

MASTERTON DISTRICT COUNCIL

COUNCIL AGENDA

MEETING

WEDNESDAY 3 AUGUST 2022

3.00PM

MEMBERSHIP

Her Worship (Chairperson)

Cr G Caffell

Cr D Holmes

Cr G McClymont

Cr T Nelson

Cr C Peterson

Cr B Gare

Cr B Johnson

Cr F Mailman

Cr T Nixon

Cr S Ryan

Notice is given that a meeting of the Masterton District Council will be held at 3.00pm on Wednesday 3 August 2022 at Waiata House, 27 Lincoln Road, Masterton.

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE CONSTRUED AS COUNCIL POLICY UNTIL
ADOPTED**

29 July 2022



Values

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

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

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

1

AGENDA

1. Karakia
2. Conflicts of Interest (Members to declare conflicts, if any)
3. Apologies
4. Public Forum
5. **Late items for inclusion under Section 46A(7) of the Local Government Official Information and Meetings Act 1987**
6. **Items to be considered under Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987:**
 - Minutes of the Council Meeting held with the public excluded on 29 June 2022
 - Civic Facility Working Group Appointments
7. **Confirmation of Minutes of the Council Meeting held on 29 June 2022 (086/22)**
Pages 101-115
8. **Confirmation of Minutes of the Extraordinary Council Meeting held on 19 July 2022 (088/22)**
Page 101

FOR DECISION

9. **PROHIBITION OF CONSUMPTION OR POSSESSION OF ALCOHOL - CASTLEPOINT AND RIVERSDALE BEACHES – LABOUR WEEKEND 2022 AND NEW YEAR CELEBRATIONS 2022/2023 (089/22)**
Pages 121-132
10. **WAIRARAPA COMBINED DISTRICT PLAN – PRIVATE PLAN CHANGE REQUEST (090/22)**
Pages 133-145
11. **DOG CONTROL POLICY AND PRACTICES REPORT 2021/2022 (092/22)** Pages 146-149

FOR INFORMATION

12. **CHIEF EXECUTIVE’S REPORT (091/22)** Pages 150-168
13. **MAYOR’S REPORT**
A verbal report will be provided

MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED COUNCIL MEETING – WEDNESDAY 3 AUGUST 2022

MOVED BY:

SECONDED BY:

That the public be excluded from the following parts of the proceedings of the meeting of the Masterton District Council:-

Confirmation of Minutes

14. Minutes of the Council Meeting held with the public excluded on 29 June 2022

2

General Business

15. Civic Facility Working Group Appointments

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Confirmation of minutes of the Council meeting held with the public excluded on 29 June 2022	Refer to page 115	Refer to page 115
Civic Facility Working Group Appointments	Section 7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

**MINUTES OF THE MEETING OF THE MASTERTON DISTRICT COUNCIL HELD IN
WAIATA HOUSE, 27 LINCOLN ROAD, MASTERTON ON WEDNESDAY 29 JUNE 2022
AT 3.00PM**

PRESENT

Mayor L Patterson, Deputy Mayor G McClymont, Councillors G Caffell, D Holmes, B Johnson, F Mailman (by zoom), T Nelson, T Nixon, C Peterson and S Ryan and iwi representative Ra Smith.

IN ATTENDANCE

Chief Executive, Manager Finance, Manager Community Facilities and Activities, Manager Communications and Engagement, Manager Strategy and Governance (by zoom), Manager Regulatory Services, Policy Manager, Senior Policy Advisor and Governance Advisor.

KARAKIA

Her Worship led the Karakia

CONFLICTS OF INTEREST

The Masterton Trust Land Trust Trustees (Councillor Caffell, Councillor Johnson, Councillor Mailman and Councillor Ryan) declared in relation to the item on the Aratoi Memorandum of Understanding, that the Trust was also a party to the agreement.

APOLOGIES

Moved Councillor T Nixon

That the apology for non-attendance from Councillor Gare be received.

Seconded by Councillor B Johnson and CARRIED

PUBLIC FORUM

David Famularo spoke about the health of Masterton streams and the Solway Stream in particular.

**LATE ITEMS FOR INCLUSION UNDER SECTION 46A(7) OF THE LOCAL
GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

There were no late items.

**ITEMS TO BE CONSIDERED UNDER SECTION 48(1)(A) OF THE LOCAL GOVERNMENT
OFFICIAL INFORMATION AND MEETINGS ACT 1987**

- Minutes of the Council Meeting held with the public excluded on 18 May 2022
- Report of the Audit and Risk Committee meeting held with the public excluded on 18 May 2022
- Civic Facility Working Group Appointments

102

Moved by Councillor C Peterson

That in terms of section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 the items be dealt with at this meeting.

Seconded by Councillor T Nixon and CARRIED

CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD ON 18 MAY 2022

(064/22)

Moved by Mayor L Patterson

That the minutes of the meeting of the Masterton District Council held on 18 May 2022 be confirmed.

Seconded by Councillor S Ryan and CARRIED

CONFIRMATION OF MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 23 MAY 2022 (067/22)

Moved by Mayor L Patterson

That the minutes of the extraordinary meeting of the Masterton District Council held on 23 May 2022 be confirmed.

Seconded by Councillor T Nixon and CARRIED

CONFIRMATION OF MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 15 JUNE 2022 (075/22)

Moved by Mayor L Patterson

That the minutes of the extraordinary meeting of the Masterton District Council held on 15 June 2022 be confirmed.

Seconded by Councillor C Peterson and CARRIED

REPORT OF THE AUDIT AND RISK COMMITTEE HELD 18 MAY 2022 (063/22)

The report of the Audit and Risk Committee meeting held on 18 May 2022 was taken as read. The following items had been considered:

- Service Provision Report – Aratoi
- Service Provision Report – Destination Wairarapa
- Non-Financial Performance 2021/22 Third Quarter Report
- Health and Safety Quarterly Report
- Nine Months to Date Financial Report 2021/22
- Progress Report on Audit NZ Recommendations for the Year Ended 30 June 2021

Moved Mayor L Patterson

That the Report of the Audit and Risk Committee held on 18 May 2022 (063/22) including the following resolutions be confirmed:

SERVICE PROVISION REPORT – ARATOI (054/22)

That Council receives the Service Provision Report 054/22, which provides

103

Aratoi Regional Trust's summary of Key Result Areas for the third quarter period of 1 January – 31 March 2022.

SERVICE PROVISION REPORT – DESTINATION WAIRARAPA (055/22)

That the Audit and Risk Committee receives the third quarter report (1 January 2022 – 31 March 2022) from Destination Wairarapa.

NON-FINANCIAL PERFORMANCE 2021/22 THIRD QUARTER REPORT (056/22)

That the Audit and Risk Committee receives the Quarter 3 non-financial performance report for the 2021/22 financial year.

HEALTH AND SAFETY QUARTERLY REPORT (057/22)

The Audit and Risk Committee notes the content and receives the Health and Safety Report for the quarter (1 February 2022 to 30 April 2022).

NINE MONTHS TO DATE FINANCIAL REPORT 2021/22 (058/22)

That Audit & Risk Committee receives the nine months to date financial report and commentary, including the Operating and Capital Expenditure Statements contained in Report 058/22.

PROGRESS REPORT ON AUDIT NZ RECOMMENDATIONS FOR THE YEAR ENDED 30 JUNE 2021 (059/22)

That the Audit & Risk Committee receives the report on the progress against recommendations made by Audit NZ following the audit of Masterton District Council for the year ended 30 June 2021.

Seconded Councillor T Nelson and CARRIED

REPORT OF THE INFRASTRUCTURE AND SERVICES COMMITTEE HELD 8 JUNE 2022
(073/22)

The report of the Infrastructure and Services Committee meeting held on 8 June 2022 was taken as read. The following items had been considered:

- Regulatory Services Infrastructure and Services Update
- Community Facilities & Activities Infrastructure and Services Update
- Infrastructure Update

Moved Councillor B Johnson

That the Report of the Infrastructure and Services Committee held on 8 June 2022 (073/22) including the following resolutions be confirmed:

SUBMISSION ON THE MINISTRY FOR THE ENVIRONMENT'S DRAFT NATIONAL ADAPTATION PLAN (072/22)

That the Infrastructure and Services Committee:

1. *Notes that the three Wairarapa District Councils agreed to make a joint submission in response to the Ministry for the Environment's draft National Adaptation Plan;*
2. *Notes that the three Wairarapa District Councils have approved the joint submission on the Ministry for the Environment's draft National Adaptation Plan (included as Attachment 1 to Report 072/22); and*
3. *Notes that the three Wairarapa District Council's joint submission on the Ministry for the Environment's draft National Adaptation Plan (included as Attachment 1 to Report 072/22) has been submitted to the Ministry for the Environment*

REGULATORY SERVICES INFRASTRUCTURE AND SERVICES UPDATE
(066/22)

That the Infrastructure and Services Committee notes the contents of Report 066/22.

COMMUNITY FACILITIES & ACTIVITIES INFRASTRUCTURE AND SERVICES UPDATE (069/22)

That the Infrastructure and Services Committee notes the contents of Report 069/22.

INFRASTRUCTURE UPDATE (070/22)

That the Infrastructure and Services Committee notes the information contained in Report 070/22.

UPDATE ON THE REVIEW OF THE WAIRARAPA LOCAL ALCOHOL POLICY
(071/22)

That the Infrastructure and Services Committee notes the contents of the Report 071/22.

Seconded Councillor Holmes and CARRIED

RURAL FIRE STATION TRANSFER (076/22)

The report seeking approval for the transfer of all rural fire stations to Fire and Emergency New Zealand (FENZ) was presented by the Manager Community Facilities and Activities.

It was noted that in relation to the Mauriceville rural fire station, Council did not own the land and had a ground lease from the Hatuma Lime Company. The recommendation did not reflect that so with the agreement of the meeting, an addition to 2. was made to provide that Council would negotiate lease terms with FENZ and the Hatuma Lime Company.

Moved Councillor D Holmes

That Council:

1. **Approves the transfer of all rural fire stations to Fire and Emergency New Zealand (FENZ) for \$1.00**
2. **Acknowledges that ground leases will then be prepared to cover the land the rural fire stations occupy at an annual rent of \$1 plus GST as per the current**

105

lease arrangements with the exception of Mauriceville where the Council will negotiate with FENZ and Hatuma Lime Company re lease conditions;

3. **Acknowledges that FENZ will be responsible for all electricity, gas, water, telecommunications and other utilities or services used or consumed by them and will be responsible for reimbursing Council for all rates, charges and assessments on the land.**

Seconded by Councillor Ryan and CARRIED

ARATOI MEMORANDUM OF UNDERSTANDING 2021 TO 2027 (082/22)

The report seeking Council approval of the proposed Aratoi Memorandum of Understanding (MOU) 2021 to 2027, contained in Attachment 1 to the report between Masterton District Council, Aratoi and Masterton Trust Lands Trust was presented by the Manager Community Facilities and Activities, who noted that the key change from the previous agreement was to move from a three to a six year MOU.

Moved Mayor L Patterson

That Council approves the proposed Aratoi Memorandum of Understanding 2021 to 2027 (between Aratoi, Masterton District Council, and Masterton Trust Lands Trust) contained in Attachment 1.

Seconded by Councillor Peterson and CARRIED

REMITTS FOR THE LOCAL GOVERNMENT NEW ZEALAND 2022 ANNUAL GENERAL MEETING (081/22)

The report seeking Council endorsement of the remits proposed in the Local Government New Zealand (LGNZ) 2022 Annual General Meeting Remits document was presented by the Chief Executive.

The Mayor advised that she would be attending the meeting and voting on the remits as determined by Council. The remits were discussed with members supporting all five.

Moved Mayor L Patterson

That Council

- i. **endorses the remits to the 2022 Local Government New Zealand Annual General Meeting; and**
- ii. **delegates authority to the Mayor to vote in accordance with Council's agreed position on each of the remits at the 2022 LGNZ AGM**

Seconded Councillor T Nelson and CARRIED

ADOPTION OF THE DRAFT MASTERTON DISTRICT CLIMATE ACTION PLAN FOR PUBLIC CONSULTATION (077/22)

The report seeking Council adoption of the draft Masterton District Climate Action Plan Consultation Document and proposed list of climate actions for public

106

consultation (Attachments 1 and 2 to Report 077/22) was presented by the Policy Manager who acknowledged the work the Community Focus Group had done in developing the Plan.

