Cities of Migration), Europe (Intercultural Cities) and the United States of America (Welcoming America).



# How is Welcoming Communities supported?

The Welcoming Communities programme is being implemented as a small-scale pilot with a parallel evaluation process. Depending on the evaluation results, the programme may be rolled out further across New Zealand from 2019/20.

The support provided by Immigration New Zealand includes the following three components:



## Knowledge sharing

Supporting local councils and communities to learn from each other, share best practice and facilitate access to international and national resources and case studies.



## Standard + Welcoming Plans + Accreditation

Establishing the Welcoming Communities Standard for local government to benchmark their policies, services, programmes and activities for welcoming newcomers.

Supporting councils to develop Welcoming Plans. Welcoming Plans set out what each community will do to make their region even more welcoming. The Welcoming Plans transform good ideas into actions and make Welcoming Communities an on-the-ground reality.

Supporting councils and communities to implement their individual Welcoming Plans and to work towards accreditation against the standard.



## Celebrating success

Showcasing success in Welcoming Plan activities and shining a light on the programme outcomes. Developing a national award focused on welcoming initiatives.

# About the benefits of Welcoming Communities

New Zealand's population is diverse, reflecting previous and on-going migration. In the 2013 Statistics New Zealand national census, 25.2 per cent of all New Zealanders had been born overseas, and this proportion is projected to increase.

New Zealand's economy depends on attracting migrants to fill skill gaps in the workforce. However, the global shortage of skilled workers means these migrants can easily move to work in other regions or countries. Welcoming Communities provides a way for key players in regions to support newcomers to feel they belong from when they first arrive.

Communities that intentionally connect and actively include people from all cultural backgrounds in social, civil and economic life set themselves apart. The Welcoming Communities programme provides a vehicle for effectively planning for, and managing community growth and diversity.

One way to build strong connections with newcomers is to involve members of the broader community in welcoming them. This is where our reputation for being an open and friendly nation comes into play. It is also the perfect opportunity to draw on any community's biggest asset – its people. Involving locals in welcoming newcomers into a community gives a wider group of people a sense of ownership in the subsequent settlement and integration process and outcomes. Welcoming Communities is about every member of a community having the opportunity to shape and participate in welcoming activities.



# Welcoming Communities – a local response within a national framework

New Zealand is a culturally diverse nation. For some decades, New Zealand's economic wellbeing has relied on an in-flow of migrants, from the Pacific as well as the rest of the world, to fill skill shortages.

New Zealand has responded to international war and crisis situations by receiving an annual quota of refugees for resettlement here through the United Nations High Commissioner for Refugees (UNHCR). More recently, international students have also added to our diversity. When combined, these responses add up to tens of thousands of newcomers entering New Zealand each year.

In response to these people flows and the diversity they bring, it is important our nation welcomes newcomers and that any challenges they face in living and working here are identified and addressed. All newcomers arrive here with a strong desire to contribute to their own future and to New Zealand's. Supporting this desire and their full participation in society is work that needs to occur at both national and local levels.

## At the national level

There are several existing national frameworks which set out the strategic outcomes and the activities and essential services provided to support migrants and their communities at the national level. They involve a cross-agency approach and include the:

- › New Zealand Migrant Settlement and Integration Strategy (led by Immigration New Zealand)
- › New Zealand Refugee Resettlement Strategy (led by Immigration New Zealand)
- › Migrant Exploitation Strategy (led by the Ministry of Business, Innovation and Employment)
- › International Student Wellbeing Strategy (led by the Ministry of Education).

Government agencies, such as the Ministries of Education and Health and the New Zealand Police, undertake significant national programmes of work to ensure newcomers are able to access services and support.

Additionally, Immigration New Zealand has a leadership role to ensure newcomers are provided with timely and accurate information about living and working in New Zealand.

## At the local level

Local councils are best placed to understand the complexity and diversity of their communities and to implement solutions that reflect the local context.

The Welcoming Communities programme acts as a call to action for councils to lead collaborative efforts to ensure their local communities are welcoming, and this standard sets out a benchmark for what success would look like.

However, it is not intended that local councils would duplicate the support and services for newcomers that are already available nationally and are the responsibility of central government. Rather, we envisage that local councils would enhance this existing system by ensuring their newcomers are referred to the right services and pointed in the direction of existing information sources.