Moved Councillor S Ryan

That Council:

- a) **Notes that a climate change community focus group was established in July 2021 to provide advice and assist Council to develop a Masterton District Climate Action Plan;**
- b) **Adopts the draft Masterton District Climate Action Plan Consultation Document and proposed list of climate actions for public consultation (Attachments 1 and 2 to Report 077/22);**
- c) **Delegates authority to the Mayor and Chief Executive to approve minor edits that do not change the intent of the existing content in the draft Masterton District Climate Action Plan Consultation Document, prior to publication and consultation commencing; and**
- d) **Notes public consultation is scheduled from 1 July 2022 – 1 August 2022**

Seconded Councillor C Peterson and CARRIED

CIVIC FACILITY WORKING GROUP TERMS OF REFERENCE (083/22)

The report seeking Council's approval of the Civic Facility Working Group Terms of Reference, the disestablishment of the Civic Facility Project Committee and the establishment of the Civic Facility Working Group was presented by the Chief Executive.

In relation to a question about the \$300,000 budget in the Annual Plan for the Civic Facility Project it was advised that part of the budget would be spent on the review as the Working Group would be paid for their time, but that it had been included for any direction that would come from the new council.

Moved Mayor L Patterson

That Council

- 1) **Receives Report 083/22 Civic Facility Working Group Terms of Reference.**
- 2) **Approves the Civic Facility Working Group Terms of Reference.**
- 3) **Disestablishes the Civic Facility Project Committee and establishes the Civic Facility Working Group**

Seconded Councillor T Nixon and CARRIED

ADOPTION OF THE 2022/23 ANNUAL PLAN (078/22)

The report seeking Council adoption of the Annual Plan for 2022/23 was presented by the Manager Finance.

The rates increase and the implications of smoothing was discussed. The Manager Finance clarified that the borrowing from reserves had kept the rates increase for 2022/23 at the level it was and that smoothing meant future councils would need to put rates up to repay that borrowing from reserve funds.

In response to a question about whether smoothing was responsible in accounting terms, the Manager Finance advised that it was prudent to minimise the impact of rates increases on the community by using Council's reserves, but that it was a one off in an inflationary environment and couldn't continue forever.

Moved Mayor L Patterson

That Council:

- a) adopts the 2022/23 Annual Plan including the rating funding impact statement**
- b) adopts the associated 2022/23 Schedule of Fees and Charges;**
- c) delegates authority to the Chief Executive to approve minor edits prior to publication of the Annual Plan 2022/23 document; and**
- d) notes that the final 2022/23 Annual Plan will be published within one month of its adoption**

Seconded Councillor G McClymont and CARRIED

RATES RESOLUTION (080/22)

The report seeking Council adoption of the rates, due dates and penalty dates for the 2022-2023 year was taken as read.

Moved Mayor L Patterson

That Council

- (i) receives Report 080/22 Rates Resolution 2022-2023**
- (ii) having adopted its 2022/23 Annual Plan, sets the rates, due dates for payment and penalties regime for the 2022-2023 financial year as follows:**

2022-2023 MASTERTON DISTRICT COUNCIL RATES RESOLUTION

That, pursuant to the Local Government (Rating) Act 2002, the Masterton District Council, hereby sets the rates and charges as set out in this resolution in respect of rateable properties in the Masterton District for the period of one year commencing on 1st July 2022 and ending on 30th June 2023

108

The Council has adopted its 2022-23 Annual Plan, including a Rating Funding Impact Statement for 2022-23. The Rating Funding Impact Statement contains definitions of "Rural rating area", "Urban rating area" and "differential groups U1, U2 and R1" and "separately used or inhabited part of a rating unit". The resolution below will enable the Council to generate rating revenue to fund the services and activities as outlined in the 2022-23 Annual Plan.

RATES HEREBY SET IN THE DISTRICT:

Rates quoted are per dollar of land or capital value and are listed inclusive of GST. GST has been added at the prevailing rate of 15%.

Total dollars being raised are also stated inclusive of GST and have generally been rounded to nearest \$1,000.

All section references are references to the Local Government (Rating) Act 2002.

1. TARGETED RATES SET ACROSS THE DISTRICT

A series of targeted, differential rates set under section 16(3)(a) and (4)(b) will be set as described:

1.1 ROADING RATE – per dollar of **land value as follows:**

U1	(0.001347 per dollar of land value) raising	\$2,424,000
U2	(0.002694 per dollar of land value) raising	\$ 742,000
R1	(0.001366 per dollar of land value) raising	\$3,602,000
	Total	<u>\$6,768,000</u>

1.2 REPRESENTATION & DEVELOPMENT RATE – per dollar of **capital value as follows:**

U1	0.000638 per dollar of capital value raising	\$2,669,000
U2	0.001276 per dollar of capital value raising	\$ 758,000
R1	0.000250 per dollar of land value raising	\$1,000,000
	Total	<u>\$4,447,000</u>

1.3 REGULATORY SERVICES RATE – per dollar of **capital value as follows:**

U1	(0.000471 per dollar of capital value) raising	\$1,985,000
U2	(0.000942 per dollar of capital value) raising	\$ 559,000
R1	(0.000184 per dollar of capital value) raising	\$ 739,000
	Total	<u>\$3,283,000</u>

109

1.4 **SUNDRY FACILITIES & SERVICES RATE** – per dollar of **capital value**
as follows:

U1	(0.000504 per dollar of capital value) raising	\$2,124,000
U2	(0.001008 per dollar of capital value) raising	\$ 599,000
R1	(0.000208 per dollar of capital value) raising	\$ 834,000
	Total	<u>\$3,557,000</u>

2. **TARGETED UNIFORM CHARGE (TUC)**

A differential targeted rate [referred to as a Targeted Uniform Charge in the Funding Impact Statement] set in accordance with section 16(3)(a) and (4)(b) on each separately used or inhabited part of a rating unit, with a differential between urban and rural properties based on allocation of costs between rating areas, as detailed in the Revenue & Financing Policy and as follows:

U1 & U2	\$381.00 per part of rating unit, raising	\$3,768,000
R1	\$564.00 per part of rating unit, raising	\$2,248,000
	Total	<u>\$6,016,000</u>

3. **TARGETED CIVIC AMENITIES RATE**

A differential targeted rate set under sections 16(3)(b) and (4)(b), assessed in the urban rating area only, for civic amenities costs allocated to that area as per the Revenue and Financing Policy and as follows:

Civic Amenities Rate – per dollar of **capital value** as follows:

U1	0.000667 per dollar of capital value raising	\$2,811,000
U2	0.001334 per dollar of capital value raising	\$ 792,000
	Total	<u>\$3,603,000</u>

4. **TARGETED UNIFORM ROADING CHARGE (ROADING CHARGE)**

4.1 A differential targeted roading charge will be set in accordance with sections 16(3)(a) and (4)(b) 17 and 18. This rate is in addition to the (land value) Roading Rate, and will be set on each separately used or inhabited part of a rating unit.

4.2 The Uniform Roading Charge will be as follows:

U1& U2	\$ 66.00 per part of rating unit, raising	\$ 653,000
R1	\$ 388.00 per part of rating unit, raising	\$1,546,000
	Total	<u>\$2,199,000</u>

110

5. TARGETED URBAN WATER SUPPLY RATES AND CHARGE

Targeted on a Uniform Basis and a Capital Value Rate

- 5.1 According to sections 16(3)(b) and (4)(a) and (4)(b), and 19, a differential targeted Capital Value Rate applying to connected and serviceable rating units (excluding those rural properties charged by metered rate) plus a Uniform Charge for water supply for each separately used or inhabited part of a rating unit throughout the serviced area where the rating unit is connected to the Masterton urban water supply scheme.

Note: urban connected properties will be liable for both rates, rural connected properties will be liable for the uniform charge and a volume-based charge (as per 5.3 below).

- 5.2 The rates are as follows:

UNIFORM WATER SUPPLY CHARGE

(i)	Connected	\$ 123.00	Raising	\$
	1,211,000			

WATER SUPPLY RATE (with Differential) - per dollar of **capital value** will be:

U1 & R1	0.000650 per dollar of capital value raising	\$2,775,000
U2	0.001300 per dollar of capital value raising	847,000
	Total	<u>\$3,622,000</u>

The Rate and the Charge raising a total of \$ 4,833,000

Metered Water Supply

- 5.3 A targeted rate for water supplied to metered rural and out-of-district properties from the urban water supply, based on volumes of water supplied through water meters (and in addition to the Water Supply Charge in 5.2 above).

- 5.4 The metered rates are as follows:

- (i) Minimum charge for use per quarter for 50 cubic mtrs or below **\$67.00**
- (ii) Price per cubic mtr for consumption between 50 and 100 cubic mtrs per quarter **\$1.63**
- (iii) Price per cubic mtr for consumption over 100 cubic mtrs per quarter **\$2.10**

6. TARGETED URBAN SEWERAGE RATES AND CHARGE

Targeted on Uniform Basis and Capital Value Rate

112

- 8.2 A targeted rate for the **Tinui Water Supply** on each connected rating unit.

The uniform targeted charge for 2022-23 is: **\$485.00**

Raising a total of \$ 15,000

- 8.3 A targeted rate for the **Riversdale Beach Sewerage Scheme** on each assessed residential equivalent (RE) (based on Sch 3, cl 8 of the LG (Rating) Act 2002) of each connected rating unit (including those that will be connected during the year).

The uniform targeted charge for 2022-23 is: **\$623.00** per RE

Raising a total of \$ 245,000

- 8.4 A targeted rate for the **Riversdale Beach Sewerage Scheme** on each serviceable, but not connected rating unit within the serviced area of the scheme.

The targeted uniform charge for 2022-23 is: **\$141.00**

Raising a total of \$ 8,200

- 8.5 **Riversdale Beach Sewerage Capital Contributions**

Based on the Capital Project Funding Plan adopted in 2010, targeted rates for the Riversdale Beach Community Sewerage Scheme (RBCSS) capital contributions for the 2022-23 year will be charged on the basis of connected residential equivalents (REs) within the scheme area, on those properties that elected the 20 year time payment option, or were defaulted to that option, payable via property rates.

A **RBCSS 20 Year time payment** charge per residential equivalent connection for 2022-23 (year 13 of 20) of **\$1,643.40**

Estimated to be charged on 33 REs, raising a total of \$ 52,600

- 8.6 Targeted rates for the **Tinui Sewerage Scheme** for the 2022-23 year, on the basis of connected rating units and elected capital contributions. There will be three separate rates as follows:

The **Tinui Sewerage Operating Costs** rate per connected rating unit (and including Tinui School as 5 connections based on assessed usage) for 2021-22 is: **\$489.00**

Raising a total of \$9,200

113

The **Tinui Sewerage Part Capital Contribution (stage 1)** rate per connection for 2022-23 (year 17 of 20) is: **\$212.50** (1 property will be charged this sum, which meets their capital contribution spread over 20 years).

The **Tinui Sewerage Part Capital Contribution (stage 1 & 2)** rate per connection for 2022-23 (year 17 of 20) is: **\$744.50** (7 properties will be charged this sum, which meets their capital contribution spread over 20 years).

Raising a total of \$5,200

- 8.7 A targeted rate, known as the **Beach Refuse & Recycling Collection Charge**, on those rating units in the Riversdale Beach and Castlepoint localities to which the Council is prepared to provide refuse bag and recycling collection services: Targeted uniform charge for 2022-23 is: **\$220.00**
Raising a total of \$ 113,000

- 8.8 A targeted rate for the **Castlepoint Sewerage Scheme** on each rating unit connected to the scheme:
Targeted uniform charge for 2022-23 is: **\$563.00**
Raising a total of \$ 115,000

- 8.9 A targeted rate known as the **Sewage Treatment Charge** on each connected rating unit in the rural area discharging effluent from septic system outflows to the urban sewerage system, and including Rathkeale College assessed as 50 residential equivalents based on estimated flow volumes.

The targeted uniform charge is: **\$500.00** per residential equivalent

Raising a total of \$34,000

9. OUT-OF-DISTRICT WATER & WASTEWATER/SEWERAGE CHARGES

Council proposes to set the following charges (to be levied by Carterton District Council) for non-metered water supply and wastewater/sewerage services which are supplied to properties in the Carterton District on the following basis:

- (i) Water supply – per dollar of Capital Value will be \$0.001300 (applied to rating units connected and not metered) plus a Uniform Water Charge of \$123.00 on all connected rating units.
- (ii) Sewerage – per dollar of Capital Value at \$0.002116 on all serviceable rating units, plus a Uniform Sewerage Charge of \$204.00 on all connected rating units.
- (iii) Trade Waste bylaw charges (as listed in the schedule of fees and charges) if Trade Waste Charges are applicable,

10. GOODS & SERVICES TAX (GST)

GST has been added to the rates at the prevailing rate of GST and will be included in each instalment notice/tax invoice when it is raised.

11. INSTALMENTS, PENALTIES

Invoice Dates and Due Dates: There will be four instalments for rates assessed as follows:

		<u>Month of Invoice</u>	<u>Last Day to Pay</u>
(i)	1 st instalment	July 2022	22 nd August 2022
(ii)	2 nd instalment	October 2022	21 st November 2022
(iii)	3 rd instalment	January 2023	20 th February 2023
(iv)	4 th instalment	April 2023	22 nd May 2023

Penalty Charges - Pursuant to section 57 and 58(1)(a) a penalty as listed below will be added to such part of each instalment of rates which remain unpaid on the due date as follows:

		<u>Penalty %</u>	<u>Date Penalty Added</u>
(i)	1 st instalment	10%	23 rd August 2022
(ii)	2 nd instalment	10%	23 rd November 2022
(iii)	3 rd instalment	10%	22 nd February 2023
(iv)	4 th instalment	10%	23 rd May 2023

Penalty on Arrears - Pursuant to section 58(1)(b)(ii) an additional penalty of 10% will be added to all rates remaining unpaid as at 30th June 2022. The penalty will be applied on 8th July 2022.

Roundings - The Rates Statements will be subject to roundings. The rates due will be calculated to the nearest cent but rounded to the nearest 10 cents for ease of payment.

Seconded by Councillor G McClymont and CARRIED

CHIEF EXECUTIVE'S REPORT (079/22)

Pages 334-343

The report providing an update on Council operations and projects was presented by the Chief Executive.

Moved Mayor L Patterson

That Council notes the information contained in the Chief Executive's report 079/22.

Seconded Councillor T Nixon and CARRIED

MAYOR'S REPORT (084/22)

The report providing an update on the Mayor's activities was presented by Her Worship.

Moved Mayor L Patterson

That Council receives the information in the Mayor's Report 084/22.

Seconded by Councillor McClymont and CARRIED

MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED COUNCIL MEETING
- WEDNESDAY 29 JUNE 2022 at 4.39

MOVED BY: Mayor L Patterson

That the public be excluded from the following parts of the proceedings of the meeting of the Masterton District Council:-

Confirmation of Minutes

21. Minutes of the Council Meeting held with the public excluded on 18 May 2022
22. Confirmation of the Report of the Audit and Risk Committee meeting held with the public excluded on 18 May 2022

General Business

23. Civic Facility Working Group Appointments

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Confirmation of minutes of the Council meeting held with the public excluded on 18 May 2022	Refer to pages 106-107	Refer to pages 106-107
Confirmation of minutes of the Audit and Risk Committee meeting held with the public excluded on 18 May 2022	Refer to page 404-405	Refer to page 404-405
Civic Facility Review Working Group Appointments	Section 7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

Seconded by Councillor S Ryan and CARRIED

The meeting moved into public excluded at 4.39pm

The meeting moved out of public excluded at 4.54pm

Confirmed at the Meeting of the Council held 3 August 2022

The meeting closed at 4.54pm

.....

**MINUTES OF THE EXTRAORDINARY MEETING OF THE MASTERTON DISTRICT
COUNCIL HELD AT WAIATA HOUSE, 27 LINCOLN ROAD, MASTERTON ON WEDNESDAY
19 JULY 2022 AT 4.00PM**

PRESENT

Mayor Lyn Patterson (Chair), Councillors G Caffell, B Gare, D Holmes, F Mailman, T Nelson, T Nixon, C Peterson and S Ryan.

IN ATTENDANCE

Chief Executive, Manager Community Facilities and Activities, Manager Strategy and Governance, Manager Regulatory Services, Manager Assets and Operations, Manager Communications and Engagement, Policy Manager, Senior Policy Advisor and Governance Advisor.

KARAKIA

Her Worship led the karakia.

CONFLICTS OF INTEREST

No conflicts were declared.

APOLOGIES

Moved Councillor Holmes

That the apologies received from Councillor B Johnson, Councillor G McClymont and iwi representative Ra Smith be received.

Seconded Councillor Gare and CARRIED

SUBMISSION ON THE WATER SERVICES ENTITIES BILL (087/22)

This report seeking Council's endorsement of the submission to the Finance and Expenditure Select Committee in response to the Water Services Entities Bill was presented by the Chief Executive.

The Mayor advised that she would appear before the Committee to present the submission.

Moved by Councillor T Nixon

That Council

- i. notes that submissions to the Finance and Expenditure Select Committee on the Water Services Entities Bill are due by 22 July 2022, and**
- ii. endorses the contents of the draft submission to the Committee attached to Report 087/22. (Attachment 1).**

Seconded by Councillor D Holmes and CARRIED

[Note to minutes: The final submission is attached as Minutes Attachment 1]

The meeting closed at 4.15 pm



19 July 2022

Finance and Expenditure Committee
Parliament Buildings
Wellington

Masterton District Council Submission – Water Services Entities Bill

Tēnā koutou katoa,

This submission provides Masterton District Council's (MDC) feedback on the Water Services Entities Bill.

We appreciate the opportunity to submit on this Bill and would welcome the opportunity to speak to our submission.

The provision of Three Waters services is a key responsibility for MDC, and we feel a strong obligation to our community to ensure that these services are provided safely and to the highest possible standards.

We have not had the opportunity to consult with our community on the contents of the Bill, given the short timeframe, but note that there is a keen interest in the Three Waters reforms and its impacts. This submission has been prepared by officials and endorsed by Council.

Consideration of other submissions on the Bill

MDC has had the opportunity to consider draft submissions from Local Government New Zealand and Taituarā which raise a broad spectrum of issues and concerns the sector has. MDC draws on some of the points made in those submissions.

Masterton District Council is a participating council in the Communities 4 Local Democracy (C4LD) coalition. We have had the opportunity to consider C4LD's draft submission which disagrees with the policy approach of Government and proposes that the Bill does not proceed in favour of the development of a framework for local authorities to provide their own solutions for meaningful change to Three Waters asset governance and management while retaining ownership of the assets involved. MDC supports that position but focuses its comments in this submission on the provisions of the Bill should it proceed.

Key comments on the Bill

The Bill is only a framework to establish the Water Services Entities (WSEs) and arrangements with local authorities, Mana Whenua and other parties. The critical detail of the WSE operations, regulatory framework, and relationship with territorial authorities (particularly land use planning) has not yet been developed. MDC support a delay to the first Bill in order for the community, stakeholders and Parliament to understand the full complexities of the proposed system before proceeding with this Bill.

Given these complexities, MDC also support a staged approach to transition similar to that considered for the Resource Management Act (RMA) reforms. Submitters and other commentators have noted the particular complexity and interrelationship of stormwater assets and services with other aspects of territorial authority functions and private property rights. MDC do not consider that the case for the inclusion of stormwater within the reforms is sufficiently made out and the proposals in the Bill do not respond to the challenges posed. MDC would support either removal of stormwater from the Bill or a phased transition to WSEs following further policy work.

MDC does not support privatisation of three waters services as it is a human necessity, and supports the measures contained within the Bill to retain public ownership. However, MDC does not support entrenchment of the provisions as entrenchment is a fundamental limit on parliamentary sovereignty and should be reserved for matters of a constitutional nature.

We support the work of the Three Waters Working Group on Representation, Governance and Accountability (Governance Group) to improve governance arrangements for the WSEs. However, we remain concerned that there is a significant loss of local voice, including a lack of adequate representation of territorial authority views on the RRG; a requirement for RRGs to engage with advisory groups where established; that the engagement requirements are weak and there is a lack of depth as to how the customer will interact with the WSE outside of the engagement provisions. These matters are critical to the success of the reforms.

We are concerned that affordability of water services does not appear to be a paramount consideration for WSEs. We anticipate that the issue would form part of the economic regulation of WSEs but consider that it should be specifically included in the objectives and/or operating principles for the WSEs.

MDC does not support the transfer of costs incurred by the Crown to the WSE (*Schedule 1, clause 26*). Policy development, set up and compensation for transfer of assets is the function of the Crown and associated costs should be met by the Crown, not end users of water services who have had no influence on how those costs have accrued.

Comment on specific aspects of the Bill

Additional to the overall comment above, we also have feedback on specific areas on the Bill as detailed below:

- Territorial authorities should be specifically included within the list of parties the Minister must consult with in the preparation and review of the Government policy statement on water services (*Part 4 clause 131*).
- The process for amending or replacing the constitution, as set out in *Part 2 cl 95*, does not include any requirement for engagement or consultation with communities. As the Minister of Local Government will be taking the final decisions on the constitutions, this decision making should be supported by meaningful input from local communities.
- The constitution requirements for the WSEs (*clause 91*) should specify that that the RRG must reflect the nature of the territorial authorities represented, in particular the metropolitan, rural and provincial nature of authorities (recommended by the Governance Group).

- The Bill reflects the Crown’s policy position that Te Mana o te Wai statements are the sole responsibility of Mana Whenua in that Mana Whenua are the only party required to take part in their preparation (*Part 4 cl 140 and 141*). We note that this has the potential to undermine existing relationships and agreements between iwi and others and places significant responsibility on Mana Whenua to “get it right”. It also risks challenges to, or lack of support for the Te Mana o te Wai statements, and boards giving effect to them.
- The Bill is light on details regarding consultation and engagement with local communities. While some detail is set out in *Part 6 cl 202*, there is a lack of clarity on what engagement and consultation entails, and at what level this is required. Although ‘engagement’ encompasses a broad spectrum of involvement with stakeholders and can include co-design and devolved decision making, a de minimis approach of simply informing about proposals can also be taken. Given community interest in the Three Waters reforms, greater prescription around community and stakeholder input and the subsequent influence on decision making is required, as is currently the case for territorial authorities through the LGA.
- The Bill does not specify linkages between the WSE planning documents/operations and local authority LTPs and key strategies or how WSEs will give effect to community outcomes or wellbeing as determine by the community and local authorities. Further, there is no provision within the Bill for WSEs to deliver the programme of work set out in the LTP and asset management plans. This will be of particular importance during the transition period in the first few years of WSE operations.
- In *Schedule 1 cl 5* the establishment Chief Executive must prepare an allocation schedule that specifies the assets and liabilities to be transferred to the WSE. Local government organisations must facilitate the preparation of the allocation schedule but there is otherwise no provision for inputting and challenging the allocation schedule. Given the importance this will have in the work of the WSEs there should be a process for regional representatives to influence the decision making around the content of the allocation schedule. Territorial authorities should also be able to challenge the allocation schedule if necessary, either directly or via an arbitration mechanism.
- The transfer of resource consents needs to be specified to ensure the independence of WSEs (*clause 115*).
- In order to maintain public confidence and accountability we consider it appropriate for the WSEs strategic planning and accountability documents to be prospectively audited. Similarly, we consider that the Bill should fully align the requirements for public meetings of WSEs and meetings of the RRGs and regional advisory panels to the LGA and Local Government Official Information and Meetings Act 1987 for transparency and consistency purposes.

Ngā mihi nui,



David Hopman
Chief Executive



Lyn Patterson
Mayor

To:	Your Worship and Elected Members
From:	Terri Mulligan, Environmental Services Manager Steve May, Manager Regulatory Services
Endorsed by:	David Hopman, Chief Executive
Date:	3 August 2022
Subject:	Prohibition of Consumption or Possession of Alcohol - Castlepoint and Riversdale Beaches – Labour Weekend 2022 and New Year Celebrations 2022/2023
RECOMMENDATION	
Recommendation:	
That Council:	
<ul style="list-style-type: none"> i. Adopts, in accordance with the Masterton District Council Alcohol Control Bylaw 2018 and Section 147 of the Local Government Act 2002, a prohibition on the consumption or possession of alcohol in public places at Castlepoint and Riversdale during Labour Weekend 2022 on Friday, Saturday and Sunday nights from 7 pm to 7 am the next day. ii. Adopts, in accordance with the Masterton District Council Alcohol Control Bylaw 2018 and Section 147 of the Local Government Act 2002, a prohibition on the consumption or possession of alcohol at Castlepoint and Riversdale from 6 pm Friday 30 December 2022 to 6 am Sunday 1 January 2023. iii. Adopts a prohibition on vehicles at Castlepoint and Riversdale Beach townships on New Year's Eve 2022 from 4 pm Saturday 31 December 2022 to 6 am Sunday 1 January 2023. 	

Purpose

The purpose of this report is to recommend to Council to give public notice of a prohibition on the consumption or possession of alcohol in the public roads and places within the Riversdale and Castlepoint resort areas for Labour weekend 2022 and New Year 2022/2023 celebrations and a prohibition on vehicles at New Year 2022/2023.

Background

Masterton District Councils Alcohol Control Bylaw came into effect on 12 December 2018. Masterton CDB and the Skatepark are alcohol-free zones at all times. Queen Elizabeth Park is alcohol-free at 9pm to 7am. Pursuant to section 8.1 of the Masterton District Council Bylaw 2018, Council has the power to amend by resolution make additions to the schedules.