In addition, there is considerable scope for councils to apply a welcoming lens when designing and implementing their own policies, services, programmes and activities, and when consulting with their communities.



# About the Welcoming Communities Standard

## Purpose

The standard is a key component of the Welcoming Communities programme. A council that has decided to adopt the programme can opt to become accredited as a 'Welcoming Community' by meeting the standard. The standard provides councils and communities with a benchmark for what a successful welcoming community looks like and guides the activities they undertake through their Welcoming Plans.

Immigration New Zealand has collaborated with government agencies, the councils piloting the programme, and their communities to co-design the standard. Feedback from a public consultation on the draft standard informed final changes to the standard.

The standard enables local councils, in conjunction with their communities, to:

- › benchmark their policies, services, programmes and activities, especially those relating to cultural diversity and settlement
- › identify where and how further efforts could be directed through their Welcoming Plan initiatives. Councils will assess themselves against the standard and then develop Welcoming Plans. The plans will set out how new and existing local policies, services, programmes and activities will be developed or enhanced to support a welcoming and inclusive environment
- › assess progress on the Welcoming Plans over time
- › work toward meeting the standard outcomes and, once accredited, promote themselves as a 'Welcoming Community'.

Many local councils and communities are already involved in welcoming activities and may already be some way towards meeting a number of the standard outcomes. Rather than duplicate effort, the standard seeks to validate and build on existing efforts to welcome and embrace cultural diversity and inclusion.

## Scope

The elements of the standard cover aspects of welcoming which could reasonably be planned for and delivered at a city, regional or community level, and which are within the purview of local government, working with partners. It deliberately does not touch on programmes and policies that are set nationally, such as funding levels for providing English language tuition.



# Eight elements of the Welcoming Communities Standard

The outcomes-based standard is organised around eight elements critical to building a 'Welcoming Community':



## 1. Inclusive Leadership

Local government, tangata whenua and other community leaders work together to create, advocate for and continue to foster a welcoming and inclusive community. They lead a shared plan to increase connections between newcomers and existing residents.

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## 2. Welcoming Communications

People of all cultures and backgrounds feel included, listened to and well informed through a range of ways that take into account their different communication needs.

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## 3. Equitable Access

Opportunities to access services and activities and to participate in the community are available to all, including newcomers.

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#### **4. Connected and Inclusive Communities**

People feel safe in their identity and that they are connected with and belong in the community. There are high levels of trust and understanding between members of the receiving community and newcomers.

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#### **5. Economic Development, Business and Employment**

Communities maximise and harness the economic development opportunities that newcomers can offer. Councils work with business associations to promote the contribution that newcomer business owners and skilled migrants make to the region's economy.

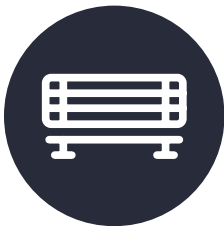
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#### **6. Civic Engagement and Participation**

Newcomers feel welcome to fully participate in the community. Newcomers are active in all forms of civic participation.

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#### **7. Welcoming Public Spaces**

Newcomers and receiving communities feel welcome in and comfortable using public spaces.

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#### **8. Culture and Identity**

There is a shared sense of pride in being part of a culturally rich and vibrant community. People feel their culture is respected and valued by other members of the community. There are opportunities to learn about each other's cultures.

---

## Outcomes

An overarching outcome statement sits under each element heading. This overarching statement describes what success looks like if, for example, a connected and inclusive community is in place.

It is up to each community to consider what Welcoming Plan activities are needed to meet the standard's outcomes. The activities may be led in various ways:

- › council only
- › council in collaboration with community stakeholders, or
- › community stakeholders – could have local or central government support.

In designing the standard, we have deliberately taken an 'outcomes' focus by describing what success looks like under each element. This approach enables councils, working with their communities and with support from Immigration New Zealand, to determine how the outcomes will be achieved in their regions. Each region will identify the policies, services, programmes and activities it considers are necessary to achieve the standard outcomes.

## Accreditation

Councils can opt to become accredited as a 'Welcoming Community' by meeting the standard through a phased accreditation process.