The prohibition of vehicles and consumption or possession of alcohol has in the past proved to be an extremely useful deterrent to anti-social behaviour at the two beach resorts during Labour weekend and New Year celebrations. The prohibition does not apply to licensed premises or their outdoor areas, or to people carrying unopened alcohol containers from licensed premises to areas outside the alcohol-free zone or to a private property. See Attachment 1 for further information relating to officer powers and infringements for offences in relation to a prohibition.

The Police have confirmed that they would like the prohibition provisions to be invoked again for Labour weekend and the 2023 New Year period at the two resort areas. Collaboration between the Council and Wairarapa Police in the past has had a positive effect to reduce alcohol driven harm in the coastal communities (see Attachment 2 for a letter of support from Police).

Significance and Engagement

The Significance and Engagement Policy has been considered. Because there has been recent consultation on the Alcohol Control Bylaw the Council already has an understanding of the views and preferences of the interested or affected parties. No further consultation is recommended.

As part of the Masterton District Council Alcohol Control Bylaw 2018 consultation public feedback was sought. Five submissions were received, all submitters supported both alcohol-free zones and vehicle bans (road closures).

A survey specifically relating to alcohol control measures at Castlepoint and Riversdale Beach was open for feedback from 21 December 2018 to 28 February 2019. Seventy seven people responded to the survey.

91% (70) supported alcohol-free zones and 9% (7) were against them. The survey results for the vehicle ban at Castlepoint/Riversdale Beach for the 2018-19 New Year's period showed 76% (59 individuals) supporting the vehicle ban, and 21% (16 people) against the ban, with 4% (three people) saying they didn't know.

Financial Considerations

Contractors are used to patrol the road closure until 8pm. The cost has been budgeted for within existing operational budgets.

Treaty Considerations/Implications for Māori

There are no specific implications for Māori arising from the decision to adopt the prohibition in accordance with the Masterton District Council Alcohol Control Bylaw 2018

Communications/Engagement Plan

The community will be notified of the planned prohibitions via public notice, and through social media posts along with posters throughout the settlements such as the shop notice boards. Residents and people staying at accommodation will be encouraged to have proof of accommodation to ensure they can drive to the properties.

Environmental/Climate Change Impact and Considerations

The prohibition on alcohol and vehicles is not considered to have a significant impact on the environment.

Options for Alcohol Prohibition

Option 1 - Invoke the Prohibitions

Invoking a prohibition as outlined above would continue a harm prevention / harm minimisation stance and enable police greater powers if needed. Police support this option. Feedback from submitters and ratepayer associations in 2018 also supports this option.

Option 2 - Do Not Invoke Prohibitions in 2022/2023

Having no prohibition in place increases the risk of issues occurring at one or both beaches; and of police not being able to respond as quickly to address issues if they do occur. This also increases the risk of more serious incidents occurring.

Detailed proposed prohibition:

The prohibition of **vehicles** is intended to run from:

- 4pm Saturday 31 December 2022 to 6am Sunday 1 January 2023

The prohibition of **alcohol** is intended to run from:

- 7pm to 7am the next day on Friday 21 October, Saturday 22 October and Sunday 23 October 2022.
- 6pm Friday 30 December 2022 to 6am Sunday 1 January 2023.

The prohibition of **vehicles and alcohol** will affect the following areas:

Riversdale

- Orui Station/Riversdale Road intersection, and along Riversdale Road to Riversdale township, Bodle Drive to the lagoon and including Riversdale Beach from the lagoon to the Southern Riversdale Reserve to the water's edge. From Blue Pacific Parade and Bodle Drive intersection along Blue Pacific Parade to and including the Southern Riversdale Reserve including the beach to the water's edge. (Map in Attachment 3).

- From Riversdale Road and Pinedale Crescent intersection along Pinedale Crescent to the intersection with Blue Pacific Parade.
- The southern terrace off Palm Parade and the middle terrace off Pinedale Crescent being Rochdale Road, Otaraia Road, Bull Lane, Tama Road, Pukeko Place and Knoyle Road.
- This includes all public places, public parks and accessways into the defined area where the prohibition will be extended to.

Castlepoint

- From the Castlepoint motorcamp to the Castlepoint Lagoon, including Jetty Road and Castlepoint Beach to the water's edge. From in front of the motorcamp to the Castlepoint Lagoon, including Castlepoint Reserve. Also including Guthrie and Balfour Crescents and all public roads and places to which the public have access within the township of Castlepoint. (Map in Attachment 4).

Public Notice

If approved, the decision will be publicly notified in the local media in accordance with the requirements of Masterton District Council Alcohol Control Bylaw 2018 and Section 147 of the Local Government Act 2002.

The Policing Act 2008

35 Temporary closing of roads

(1) A constable may temporarily close to traffic any road, or part of a road, leading to or from or in the vicinity of a place, if the constable has reasonable cause to believe that—

- (a) public disorder exists or is imminent at or near that place; or
- (b) danger to a member of the public exists or may reasonably be expected at or near that place; or
- (c) an offence punishable by 10 or more years' imprisonment has been committed or discovered at or near that place.

(2) In this section,—

road has the meaning given in section 315(1) of the Local Government Act 1974 except that it includes—

- (a) a motorway within the meaning of section 2 of the Transit New Zealand Act 1989; and
- (b) a private road within the meaning of section 315(1) of the Local Government Act 1974; and
- (c) a private way within the meaning of section 315(1) of the Local Government Act 1974 temporarily means for a period that is reasonably necessary in the circumstances traffic means all or any specified type of traffic (including pedestrian traffic).

36 Care and protection of intoxicated people

(1) A constable who finds a person intoxicated in a public place, or intoxicated while trespassing on private property, may detain and take the person into custody if—

- (a) the constable reasonably believes that the person is—
 - (i) incapable of protecting himself or herself from physical harm; or
 - (ii) likely to cause physical harm to another person; or
 - (iii) likely to cause significant damage to any property; and
- (b) the constable is satisfied it is not reasonably practicable to provide for the person's care and protection by—
 - (i) taking the person to his or her place of residence; or
 - (ii) taking the person to a temporary shelter.

(2) A person detained under subsection (1)—

- (a) must be released as soon as the person ceases to be intoxicated;
- (b) must not be detained longer than 12 hours after the person is first detained, unless a health practitioner recommends that the person be further detained for a period not exceeding 12 hours.

(3) A health practitioner must not recommend the further detention of a person detained under subsection (1) unless the health practitioner satisfies himself or herself that—

- (a) the person remains intoxicated and is incapable of protecting himself or herself from physical harm; and
- (b) the person does not have health needs that may require medical attention; and
- (c) it is not reasonably practicable to provide for the person's continuing care and protection by—

- (i) taking the person to his or her place of residence; or
- (ii) taking the person to a temporary shelter.

(4) In this section,—

intoxicated means observably affected by alcohol, other drugs, or substances to such a degree that speech, balance, co-ordination, or behaviour is clearly impaired temporary shelter means a place (other than a place operated by the Police) that is capable of providing for the care and protection of an intoxicated person.

(5) Section 31 of the Crimes Act 1961 applies in respect of the power to detain and take a person into custody under this section as if the power were a power of arrest.

Compare: 1966 No 97 ss 37A, 38; 1992 No 46 s 122A

Local Government Act 1974

Temporary prohibition of traffic

11 The council may, subject to such conditions as it thinks fit (including the imposition of a reasonable bond), and after consultation with the Police and the New Zealand Transport Agency, close any road or part of a road to all traffic or any specified type of traffic (including pedestrian traffic)—

- (a) while the road, or any drain, water race, pipe, or apparatus under, upon, or over the road is being constructed or repaired; or
- (b) where, in order to resolve problems associated with traffic operations on a road network, experimental diversions of traffic are required; or
- (c) during a period when public disorder exists or is anticipated; or
- (d) when for any reason it is considered desirable that traffic should be temporarily diverted to other roads; or
- (e) for a period or periods not exceeding in the aggregate 31 days in any year for any exhibition, fair, show, market, concert, film-making, race or other sporting event, or public function:

provided that no road may be closed for any purpose specified in paragraph (e) if that closure would, in the opinion of the council, be likely to impede traffic unreasonably.

11A The council shall give public notice of its intention to consider closing any road or part of a road under clause 11(e); and shall give public notice of any decision to close any road or part of a road under that provision.

11B Where any road or part of a road is closed under clause 11(e), the council or, with the consent of the council, the promoter of any activity for the purpose of which the road has been closed may impose charges for the entry of persons and vehicles to the area of closed road, any structure erected on the road, or any structure or area under the control of the council or the promoter on adjoining land.

11C Where any road or part of a road is closed under clause 11(e), the road or part of a road shall be deemed for the purposes of—

- (a) [Repealed]
- (b) the Traffic Regulations 1976:
- (c) the Transport (Drivers Licensing) Regulations 1985:

(d) [Repealed]

(e) the Transport (Vehicle Registration and Licensing) Notice 1986:

(ea) the Land Transport Act 1998:

(f) any enactment made in substitution for any enactment referred to in paragraphs (a) to

(ea) not to be a road; but nothing in this clause shall affect the status of the road or part of a road as a public place for the purposes of this or any other enactment.

12 The powers conferred on the council by clause 11 (except paragraph (e)) may be exercised by the chairman on behalf of the council or by any officer of the council authorised by the council in that behalf.

13 Where it appears to the council that owing to climatic conditions the continued use of any road in a rural area, other than a State highway or government road, not being a road generally used by motor vehicles for business or commercial purposes or for the purpose of any public work, may cause damage to the road, the council may by resolution prohibit, either conditionally or absolutely, the use of that road by motor vehicles or by any specified class of motor vehicle for such period as the council considers necessary.

14 Where a road is closed under clause 13, an appropriate notice shall be posted at every entry to the road affected, and shall also be published in a newspaper circulating in the district.

15 A copy of every resolution made under clause 13 shall, within 1 week after the making thereof, be sent to the Minister of Transport, who may at any time, by notice to the council, disallow the resolution, in whole or in part, and thereupon the resolution, to the extent that it has been disallowed, shall be deemed to have been revoked.

16 No person shall—

(a) use a vehicle, or permit a vehicle to be used, on any road which is for the time being closed for such vehicles pursuant to clause 11; or

(aa) without the consent of the council or the promoter of any activity permitted by the council, enter or attempt to enter, or be present, on any road or part of a road that is for the time being closed to pedestrian traffic pursuant to clause 11; or

(b) use a motor vehicle, or permit a motor vehicle to be used, on any road where its use has for the time being been prohibited by a resolution under clause 13.



12 July 2022

Masterton District Council
Lincoln Road
MASTERTON 5810

Attention: Terri Mulligan

Dear Terri

Re: 2022-2023 Alcohol Ban and Road Closure Submissions – Wairarapa Police

Thank you for the opportunity to provide input into the Council's decision process of implementing the alcohol bans over the 2022 Labour Weekend and New Year's period at the coastal locations of Castlepoint and Riversdale Beach. This submission will also cover road closure proposals for the same locations over the end of year Christmas to New Year period. Over the last five years, our experience, from previous years, has been collated to indicate the positive impact of road closures on the alcohol usage in the coastal community.

LABOUR WEEKEND

Historically, Labour weekend was a time which signalled the first break after winter and the start of increased activity at Castlepoint and Riversdale Beaches. Riversdale Beach particularly attracted disorderly groups with amenities such as the golf course suffering damage and the streets littered with debris. The liquor ban was introduced and over time the attitudes and behaviours of both locations has become more family focused with very few callouts for Police service.

Historically, Labour weekend 2018 required Police intervention at a private address in Castlepoint when an intoxicated male caused issues at a private party. With the alcohol ban in place, the incident was contained within the boundaries of one property. If the alcohol ban had not been in place, it is highly likely that this would have spilled out and had a wider impact on neighbouring residents. It would have also increased the risk to attending Police staff if people were milling around, carrying glass bottles, under the influence of alcohol.

The Wairarapa Police support the retention of the alcohol ban for the Labour weekend period as it provides us with a resource to use as part of a graduated response to target alcohol driven harm as and when required.

Over the recent years, the Labour weekend alcohol ban has not had to be actively policed and is seen more as a component of the Police tool kit which can be called upon on a case by case basis. The liquor ban enables a least restrictive option for

Masterton Police

21 Church Street, Masterton 5810, PO Box 443, Masterton 5840
Telephone: 06 370 0300 www.police.govt.nz



enforcement. The issuing of infringements early has been proven (from previous New Year's Eve breaches) to have a very beneficial ripple effect, especially with our youth and their use of social media to spread news.

NEW YEAR'S EVE PERIOD

Over the last five years, there has been a significant reduction in alcohol related crime and activity at the coastal communities, other than New Year's Eve holiday period.

Traditionally, it is a time for celebration, reflecting on the year past and the promise of what the New Year will bring. The celebrations generally involve alcohol consumption, often to excess. Behaviour, judgement and personal safety are often affected in a negative way.

The 2016-2017 New Year period, Castlepoint area was a go-to area and parents were seen delivering car loads of young collage age students and supplying them with alcohol, without checking where they would be staying and then driving to Town. This particular period would turn out to be the peak of what had slowly escalated over previous years. Wairarapa Police staff spent that New Year trying to manage and keep and contain 300 youths safe, whilst responding to serious assaults, heavily intoxicated and disorderly groups and in one situation, saved a drunken, unconscious girl from a potential sexual assault. There were also theft complaints and increased lost property reports. And, in the aftermath, local residents spent the early mornings cleaning up the widespread debris.

At that time, Riversdale Beach had very few issues and the public reaction to the alcohol ban was positive.

Since that time, there has been a significant shift in that Castlepoint has become the quieter of the two beaches, but the alcohol ban has clearly played a part in being able to restrict the movement of people in and out of the settlement and allowing the locals (rate payers) to enjoy the celebrations, without carloads of young people arriving.

However, Riversdale, on the other hand, has, and which culminated in 2021/22 year, become a mecca for youth, many with alcohol, unsupervised, wandering around causing trouble which caused numerous issues for both rate payers, residents and Police and there were eight callouts for assistance at that Beach.

Progress has been made to ensure residents of the two Masterton coastal communities are free of alcohol driving harm highlights the benefits of the alcohol and vehicle ban. The recent successes rely on a combination of factors which would include the education of parents and students, the corroboration approach between Council and Police, the implementation of well publicised alcohol and vehicle ban, early intervention and consistency of messaging to the public.

Lastly, all involve applying a common sense approach that ensures that those creating risk are able to be singled out, without impacting too greatly on the general public.

The continuation of vehicle bans at these locations, during the New Year's Eve period, also helps control the access to those who might wish to breach the alcohol ban and enables further opportunities to hold conversation and educate the public to ensure that the evening's passed in safe and enjoyable ways.

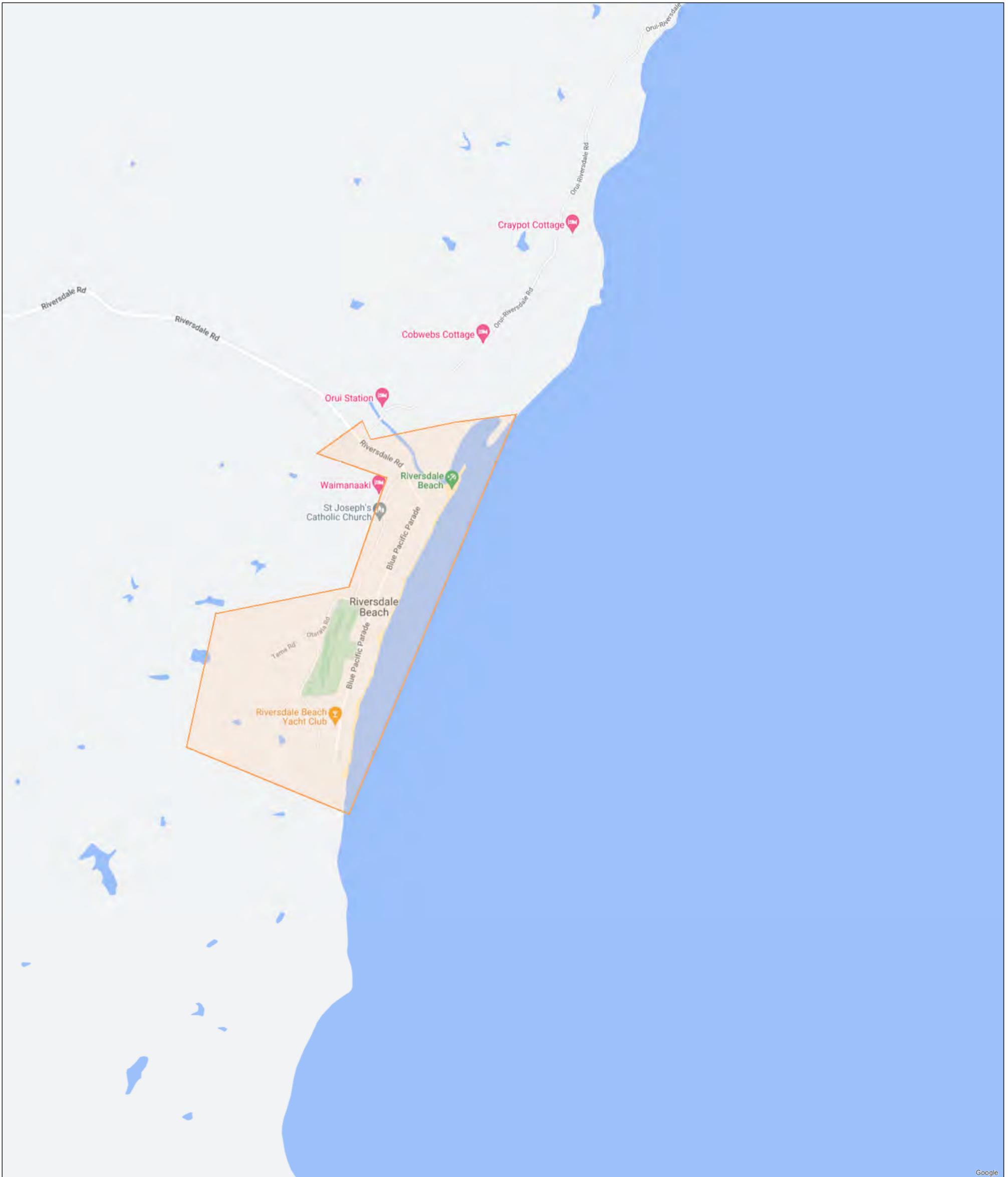
The atmosphere that is created by keeping the main thoroughfare clear of vehicles, so that families can move freely as pedestrians, adds to the sense of safety.

The Wairarapa Police respectfully request that the Masterton District Council support the continued application for the alcohol ban for the Labour weekend and the New Year's Eve period at the Castlepoint and Riversdale Beach locations as this will ensure that the momentum continues to keep these popular locations safe and free of alcohol driven harm.

Yours respectfully

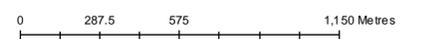


Gillian Flower
Acting Senior Sergeant
Prevention Manager
WAIRARAPA POLICE



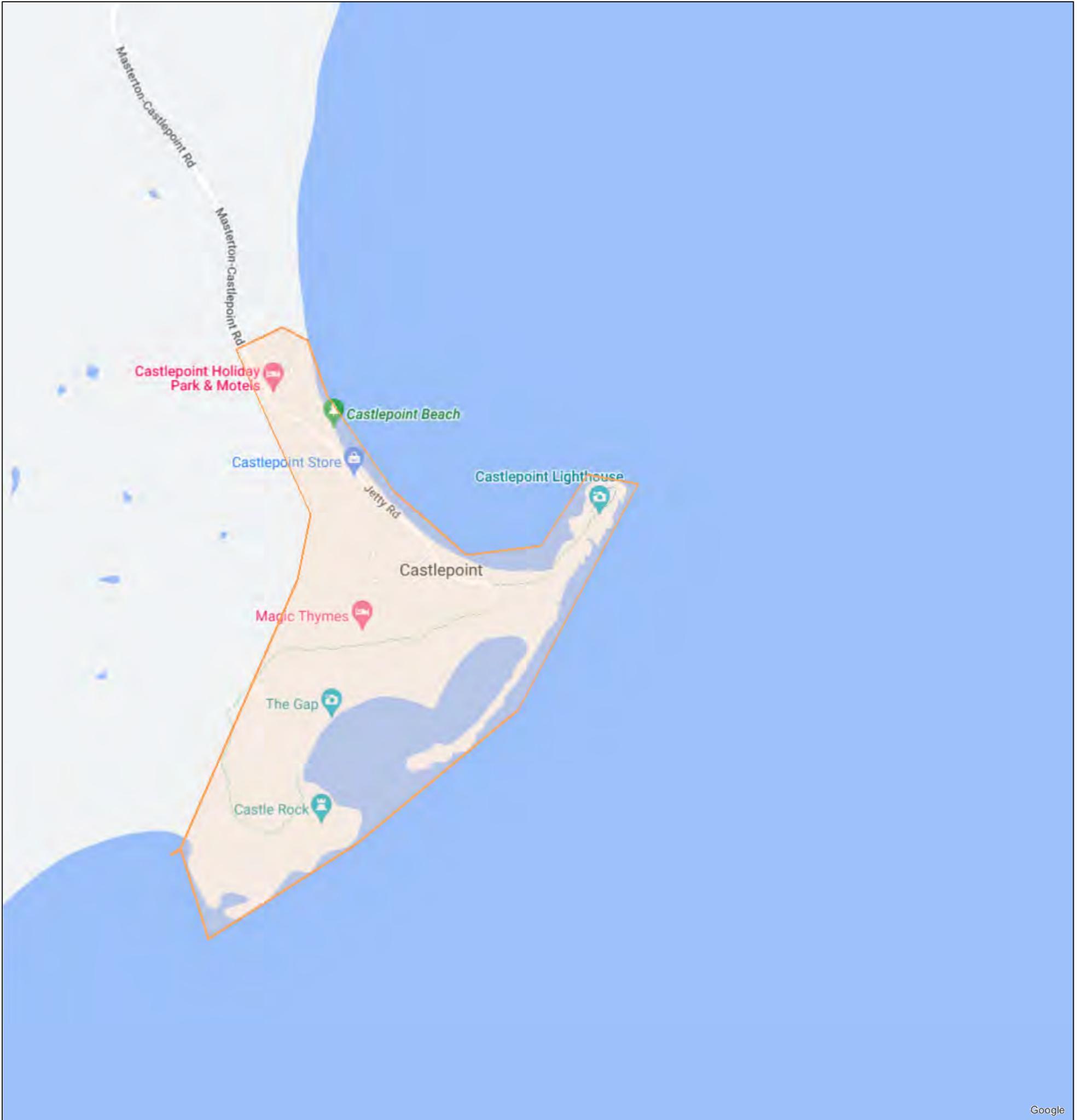
July 25, 2022

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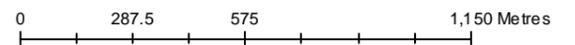
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July 25, 2022

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To:	Your Worship and Elected Members
From:	Christine Chong, Planning and Consents Manager Steven May, Manager Regulatory Services
Endorsed by:	David Hopman, Chief Executive
Date:	3 August 2022
Subject:	Wairarapa Combined District Plan - Private Plan Change Request
DECISION	
RECOMMENDATION:	
That Council	
<ul style="list-style-type: none"> i. Accepts, in accordance with clause 25(2)(b) of Schedule 1 to the RMA, the private plan change request from Welhom as submitted to Council on 29 April 2022 and amended by further information received on 17 June 2022 for the following reasons: <ul style="list-style-type: none"> a) that the request does not meet the limited grounds for rejection under clause 25(4); and b) it is more appropriate to accept the request than adopt it or treat it as a resource consent application. ii. Agrees that this request be publicly notified for submissions as a private plan change. 	

Purpose

To consider under clause 25 of Schedule 1 to the RMA a private plan change request from Welhom Developments Limited to rezone 14.7836ha of land located at State Highway 2, Masterton from Rural (Primary Production) Zone to Residential Zone in the Wairarapa Combined District Plan.

Introduction

Masterton District Council ('Council') has engaged 4Sight Consulting Limited ('4Sight') to process a private plan change request from Welhom Developments Limited ('Welhom'), which includes the preparation of this clause 25 report. 4Sight has been engaged to enable both the timely processing of the request and the maintenance of Council's own District Plan work programme.

This report, and the decision it recommends, is a required statutory step under Schedule 1 to the Resource Management Act 1991 ('RMA') when dealing with private plan change requests. Procedurally, a Clause 25 decision has four options. Council may accept, adopt, or reject the private plan change

request, or decide to deal with the request as if it were an application for resource consent. Each of these options has implications which are addressed later in this report.

Executive Summary

This report considers a private plan change request ('the request') from Welhom, which was lodged on 29 April 2022. The request seeks to rezone 14.7836ha of land located at State Highway 2, Masterton from Rural (Primary Production) Zone to:

- Residential Zone; and also
- Introduce additional site-specific District Plan provisions for the future development of an approximately 9ha retirement village within part of the land rezoned Residential.