The formal accreditation as a 'Welcoming Community' is yet to be developed. Accreditation will formally recognise that the community achieves the outcomes set out in the standard.



# Principles for Welcoming Communities

Welcoming Communities, including the standard, is based on the following core principles:

1. We acknowledge Aotearoa New Zealand's history and the Treaty of Waitangi/Tiriti o Waitangi as New Zealand's founding document upon which peoples of all cultures and communities come together as a nation.
2. We acknowledge the important role of tangata whenua as respected leaders and key collaborators in the development and delivery of Welcoming Communities activities in Aotearoa New Zealand. Two key Māori cultural values underpin the programme. They are Whanaungatanga, the importance of relationships, and Manaakitanga, the value of extending hospitality and caring for other people.
3. Good settlement outcomes require engagement between newcomers and the communities in which they settle. Bringing together voices, views and input from newcomers and the broader receiving community is fundamental to the success of Welcoming Communities.
4. People of all socio-economic, ethnic, religious and cultural backgrounds have unique talents, experiences, knowledge and skills that contribute to helping communities flourish. Welcoming Communities respects the cultural and social capital of members of the receiving communities and of newcomers.
5. We encourage members of the receiving communities to understand why their community needs newcomers and how welcoming initiatives support the social, cultural and economic wellbeing of the community and New Zealand.
6. Welcoming Communities promotes, showcases and builds on the extensive and ongoing cultural diversity, inclusion and settlement work of the local government and community sectors.
7. Understanding our own culture and world view is an important step towards building a cohesive community.
8. Welcoming Communities incorporates the experience and input of newcomers and works with them to help them feel a part of communities in New Zealand and establish a sense of belonging.
9. Welcoming Communities provides members of receiving communities with an opportunity to step into and experience the cultural and social diversity that is increasingly a feature of New Zealand society.

# The Welcoming Communities Standard for New Zealand



## 1. Inclusive Leadership

### Overarching outcome statement – what success looks like

Local government, tangata whenua and other community leaders work together to create, advocate for and continue to foster a welcoming and inclusive community. They lead a shared plan to increase connections between newcomers and existing residents.

### Outcomes – what ‘Inclusive Leadership’ looks like on the ground

- 1.1 As the indigenous peoples of Aotearoa New Zealand, Māori – represented by tangata whenua, mana whenua, iwi and hapū and/ or other hāpori Māori – have a prominent role in Welcoming Plan activities.
- 1.2 Leaders – both designated and unofficial – reflect the diversity in the local community, as does the council workforce.
- 1.3 Leaders model the principles of inclusiveness, openness, tolerance, respect and acceptance of all cultures in the community.
- 1.4 There are clear roles, responsibilities and ownership within council and in the wider community for the Welcoming Communities programme.
- 1.5 Council internal and external policies, services, programmes and activities recognise and address cultural diversity.
- 1.6 A range of leadership opportunities in the council and the wider community are available to and taken up by newcomers.



## 2. Welcoming Communications

### Overarching outcome statement – what success looks like

People of all cultures and backgrounds feel included, listened to and well informed through a range of ways that take into account their different communication needs.

### Outcomes – what ‘Welcoming Communications’ looks like on the ground

- 2.1 The community is well informed about the local benefits of immigration and the Welcoming Communities programme, including success stories.
- 2.2 The council is well informed about newcomers to their region and pro-actively seeks data about newcomers from relevant sources.
- 2.3 The council’s engagement with all residents is two-way, culturally appropriate and fit for purpose.
- 2.4 Council communication materials and messages are inclusive and reflect the diversity of the local community. Council encourages other agencies, businesses and organisations to follow this model.



## 3. Equitable Access

### Overarching outcome statement – what success looks like

Opportunities to access services and activities and to participate in the community are available to all, including newcomers.

### Outcomes – what ‘Equitable Access’ looks like on the ground

- 3.1 Council partners with local businesses, organisations and sectors to identify and address barriers for newcomers to accessing services and participating in the community.
- 3.2 Council and other organisations in the community research, design and deliver services that take account of the different circumstances (for example rural/urban) and cultural backgrounds of all service users, including newcomers.
- 3.3 All community members are well informed about the services available in the community. Newcomers are made aware of, and are using these services.