Under clause 25 of Schedule 1 to the RMA, Council is required to make a decision that either:

- a) Clause 25(2)(a): Adopts the request as if it were a proposed plan change made by the Council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1; or
- b) Clause 25(2)(b): Accepts (for processing) the private plan change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25; or
- c) Clause 25(4): Rejects the private plan change request in whole or in part, in reliance on one of the limited grounds set out in clause 25(4); or
- d) Clause 25(3): Decides to deal with the request as if it were an application for a resource consent.

It is recommended that, under clause 25(2)(b), the request is accepted for processing and therefore publicly notified for submissions.

Description of Subject Site and Surrounding Environment

The 14.7836ha subject site is located at State Highway 2, Masterton, and is legally described as Lot 3 DP 516269, Lot 36 DP 429991, Lot 1 DP 69308 and Part Lot 9 DP 65445 held in Record of Title 804394. Council's records list the address of the site as State Highway 2, Masterton. However, physical access to the site is obtained from Roger Renall Avenue within the adjoining Cashmere Oaks subdivision.

The subject site is currently used for pastoral grazing and contains one existing building, being a farm shed. With the exception of grass cover, there is very little vegetation on the site. There are shelter belts planted along the northern and southern boundaries of the site, and some vegetation along the western boundary of the site and around the farm shed. The topography of the site is generally flat.

The Cashmere Oaks subdivision adjoins the southern boundary of the subject site. The Wellington-Napier Railway Line (KiwiRail designation Dm082) adjoins the western boundary of the site. The land

immediately to the north and east of the site is zoned Rural (Primary Production) and comprises rural and rural-residential properties that range in size from approximately 1 hectare to over 8 hectares.

The request states that access to the site will be obtained through the Cashmere Oaks subdivision and notes that access to Cashmere Oaks is directly from State Highway 2. State Highway 2 is located between 140 and 250 metres to the east of the site and is separated from the site by other Rural (Primary Production) zoned properties.

The subject site is located at the northern edge of the existing Masterton urban area. The current Urban/Rural Boundary line runs along the southern boundary of the site.

The subject site and surrounding environment are shown in **Figure 1** below.

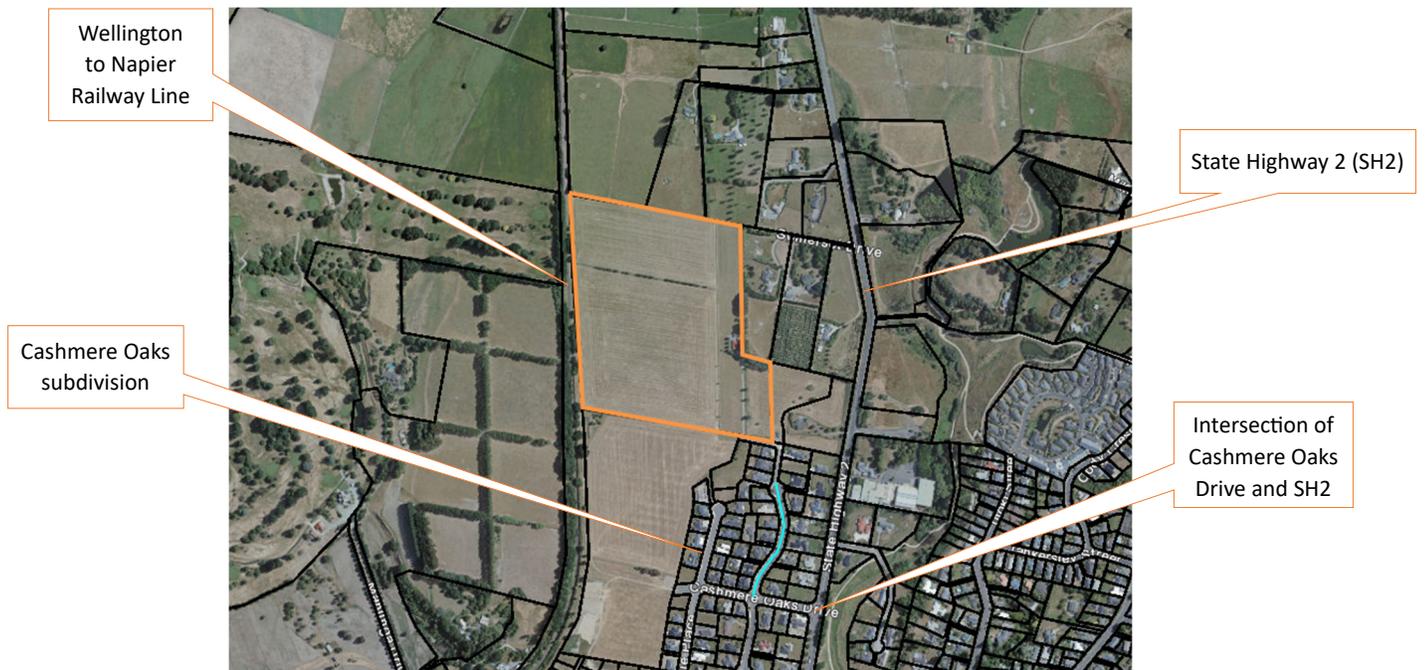


Figure 1: Subject site (outlined in orange) and surrounding environment

The subject site is currently zoned Rural (Primary Production) in the Wairarapa Combined District Plan. The existing zoning of the subject site is shown in **Figure 2** below.

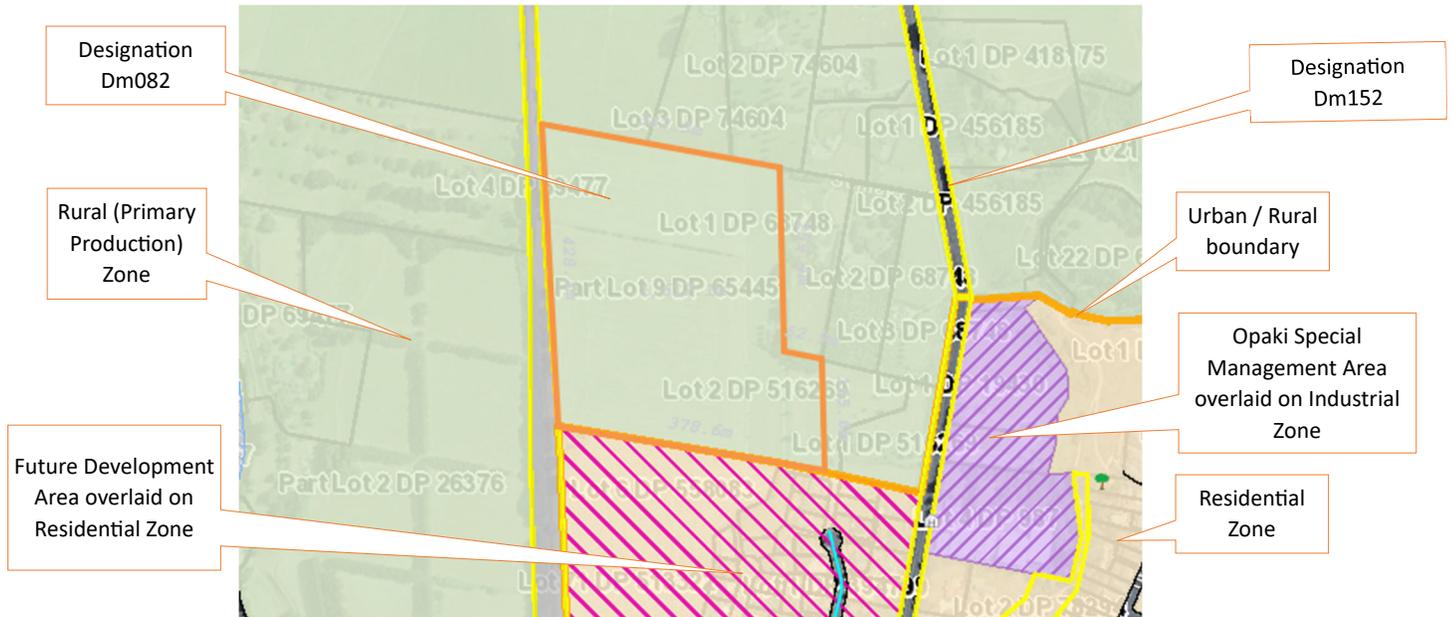


Figure 2: Existing zoning of subject site (outlined in orange) under the Wairarapa Combined District Plan

Description of Request

The request was lodged on 29 April 2022 (refer **Attachment 1**) and seeks to rezone land located at State Highway 2, Masterton (comprising 14.7836ha) from Rural (Primary Production) Zone to Residential Zone. The request also seeks to introduce new site-specific District Plan provisions for the future development of a retirement village on the subject site.

The specific changes to the District Plan proposed in the request are as follows:

- Rezoning the subject site from Rural (Primary Production) Zone to Residential Zone.
- Moving the current Urban/Rural Boundary line to include the subject site.
- Specifically identifying the subject site within an Appendix in the District Plan.
- Adding an Outline Development Plan for the subject site to the District Plan.
- Applying the existing Residential Zone rules and standards to the subject site, along with the general rules and standards of the District Plan.
- Adding a new site-specific rule and associated standards to allow for the provision of a retirement village on the subject site as a controlled activity.

The request and its appendices are included as **Attachment 1** to this report. The following documentation has been provided in support of the request:

- Appendix 1 – Proposed Changes to the District Plan

- Appendix 2 – Record of Title 804394
- Appendix 3 – Landscape Assessment
- Appendix 4 – Ecological Assessment
- Appendix 5 – Archaeological Assessment
- Appendix 6 – Integrated Transport Assessment
- Appendix 7 – Civil Engineering Assessment
- Appendix 8 – Geotechnical Assessment
- Appendix 9 – Preliminary and Detailed Site Investigation
- Appendix 10 – Market Economic Assessment
- Appendix 11 – Property Report (Land Use Capability Assessment)
- Appendix 12 – District Plan Extracts – The Orchards Retirement Village

Residential zoning is sought for the entirety of the site, however, the request states that approximately 9 hectares of the 14.7836ha site is proposed to be utilised for a future retirement village. The balance of the site is proposed to be utilised for standard residential subdivision and development, in line with the existing District Plan rules and standards for the Residential Zone.

Residential zoning would enable a typical allotment size of approximately 400m², and dwellings of up to two-storeys with a maximum height of 10 metres. Should the entire site be subdivided into standard residential allotments, this equates to approximately 254 dwellings on the site, assuming a development rate of one dwelling per allotment. However, Welhom's request anticipates a higher density of development should the proposed retirement village proceed. The Integrated Transport Assessment submitted with the request was based on 215 independent living units and 119 care suites within the retirement village, and an additional 99 standard residential allotments within the balance area of the site.

In addition, the proposed provisions of the plan change include an increased maximum building height of up to 14 metres within a central area of the site. This area of the site is located within the 9ha of the site proposed to be developed as a retirement village.

Further Information

Following receipt of the request in April 2022, Council issued a further information request to Welhom on 8 June 2022. This request contained questions under the following general headings:

- Planning
- Landscape/Visual
- Noise and Vibration

- Traffic and Transport

Welhom submitted its response to the further information request on 17 June 2022 (included as **Attachment 2** to this report). This response included:

- Consent notices registered on the Record of Title for the subject site
- Outline Development Plan
- Geotechnical response
- Landscape and Visual response
- Noise and Vibration response
- Transportation response
- RMA summary
- Updated Changes to the District Plan

Issues of Note

Urban Growth

The subject site is not currently identified as an area for future urban growth in the District Plan or any other Council plan or strategy. The application references the Masterton Urban Growth Strategy 2019 (MUGS) prepared by Boffa Miskell, which identified the site as a potential urban 'greenfield' expansion area. However, MUGS has not been considered or adopted by the Council.

The site is being considered as a potential Future Development Area as part of the District Plan Review, but this work is only at the investigation stage and no decisions have been made.

Traffic and Transport

Access to the subject site is obtained from State Highway 2 via Cashmere Oaks Drive and the internal roads within the Cashmere Oaks subdivision. The speed limit on State Highway 2 at the intersection with Cashmere Oaks Drive is 100km/h. Council's Traffic and Transportation experts and Waka Kotahi (Road Controlling Authority for State Highway 2) have raised concerns about the effects of additional traffic generated as a result of the plan change on the safety and performance of the roading network, especially the intersection of Cashmere Oaks Drive and State Highway 2.

Consultation

For a private plan change application, the Act imposes no specific consultation requirements on either an applicant or the Council, other than public notification.

In preparing the application Welhom has consulted with Council officers regarding the nature of the proposed plan change. However, this consultation did not include the submission of drafts of the proposed plan change prior to its formal lodgement on 29 April 2022.

Council officers offered Welhom the opportunity to have the re-zoning of the subject site considered as part of the District Plan Review. However, Welhom declined on the basis that the timeframes for the District Plan Review did not meet their needs and elected to pursue a private plan change.

In the lead up to lodging the plan change request, Welhom also carried out some consultation with Waka Kotahi, KiwiRail, Rangitāne and Ngāti Kahungunu ki Wairarapa.

Welhom advised in their response to Council's request for further information that they are continuing to engage with Waka Kotahi and Council.

Analysis and Advice

Resource Management Act 1991

The process for considering private plan change requests is set out in Schedule 1 of the RMA. Under clause 21 any person can submit a request for a plan change to the appropriate local authority. Once lodged, the local authority can request additional information under clause 23 and can modify the request under clause 24, but only with the applicant's agreement.

Under clause 25, after receiving the request and all additional information required and modifying the request (where relevant), the local authority is required to make a decision to either:

- Clause 25(2)(a): Adopt the request as if it were a proposed plan change made by the Council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1; or
- Clause 25(2)(b): Accept (for processing) the private plan change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25; or
- Clause 25(4): Reject the private plan change request in whole or in part, in reliance on one of the limited grounds set out in clause 25(4); or
- Clause 25(3): Decide to deal with the request as if it were an application for a resource consent.

A decision made under clause 25 must be made by the full Council and cannot be delegated.

It is important to note that in reaching its decision under clause 25, Council need not assess the merits of the specific provisions proposed by Welhom as part of its request. This detailed assessment will be undertaken following the close of submissions and following a hearing on the request. The decision made by Council under clause 25 is essentially procedural. It does not prevent Council from declining, approving or approving with modifications, the plan change request once submissions have been received and a hearing held.

Option 1 – Adopt the request, or part of the request, as if it were a proposed plan change made by the Council itself [clause 25(2)(a)]

Council can decide to adopt the request and process it as though it were a Council initiated plan change.

The implications of Council adopting the request include:

- The scope of Council’s discretion following the hearing of submissions would be limited to those matters raised in the submissions.
- The request would have legal effect from the date of its notification [clause 25(2)(a)(iii)] rather than from the date that it becomes operative.
- All costs associated with the plan change would rest with Council.
- The Council would face a funding shortfall related to the costs of running the plan change process. This is because adoption would make it the Council’s responsibility to pay, rather than Welhom’s, and Council would have no ability to pass on costs to Welhom. The Council has not allocated any budget, via the Long Term Plan process, for either the costs of running the plan change or paying for the necessary infrastructure.

While the plan change request would enable development that is likely to have benefits for residents of the Masterton District, Welhom will gain a direct economic benefit from the plan change to a significantly greater extent than the district would. In that respect, if the Council adopted the request, it would essentially be facilitating the development of private land for the primary benefit of the applicant.

The plan change is not required to address any defect in the current District Plan. Rather, the request reflects development aspirations that are different in nature to those anticipated in the current District Plan provisions.

Based on the considerations outlined above, it is recommended that Council **not adopt** the private plan change as if it were a Council initiated plan change.

Option 2 Decide to deal with the request as if it were an application for a resource consent [clause 25(3)]

Council can decide to deal with the request as if it were an application for resource consent. In this case, the private plan change seeks to rezone the subject site from Rural (Primary Production) Zone to Residential Zone and introduce additional site-specific District Plan provisions for the future development of a retirement village.

With reference to the question of whether the request should be dealt with as if it were a resource consent application, the request states:

“The District Plan provisions of the rural zone are not the most appropriate to facilitate residential development, including a retirement village. While the existing rural zoning does not preclude a retirement village being established through a resource consent process, a

residential zoning is considered more appropriate for the long-term management of the proposed land use.”

A retirement village, as proposed by Welhom, is not currently provided for in the District Plan’s Rural (Primary Production) Zone. Under the District Plan the construction of more than two dwellings on the subject site would be a restricted discretionary activity and a subdivision creating lots of a typical residential size (e.g., 400m²) would be a non-complying activity. Such development may be considered inconsistent with the objectives and policies for the Rural Zone, which include provisions relating to reverse sensitivity, such as:

4.3.5 Rur2 Policies

- (d) *Ensure activities that are potentially sensitive to the adverse external effects of primary production and any other lawfully established activities, particularly those activities with significant external effects, are either appropriately sited, managed or restricted to avoid or mitigate these effects.*

4.3.6 Explanation

It is also important to minimise the occurrence of reverse sensitivity, that phenomenon in which sensitive land uses, particularly residential activities, located in close proximity to primary production activities have unreasonable expectations about the level of amenity values which they wish to enjoy. This can affect established land uses and result in conflict and ongoing difficulties in environmental management. This policy will require controls on siting of such sensitive activities to avoid or mitigate the potential for such adverse effects to occur.

A resource consent application for a development of the type proposed by Welhom would have to be sufficiently detailed to address all potential adverse effects and would require the final form of the development to be known at the time of application. This approach would not allow flexibility for design changes.

A plan change would allow the issues to be considered from a ‘first principles’ basis to determine whether the site is appropriately suited for residential zoning. It is considered that the most appropriate process for achieving a rezoning of the site is through a plan change process.

It is therefore recommended that the Council **not decide** to deal with the request as if it were an application for resource consent.

Option 3 – Reject the request [clause 25(4)]

Clause 25(4) sets out various grounds on which a private plan change request can be rejected. Each of those grounds are considered below.

Is the request frivolous or vexatious?

The terms frivolous and vexatious are not defined in the RMA but have evolved through case law to generally mean “trivial” or “without substance”.

The request includes a section 32 evaluation, an assessment of effects, a reference to consultation undertaken, a discussion of RMA considerations and numerous detailed attachments. The request has also been the subject of a further information request from Council.

It is therefore recommended that Council **not reject** the private plan change request on the basis that it is frivolous or vexatious.

Has the substance of the request been considered and given effect to or rejected by the Council in the last two years?

This provision largely seeks to discourage repetitive private plan change requests that are substantially the same, with the associated costs to the Council and community. The Rural (Primary Production) Zone has been operative on the subject site since 2011 and has not been considered further in the last two years.

It is therefore recommended that Council **not reject** the request on this basis.

Has the substance of the request been given effect to by regulations made under section 360A?

Section 360A of the RMA relates to regulations amending regional coastal plans pertaining to aquaculture activities. The substance of this private plan change request, being rezoning of the subject site, does not relate to Section 360A of the RMA.

It is therefore recommended that Council **not reject** the request on this basis.

Is the request in accordance with sound resource management practice?

The term “sound resource management practice” is not defined in the RMA. The High Court in *Malory Corporation Limited v Rodney District Council* (CIV-2009-404-005572), where the issue on appeal was determining the correct interpretation of clause 25(4), considered this term in light of clause 25(4)(c) of Schedule 1 and stated:

“...the words “sound resource management practice” should, if they are to be given any coherent meaning, be tied to the Act’s purpose and principles. I agree too with the Court’s observation that the words should be limited to only a coarse scale merits assessment, and that a private plan change which does not accord with the Act’s purposes and principles will not cross the threshold for acceptance or adoption.”

Having undertaken a high-level assessment of the request documentation and further information, it is considered that the request is in accordance with sound resource management practice.

Although introducing unanticipated residential development and activities to a rural environment can have adverse effects, it may also have benefits. It is considered appropriate to weigh adverse effects against benefits through a public submission and hearing process.

It is therefore recommended that Council **not reject** the private plan change on the basis that it is not in accordance with sound resource management practice.

Would the request or part of the request make the policy statement or plan inconsistent with Part 5 of the RMA?

Part 5 sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA.

The request states that it will provide development capacity for the community, where there is strong demand for residential housing (including for retirement housing) and limited availability of supply. The applicant acknowledges that there will be a loss of rural land resource but concludes that the rezoning of the site would have a less than minor effect on the productive rural land resource of the Masterton District. It is considered that an assessment of the validity of the conclusions in the request documentation would be best dealt with during a hearing, so that submitters have a chance to discuss these matters.

It is therefore recommended that Council **not reject** the private plan change request under clause 25(4)(d).

Has the district plan to which the request relates been operative for less than two years?

The District Plan provisions of the Wairarapa Combined District Plan relevant to this request were made operative on 25 May 2011. The provisions have therefore been operative for more than two years.

It is therefore recommended that Council **not reject** the private plan change request on this basis.

Option 4 – Accept the private plan change request, in whole or in part, and proceed to notify the request, or part of the request [clause 25(2)(b)]

If Council accepts the request, in whole or in part, it must then proceed to notify the request, or part of the request under clause 26. After the submission period has closed, Council would need to hold a hearing to consider submissions, and a decision would then be made by Council in relation to the request in accordance with Schedule 1 to the RMA. All associated costs (including notification and any hearing) would rest with the applicant.

The implications of Council accepting the request include:

- The full content of the plan change would be open for consideration following the hearing of submissions.
- The plan change would only have legal effect following Council hearings and confirmation.
- The costs of running the plan change process could be passed on to Welhom.

Given the preceding recommendations, this is the only remaining option available to Council for consideration. It is considered that the request does not meet the criteria for rejection under clause 25(4) of Schedule 1 to the RMA, and it is more appropriate to accept the request than to adopt it or treat it as a resource consent application.

It is therefore recommended that the Council **accepts** the private plan change request, for consideration and determination via a publicly notified submission and hearing process.

Conclusion

The private plan change request by Welhom Developments Limited seeks to rezone 14.7836ha of land located at State Highway 2, Masterton from Rural (Primary Production) Zone to Residential Zone and introduce additional site-specific District Plan provisions for the future development of a retirement village.

Having carefully assessed the request against the relevant matters set out in the RMA, it is recommended that Council **accepts** the request for processing and publicly notifies it for submissions.

Next Steps

If the private plan change is accepted for notification, the implementation of this decision will follow the process set out in clause 26 of Part 2 of Schedule 1 to the RMA. This requires that the private plan change is notified within four months of being accepted, unless this timeframe is waived in accordance with section 37 of the RMA.

Assuming that the Council agrees with the recommendation of this report, the plan change request will be notified for public submissions in mid to late August 2022.

All submissions received will be summarised, and this summary of submissions will be notified for further submissions. Given the requirement for two submission periods it is anticipated the submission process will occur in August to October 2022, followed by the hearing in late October / early November 2022.

Attachments

The following attachments are included with this report:

- **Attachment 1 – Private Plan Change Request from Welhom Developments Limited (provided under separate cover)**
- **Attachment 2 – Further information submitted by Welhom Developments Limited (provided under separate cover)**

Summary of Considerations

Strategic, Policy and Legislative Implications

The decision sought in this report is a required statutory step under Schedule 1 to the Resource Management Act 1991 ('RMA') when dealing with private plan change requests. As stated in the report, procedurally, a Clause 25 decision has four options. Council may accept, adopt, or reject the private plan change request, or decide to deal with the request as if it were an application for resource consent. The implications of each of these options has been addressed in this report.

Significance, Engagement and Consultation

Council's Significance and Engagement Policy does not apply to the requirements for decision making prescribed in the Resource Management Act including the decisions required when following the procedures set out in Schedule 1 of the Resource Management Act.

There is no statutory requirement for Council to consult on the decision to be made in relation to the private plan change application. Depending on the decision Council makes, the private plan change may go through a public notification process. If Council agrees to the recommendations in this report, the private plan change will be publicly notified.

Communications/Engagement

No communications or engagement are required in relation to the decision Council is being asked to make in this report. The private plan change request application has been received and the decisions sought in the report are a required statutory step under Schedule 1 to the RMA.

Financial Considerations

The option recommended in this report (Option 4) does not have any financial implications for Council. Of the other options outlined in the report, Option 1 (Adopt the request, or part of the request, as if it were a proposed plan change made by the Council itself) would have financial implications, as all costs associated with the plan change would rest with Council. There are no financial implications for Council in Options 2 or 3.

Implications for Māori

There are no implications for Māori in the decision requested in this report.

Environmental/Climate Change Impact and Considerations

There are no environmental or climate change impacts or considerations in the decision being sought from Council.

To:	Your Worship and Elected Members
From:	Terri Mulligan, Environmental Services Manager Steve May, Manager Regulatory Services
Endorsed by:	David Hopman, Chief Executive
Date	3 August 2022
Subject:	Dog Control Policy and Practices Report 2021/2022
INFORMATION	
Recommendation: That Council receives and adopts the Dog Control Policy and Practices Report for the 2021/2022 registration year.	

Purpose

The purpose of this report is to submit the practices report for the 2021/2022 registration year to Council for adoption.