## 4. Connected and Inclusive Communities

### Overarching outcome statement – what success looks like

People feel safe in their identity and that they are connected with and belong in the community. There are high levels of trust and understanding between members of the receiving community and newcomers.

### Outcomes – what ‘Connected and Inclusive Communities’ looks like on the ground

- 4.1 Coordinated, comprehensive and appropriate initial welcoming support services are available from council, other agencies and community organisations.
- 4.2 The receiving community is well equipped and supported to welcome and interact with newcomers.
- 4.3 Members of the receiving community and newcomers build relationships and are at ease with connecting and learning about and from each other.
- 4.4 Different cultures are celebrated and people are supported to express their cultural beliefs and customs, including language and religious practices.



## 5. Economic Development, Business and Employment

### Overarching outcome statement – what success looks like

Communities maximise and harness the economic development opportunities that newcomers can offer. Councils work with business associations to promote the contribution that newcomer business owners and skilled migrants make to the region’s economy.

### Outcomes – what ‘Economic Development, Business and Employment’ looks like on the ground

- 5.1 Newcomers, including international students, are supported to access local employment information, services and networks.
- 5.2 Newcomers, including international students, are supported with the local knowledge and skills to ensure they can operate successfully in the New Zealand work environment, either as a business owner or an employee.
- 5.3 The receiving community recognises the value of diversity in the workplace, of newcomers’ contribution to the region’s growth and of the resulting wider economic benefits.
- 5.4 Local employers and workforces develop their intercultural competency.
- 5.5 Mutually beneficial connections and initiatives are set up with migrant business people by local business community and professional networks.



## 6. Civic Engagement and Participation

### Overarching outcome statement – what success looks like

Newcomers feel welcome to fully participate in the community. Newcomers are active in all forms of civic participation.

### Outcomes – what ‘Civic Engagement and Participation’ looks like on the ground

- |   |  |
|---|--|
| 6.1 The council’s elected members and staff effectively communicate with newcomers to promote their engagement in local government processes. | enabled to get involved in local government and civil society.   |
| 6.2 Newcomers are encouraged and  | 6.3 Newcomers’ efforts and achievements in civic participation and community life are acknowledged and celebrated. |



## 7. Welcoming Public Spaces

### Overarching outcome statement – what success looks like

Newcomers and receiving communities feel welcome in and comfortable using public spaces.

### Outcomes – what ‘Welcoming Public Spaces’ looks like on the ground

- |   |   |
|---|---|
| 7.1 The design and operation of public spaces and facilities are culturally appropriate and reflect the diversity of the community. | and members of the receiving community.   |
| 7.2 Welcoming public spaces provide opportunities to build trust and relationships between newcomers                                | 7.3 Public spaces and buildings create a sense of community ownership and inclusion for all, including newcomers. |



## 8. Culture and Identity

### Overarching outcome statement – what success looks like

There is a shared sense of pride in being part of a culturally rich and vibrant community. People feel their culture is respected and valued by other members of the community. There are opportunities to learn about each other’s cultures.

### Outcomes – what ‘Culture and Identity’ looks like on the ground

- |   |   |
|---|---|
| 8.1 Receiving communities and newcomers share and celebrate their cultures with each other, facilitated by the council and others in the community. | 8.2 Newcomers and the receiving community understand what values they each hold dear. |
|---|---|



# Glossary of terms

<b>Term</b>	<b>Definition</b>
Newcomers	Refers to recent migrants (up to 5 years in New Zealand), former refugees and international students. However, we expect the programme to have positive benefits for existing residents as well as for New Zealanders who may have recently moved to a region.
Community	Refers to everyone living and working in a community. It encompasses: the local government council, Māori organisations, the business sector (for example, individual businesses, the economic development agency, the chamber of commerce and business and industry sector organisations) cultural and sporting sectors, community and religious organisations, settlement service providers, non-government organisations, families and individuals.
Receiving communities	Refers to the existing population living within a community, some of whom are New Zealand-born and some of whom are not.
Council or councils	Refers to the local government elected representatives and staff. These may be city, district or regional councils.
Mana whenua	Historical and traditional land owners, including iwi (tribes) and hapū (sub-tribes).
Tangata whenua	The indigenous Māori people of Aotearoa New Zealand, including iwi (tribes), hapū (subtribes) and other hāpori Māori (Māori communities).
Civil society	Civil society is that part of society that consists of organisations and institutions that help and look after people, their health, and their rights. It does not include the government or the family. Civil society in action includes activities like serving on the local school board of trustees or volunteering in the community.



# Acknowledgements

Immigration New Zealand and our partner agencies wish to acknowledge and thank the many non-government organisations, local community groups, local government bodies, sector representatives, Welcoming Communities Advisory Board members and individuals who provided feedback during the public consultation on the draft standard.



## Local government councils and their residents:







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## **Welcoming Communities Te Waharoa ki ngā Hapori Standard for New Zealand**

**Published December 2017**

By Ministry of Business, Innovation  
and Employment

15 Stout Street  
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Wellington 6140

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# Welcoming Communities Accreditation

## Become an accredited Welcoming Community

We all want to live in a community where we can participate, contribute and thrive. **Welcoming Communities – Te Waharoa ki ngā Hapori** is a programme that makes that happen.

Welcoming Communities recognises that communities are healthier, happier and more productive when newcomers are welcomed and included. Supported by Immigration New Zealand, local government councils and their communities throughout the country are helping newcomers feel at home. Newcomers are recent migrants, former refugees, international students and anyone new to the community.

The Welcoming Communities Standard for New Zealand sets the benchmark for what a successful welcoming community looks like. Member councils involve local residents and newcomers in developing and implementing Welcoming Plans to meet the Standard's outcomes and work towards greater economic, social, civic and cultural success.

Accreditation formally recognises that a council and community have met the Standard's outcomes. It sets the community apart as being intentionally welcoming and a place where everyone can belong and flourish.

## The benefits of accreditation

Accreditation builds a competitive advantage to attract, support and retain newcomers and:

- › shows that a council values and welcomes newcomers
- › provides a way to assess and reflect on progress and to improve welcoming practices
- › celebrates success and a shared pride in positive outcomes for the community
- › shows that a council and community are part of an international welcoming network
- › showcases welcoming activities on the national and international stage
- › provides councils with access to support, resources, knowledge sharing and networking in New Zealand and overseas through the Welcoming Communities programme.

## Who can apply





Councils and communities who have signed up to the Welcoming Communities programme can apply for accreditation as a Welcoming Community.





## The four stages of accreditation

A council and its community choose how quickly they move through the stages. Accreditation is valid for three years. The table below describes the four stages of accreditation, how they are assessed and the increasing benefits and recognition for each stage.

Stage	Description	Assessment	Benefits and recognition	Application fee
<b>Stage 1</b> 	The Mayor, the council, its CEO and other community partners have signed up to the Welcoming Communities programme	The following are in place: <ul style="list-style-type: none"> <li>› Council resolution</li> <li>› MBIE funding agreement</li> <li>› Welcoming Communities Coordinator</li> <li>› Statement of Commitment</li> <li>› Public notification of commitment</li> </ul>	<ul style="list-style-type: none"> <li>› Seed funding – \$50,000 per annum per council or group of councils for the first 3 years</li> <li>› Access to national and international resources, support and advice</li> <li>› Promoted on INZ’s website</li> <li>› Access to national Welcoming Communities workshops</li> <li>› Regular newsletters and networking opportunities</li> <li>› Announcement and certification</li> </ul>	No fee
<b>Stage 2</b> 	The council and community are clear about what they want to achieve, have a Welcoming Plan and have started implementing activities	Self-assessment  Review of self-assessment by the External Accreditation Assessment Panel (the Panel)  Report	All non-financial benefits and recognition detailed above, plus: <ul style="list-style-type: none"> <li>› a contribution for Welcoming Communities activities (\$9,500)</li> <li>› eligible to apply for national awards</li> </ul>	\$1000
<b>Stage 3</b> 	The council and community are moving towards fully implementing their Welcoming Plan. They are confident about how to deliver successful welcoming activities that make a difference and are trialling innovative activities	Self-assessment  Review of self-assessment by the Panel  Site visit by the Panel  Report	All non-financial benefits and recognition detailed above, plus: <ul style="list-style-type: none"> <li>› a contribution to professional development (\$2,000)</li> <li>› case studies are featured in INZ publications and internationally</li> <li>› INZ media release</li> </ul>	\$1500
<b>Stage 4</b> 	The council and community have implemented most of their Welcoming Plan. They are reflecting on their successes and sharing their knowledge and experience with other councils and communities in the welcoming network	Self-assessment  Review of self-assessment by the Panel  Site visit by the Panel  Report	All non-financial benefits and recognition detailed above, plus: <ul style="list-style-type: none"> <li>› a contribution to professional development (\$2,500)</li> <li>› support from INZ to leverage off status nationally and globally</li> </ul>	\$1500

### More information

For more information about accreditation go to the Welcoming Communities accreditation page on INZ’s website – [www.immigration.govt.nz/welcomingcommunities](http://www.immigration.govt.nz/welcomingcommunities) or email – [welcomingcommunities@mbie.govt.nz](mailto:welcomingcommunities@mbie.govt.nz)



**NEW ZEALAND  
IMMIGRATION**



**Welcoming  
Communities**  
TE WAHAROA KI NGĀ HAPORI

## An overview – June 2021



# Welcoming Communities – Video

<https://youtu.be/5L5Ay9cRfDI>



# Welcoming Communities – Objectives

The programme generates **social, economic, civic and cultural benefits**. It:

- supports councils and communities to welcome newcomers
- builds a competitive advantage to attract, support and retain newcomers
- grows social inclusion through welcoming activities
- fosters an environment where everyone can belong, participate, contribute and thrive
- builds community resilience
- enhances trust so that newcomers feel confident to raise unfair or biased behaviour, pressure or exploitation

# A global welcoming movement, driven by local effort...



# Welcoming Communities – Benefits

Councils and communities are seeing:

- stronger relationships between local residents, newcomers, local community groups and the council
- locals and newcomers celebrating each others cultures
- newcomers more confident to engage with the council
- improved access to services and resources for *all* newcomers
- local businesses owners valuing diversity in their work-force
- new local partnerships and collaborations to deliver Welcoming Plan activities



# Who's involved?

## Everyone:

- City or district councils
- Local iwi
- Newcomers and local residents and their families
- Community and faith-based groups
- Sectors – business, sport, culture, arts, education
- Government and non-government agencies



# Who's involved?



Hamilton City Council  
Tauranga City Council  
Western Bay of Plenty District Council  
Palmerston North City Council  
Whanganui District Council  
Rangitikei District Council  
Horowhenua District Council  
Masterton District Council  
Ashburton District Council  
Selwyn District Council  
Queenstown Lakes District Council  
Central Otago District Council  
Gore District Council  
Invercargill City Council  
Southland District Council



# New Zealand Migrant Settlement and Integration Strategy



## Inclusion

Migrants participate in and have a sense of belonging to their community and to New Zealand

# How Welcoming Communities is supported



## Knowledge sharing

Supporting local councils and communities to learn from each other and access resources.



## Standard + Welcoming Plans + Accreditation

Developing the Welcoming Communities Standard for New Zealand (the Standard) to benchmark practices and services in welcoming newcomers. Supporting councils and communities to develop and implement their own individual Welcoming Plans. A Welcoming Plan sets out what each community will do to make their region even more welcoming. Inviting councils and their communities to apply for accreditation under the Standard.



## Celebrating success

Showcasing success in Welcoming Plan activities and shining a light on the programme outcomes.



## Funding

Providing seed funding over three years to employ a Welcoming Communities coordinator to work with the community to implement the programme.

# Welcoming Communities Journey – Establishment

## Councils:

- Appoint a dedicated Welcoming Communities Coordinator
- Set up governance and community representative advisory groups
- Engage with local iwi
- Socialise the programme and engage with their communities
- Identify programme partners and champions
- Involve sectors (eg business), organisations, community groups, locals and newcomers

# Welcoming Communities Journey – Implementation

Councils and communities:

- Conduct a stocktake and review findings
- Benchmark themselves against the Standard
- Partner with others to develop, publish and implement their bespoke Welcoming Plan
- Grow the Welcoming Communities' profile in community
- Monitor outcomes and assess progress
- Apply for accreditation if they wish



# Critical success factors

- Appoint a dedicated coordinator early
- Get input from all teams in the council
- Engage with local iwi
- Use existing local and newcomer networks
- Draw on support from INZ and each other
- Involve local collaborators, partners and champions
- Select a representative advisory group who will “roll up their sleeves”
- Involve locals and newcomers in the stocktake and the Welcoming Plan.





[www.immigration.govt.nz/welcomingcommunities](http://www.immigration.govt.nz/welcomingcommunities)

<https://youtu.be/5L5Ay9cRfDI>

[welcoming.communities@mbie.govt.nz](mailto:welcoming.communities@mbie.govt.nz)

# Report to Council



**DATE:** 24 March 2022

**TO:** Mayor and Councillors

**FROM:** Community Development Advisor

---

## THREE MILE HALL FUNDS

### 1. Summary

- 1.1. The purpose of this report is to request Council to release funds to the Three Mile Hall Committee, from previously approved funding that Council put aside for the annotated pictorial portrayal of the history of the Three Mile Hall.
- 1.2. This issue arises from a request from the Three Mile Hall Committee.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council release funds to the Three Mile Hall Committee of up to \$3,000 for Phase 1 of the Three Mile Hall History Project.

### 2. Background

- 2.1. The reason the report has come before the Council is to consider a request from the Three Mile Hall Committee to release funds previously approved at a meeting of Council in August 2019. The total amount remaining in the fund for the Three Mile Hall is \$74,944.29 and has been set aside for the Three Mile Hall History Project.

### 3. Current Situation

- 3.1. The current situation is that the Three Mile Hall Committee have identified a researcher and scope of works for Phase 1 of the Three Mile Hall History Project. The Committee are requesting that funds of up to \$3,000 be released for the completion of Phase 1.

### 4. Options

- 1.5. Option 1: That Council release funds of up to \$3,000 to the Three Mile Hall Committee for Phase 1 of the Three Mile Hall History Project.
- 4.1. Option 2: That Council do not release funds to the Three Mile Hall Committee for Phase 1 of the Three Mile Hall History Project.

## **5. Risk Analysis**

5.1. Risk has been considered and no risks have been identified.

## **6. Health and Safety**

6.1. Health and Safety has been considered and no items have been identified.

## **7. Significance and Engagement**

7.1. The level of significance has been assessed as being low

7.2. No public consultation is considered necessary

## **8. Assessment of Options (including Financial Considerations)**

8.1. Option 1 – That Council release funds of up to \$3,000 for Phase 1 of the Three Mile Hall History Project. The advantage of this option is that funding has been set aside since 2019 and after deliberation the Three Mile Hall History Project Phase 1 is being actioned.

8.2. Option 2 - That Council do not release funds. The advantage of this is that funding can be held over to the next financial year and the Three Mile Hall Committee can launch Phase 1 in the next financial year. The disadvantage of this option is that these funds have been held since 2019 and the Three Mile Hall Committee have met and followed process to utilise these funds.

8.3. There are no financial implications to this option.

## **9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1

9.2. The reason that Option 1 has been identified as the preferred option is that this funding has been discussed and approved by the Three Mile Hall Committee, and it is timely that the Three Mile History Project be launched.

## **10. Recommendation(s)**

10.1. That the report be received.

10.2. Council release funds to the Three Mile Hall Committee of up to \$3,000 for Phase 1 of the Three Mile Hall History Project.

**Sarah Brown**  
**Community Development Advisor**



# Report to Council



**DATE:** 24<sup>th</sup> March 2022  
**TO:** Mayor and Councillors  
**FROM:** Planning Manager

---

## Completion of Revell Street Trial

### 1. Summary

- 1.1. The purpose of this report is to consider the successes and costs to date of the Revell Street Trial and whether the block of Revell Street between Weld Street and Hamilton Street should remain one way.
- 1.2. This issue arises from the one way trial of Revell Street being set to finish on March 31<sup>st</sup> 2022 as per Council resolution. The future of this block of Revell Street needs to be considered.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council accepts this report and directs staff to undertake a Special Consultative Procedure, with a proposal to retain the one way format at Revell Street (between Weld Street and Hamilton Street).

### 2. Background

- 2.1. The reason the report has come before the Council is due to end of the Revell Street one way trial being reached as of 31<sup>st</sup> March 2022.
- 2.2. Council directed staff to trial the ability for the Revell Street block between Weld Street and Hamilton Street to be made one way to traffic.
- 2.3. Over the initial trial period with feedback from public and Councillors, it was determined that the trial should also include consideration of visual improvement and provision of amenities to encourage use of the streetscape.
- 2.4. A second stage to the trial was undertaken with the introduction of decks and gabion baskets to provide seating areas alongside street upgrades. This work came from the Hokitika Revitalisation budget of \$146,000 with a spend of \$114,173.83 (see appendix 1).
- 2.5. The street upgrades were a separate planned programme of works to the seating areas and planters with the programme bought forward to carry out the upgrades in line with the trial.
- 2.6. The upgrades not included in the Hokitika Revitalisation Budget included kerb extension with sump upgrade, construction of asphalt speed pacifier/crossing points and road marking.

### 3. Current Situation

- 3.1. The current situation is that the trial is due to end on 31<sup>st</sup> March 2022.
- 3.2. Positive feedback has been received regarding Revell Street's current format and with consistent pedestrian use observed has served to make a point of interest.
- 3.3. Next steps now need to be considered to determine whether the one way road format continues in its current state or whether the street furniture is removed and the road returned to its original condition.

#### **4. Options**

- 4.1. Option 1: Proceed to Special Consultative Procedure with the proposal to retain Revell Street as a one way format between Weld Street and Hamilton Street.
- 4.2. Option 2: Do not proceed to Special Consultative Procedure but continue with the proposal to retain Revell Street as a one way format between Weld Street and Hamilton Street.
- 4.3. Option 3: Return Revell Street between Weld Street and Hamilton Street to both directions and remove the current street furniture.

#### **5. Risk Analysis**

- 5.1. Risk has been considered and no risks have been identified.

#### **6. Health and Safety**

- 6.1. Health and Safety has been considered and the following items have been identified:
- 6.2. This block of Revell Street has long been considered too narrow for two way traffic. The one way trial was originally instigated largely due to traffic safety concerns.

#### **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as being not significant but has had a high level of public interest.
- 7.2. Public consultation should be considered but is not mandatory.

#### **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 – Proceed to Special Consultative Procedure with the proposal to retain Revell Street as a one way format between Weld Street and Hamilton Street.
  - 8.1.1. The following financial implications have been identified: Staff and Council costs in running the Special Consultative Procedure have not been budgeted. The works relating to retaining Revell Street in its current format has already been accounted for through existing budgets with no additional spend required.
- 8.2. Option 2 – Do not proceed to Special Consultative Procedure but continue with the proposal to retain Revell Street as a one way format between Weld Street and Hamilton Street.
  - 8.2.1. The following financial implications have been identified: The works relating to retaining Revell Street in its current format has already been accounted for through existing budgets with no additional spend required.
- 8.3. Option 3 – Return Revell Street between Weld Street and Hamilton Street to both directions and remove the current street furniture.
  - 8.3.1. The following financial implications have been identified: There would be a cost in moving street furniture off site and changing carpark lines. This would need to come out of the

Hokitika Revitalisation Fund meaning less works able to be undertaken within the Town Centre.

## **9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1

9.2. The reason that Option 1 has been identified as the preferred option is that it allows for public input to be considered.

## **10. Recommendation(s)**

10.1. That the report be received.

10.2. That a Special Consultative Procedure be undertaken to allow Councillors to consider the public's feedback.

**Fiona Scadden**  
**Planning Manager**

**Appendix 1:** Revell Street Costs

Appendix 1

**Stage 1 – 2020/2021**

Revitalise Hokitika	Total approved budget: - \$100,000 Utilised amount: - \$53,238 Approved budget remaining: - \$46,762
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**Stage 2 - 2021/2022**

Revitalise Hokitika	Total approved budget: - \$146,000 Revell Street utilised amount: - \$114,173.83 Approved budget remaining: - \$31,826.17
Other activities run concurrently:	
Footpaths, associated works	- \$73,751.86
Drainage, associated works	- \$16,510

**Revitalise Hokitika Budget Summary 2020 to 2022**

Total approved budget	- \$200,000
Revell Street utilised amount	- \$167,411.83
Approved budget remaining	- \$32,588.17