Background

Council provides a twenty- four hour animal control service, with Council's Animal and Bylaws team covering business hours and afterhours, at weekends and on public holidays. This includes caring for the dogs in the dog shelter.

Council employs two full-time Animal & Bylaws Officers, one part-time Animal & Bylaws Officer, an Animal & Bylaws Team Leader and a Regulatory Support Administrator. The Environmental Services Manager is the supervisor of the team.

Council liaises regularly with the SPCA, veterinarians and local Police.

Dog Control Policy & Practices Report for 2020/2021

Section 10A of the Dog Control Act 1996 (see Attachment 1) requires councils to report annually on specified dog control activities. Once the report is adopted by Council, it must be publicly notified.

The Masterton District Council Dog Policy is due for review in 2023.

Key points to note from the report (see Attachment 2) are:

- The registration of dogs has increased by 71. This is a result of staff following up on unregistered owners to ensure their dogs are registered and new dog owners registering their

dogs without prompts. This is a smaller jump than the previous year which saw an increase of 266 more dog registrations.

- There were 3 dogs classified as dangerous under section 31 of the Dog Control Act 1996. This year the total number of dangerous dogs is 1. Registration of a dog classified as dangerous is 150 % of the registration fee. Dog owners need to make additional provisions to the property where the dog is kept which is outlined in section 32 of the Dog Control Act 1996. They must be muzzled and leashed in all public places.
- There are 2 probationary owners. To become a probationary owner, three or more infringement notices within a two-year period will have been received or the owner will have been convicted of an offence under the Dog Control Act 1996. The probationary owner status applies for up to two years. Any dog not registered at the time of the classification must be re-homed or disposed of within 14 days. Any dog already registered may be kept by the owner, but no new dogs can be owned by this person. Probationary owners can be required to undertake dog training with their dog.
- There are 2 disqualified owners. These people may not be allowed to own a dog for up to five years from the time of disqualification. Any dog owned by a disqualified owner must be re-homed or put down within 14 days. Transferring ownership of a dog to another person at the same address is not acceptable. Any owner not adhering to these conditions may be fined up to \$3,000 and have their disqualification period extended by a further five years.
- The number of dogs classified as 'menacing by deed' has reduced from the previous year at 46. There have been dogs classified as menacing by deed in the 2021/22 year, the number has reduced because dogs classified as menacing by deed may have left the district or died.
- The number of dogs classified as 'menacing by breed' has increased. This year there are 91 compared to 87 (2 years prior there were 102).
- The number of infringements has increased from 184 last year to 194. This reflects a dedicated effort from staff to follow up on unregistered dogs over the past twelve months. The vast majority of issued infringements were for failing to register dogs. The team will continue to follow up with dog owners who fail to register their dogs. Infringements are also issued sometimes after an incident or a failure to comply with a direction as per the MDC enforcement guidelines.
- There were 15 dogs euthanised in the 2021/2022 year compared to 3, (2 years prior there were 11).
- Reported dog attacks on other dogs and animals have increased to 49 compared to 47 the previous year, 2 years prior there were 72 reported attacks.
- Reported dog attacks on people have declined from 20 attacks to 17.
- There were 239 dogs impounded this year, 28 more dogs compared to the previous year, 2 years prior there were 189 dogs impounded. The majority of dogs were collected by their owners. Anecdotally, staff note that most dogs impounded are entire.

- Wandering, roaming and lost dogs are still the majority of the service requests the team receive throughout the year. There were 775 reports this year compared to 796 last year. Dogs at large can frighten, intimidate, cause a hazard and nuisance, be involved in attacks, or be injured or killed.
- Barking dog complaints continue to be the bane of the Animal and Bylaws Officers' lives. Often neighbours refuse to engage with their neighbours about the barking dog. If people were more open to having a conversation over the fence and pinpointing when the barking was occurring the barking issue could likely be resolved a lot faster and without the involvement of Council. Some dog owners are very proactive when it is brought to their attention, however there are always some that fail to act on remedying the problem barking. Problem barking most often cannot be resolved overnight, dogs often need to be trained by their owners about when it is and is not appropriate to bark. Owners also sometimes need to invest in screening and/or additional containment for their dog.
- Administration service requests have remained steady at 329 compared to 326 the previous year. Staff attribute this to the issuing of notices to register, dog owners subsequently making payment arrangements for registration, and responsible dog owner applications.
- There were no prosecutions over the year. Aside from matters dealt with via the infringement process, there were no matters taken to court for prosecution.

Attachment 1: Section 10A of the Dog Control Act 1996 states –

Territorial authority must report on dog control policy and practices

(1) A territorial authority must, in respect of each financial year, report on the administration of—

- *(a) its dog control policy adopted under section 10; and*
- *(b) its dog control practices.*

(2) The report must include, in respect of each financial year, information relating to—

- *(a) the number of registered dogs in the territorial authority district:*
- *(b) the number of probationary owners and disqualified owners in the territorial authority district:*
- *(c) the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made:*
- *(d) the number of dogs in the territorial authority district classified as menacing under section 33A or section 33C and the relevant provision under which the classification is made:*
- *(e) the number of infringement notices issued by the territorial authority:*
- *(f) the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints:*
- *(g) the number of prosecutions taken by the territorial authority under this Act.*

(3) The territorial authority must give public notice of the report—

- *(a) by means of a notice published in—*
 - *(i) 1 or more daily newspapers circulating in the territorial authority district; or*
 - *(ii) 1 or more other newspapers that have at least an equivalent circulation in that district to the daily newspapers circulating in that district; and*
- *(b) by any means that the territorial authority thinks desirable in the circumstances.*

(4) The territorial authority must also, within 1 month after adopting the report, send a copy of it to the Secretary for Local Government.

To:	Your Worship and Members
From:	David Hopman, Chief Executive
Date:	3 August 2022
Subject:	Chief Executive's Report
FOR INFORMATION	
Recommendation:	
That Council notes the information contained in the Chief Executive's report 091/22.	

Purpose

The purpose of this report is to provide Council with an update (as at 27 July 2022) on Council operations and projects.

Adverse Weather Events

Our district has experienced its fair share of adverse weather over the past few weeks, with heavy rain and winds battering our communities and causing issues with localised flooding, slips and trees down.

Heavy rainfall and high flow in the Waipoua River on 12 July, caused erosion damage to some walking tracks, and to Greater Wellington Regional Council (GWRC) stop banks in the Matahiwi area. GWRC are in the process of undertaking repair work, and as part of our role in Civil Defence Emergency Response, we have contacted landowners close to the affected stop banks to warn of flood risk if river levels rise again.

Following the rainfall, flooding in urban areas was less than in previous events, and around 20 portaloos were provided to properties in Cockburn Street, Colombo Road, Stout Street, Balance Street, and Vogel Crescent.

On 21 July, high winds caused damage and closed roads and footpaths with trees falling.

Regional and National Context

Review of the Building Consent System – Issues Discussion Document

The Ministry of Business, Innovation and Employment (MBIE) is reviewing the building consent system to identify opportunities for improvement. MBIE is seeking submissions on this discussion paper up until 3 September 2022. For more information, go to:

<https://www.mbie.govt.nz/dmsdocument/22845-issues-discussion-document-review-of-the-building-consent-system>

Local Government Electoral Legislation Amendment Bill

The Local Government Electoral Legislation Amendment Bill was introduced to Parliament on 26 July 2022.

The policy proposals include:

- providing local authorities with a revised process for deciding their representation arrangements that makes the consideration of specific Māori representation a fundamental step in that process
- changing the current restriction on the number of councillors on Auckland Council
- simplifying the process for unitary authorities to adjust local board boundaries
- updating the processes for when an election result is tied
- enabling all candidates to submit electronic nominations.

The Bill will not be in force for the 2022 local elections. For more information, go to:

<https://www.legislation.govt.nz/bill/government/2022/0151/latest/096be8ed81c5aeb7.pdf>

Water Services Entities Bill Submission

Council endorsed its submission on the Water Services Entities Bill on 19 July 2022. This has subsequently been submitted to the Government's Finance and Expenditure Select Committee. For more information, refer Report 087/22: <https://mstn.govt.nz/wp-content/uploads/2022/07/AGENDA-Extraordinary-Council-2022-07-19-.pdf>

Ministry for the Environment – Exposure draft National Policy Statement on Indigenous Biodiversity

Further to the last update provided in Report 079/22, consultation on the exposure draft of the National Policy Statement for Indigenous Biodiversity (NPSIB) closed on 21 July 2022. Council did not make a standalone submission. Instead, support was provided for the submission made by Local Government New Zealand (LGNZ).

Pou Ahurea Māori Activity

Ki ngā pou i hāpaitia te ara tika pūmau ai, te tiamana o Rangitāne o Wairarapa, ngā tumuwhakarae o Rangitāne Tū Mai Rā me Te Hauora Rūnanga o Wairarapa, tini whetu ki te rangi, ko Rangitāne ki te whenua, whakamau ki tōu tūpuna tōu whakapapa rangatira. Ki ngā tiamana hou o Rangitāne o Wairarapa, nau mai ki te ao manganga....heoi whakamau tōnu ki ngā hononga o ngā karanga maha nō reira Rangitāne, tū mai rā

Iwi/Wairarapa Māori Update

There have been a number of things happening in the Wairarapa Māori space, for example, the Ngāti Kahungunu ki Wairarapa Tāmaki Nui ā Rua Treaty Settlement and Te Rohe o Rongokako Joint Redress Bills currently going through parliament. In addition to this, there continues to be an ever increasing number of things that central government and councils (district and regional level) require and/or seek in terms of engagement from iwi/Māori. This continues to put additional pressure on on iwi and hapū across the Wairarapa region.

Iwi/Māori/Hapū Engagement

There are a number of projects and/or work programmes across Council where the Pou Ahurea Māori has been leading and supporting engagement with iwi/Māori/Hapū:

- *Wairarapa Combined District Plan Review:* Boffa Miskell has been working with the Post Settlement Governance Entities (PSGE's) and Rūnanga on the Tangata Whenua Chapter, Māori Purposes Zone and other chapters as part of the Wairarapa Combined District Plan Review. A wānanga will be held in September 2022 to work with iwi to complete this progress.
- *Mātaikona Road Project:* Council is working with the local hapū, Te Hika-a-Papauma, to support the Mātaikona Road project. The outcome of discussions with hapū are supported by iwi.
- *Colombo Road Bridge:* Engagement with Iwi will begin shortly, with a strong focus on the sewage design and river impact.
- *Homebush Wastewater Treatment Plan:* Engagement with Iwi is underway to have input into this Homebush Waste Water Treatment Plan.
- *Wellington Regional Climate Change Risk/Impact Assessment:* The Pou Ahurea has been providing support to the Policy team to look at holding a mana whenua engagement hui to discuss regional projects, with a particular focus on the Wellington Regional Climate Change Risk/Impact Assessment. Council is working with the Te Hunga Whiriwhiri team from Greater Wellington Regional Council to take a regional approach.

Te Mana o te Wai

Te Mana o te Wai is part of the national Policy Statement for Freshwater Management (NPS-FW). What Te Mana o te Wai means at a regional level is being led by our local by Iwi and Hapū. Iwi are currently engaging with hapū to design their Te Mana o Te Wai documents for their respective iwi. Both have agreed to share their final document with Council.

Wellington Region Waste Management and Minimisation Plan Review

The Wellington Region Waste Management and Minimisation Plan Review is scheduled for review in 2022/23. As part of the review, the Pou Ahurea Māori has been in discussions with iwi to review the current document with a Māori lens, with a view to what changes need to be considered.

Implementation of Council's Procurement Policy

One of the actions in Council's Procurement Policy implementation plan is to operationalise the 'Value Wairarapatanga' objective. The Pou Ahurea Māori is working with the Assets and Operations Manager to develop a full list of local māori owned businesses, and in particular, those who work in the infrastructure and engineering space.

Memorandum of Partnership with Iwi

The Pou Ahurea Māori has begun discussions with Rangitāne o Wairarapa Inc and Rangitāne Tū Mai Rā, Kahungunu ki Wairarapa and the Ngāti Kahungunu ki Wairarapa Tamaki Nui a Rua Treaty Settlement Trust to either review existing or develop new Memorandum of Partnerships (MoP's) with Council. Rangitāne o Wairarapa and Rangitāne Tū Mai Rā have indicated that they will be looking at a joint MoP. Kahungunu ki Wairarapa and Ngāti Kahungunu ki Wairarapa Tamaki Nui a Rua Treaty Settlement Trust will hold separate individual MoPs.

Te Reo Māori me ōna Tikanga Policy

The Pou Ahurea Māori has been leading the development of Council's first Te Reo Māori me ōna Tikanga Policy. The Policy is in the final draft stages and has been circulated to SLT for feedback. The policy is internal facing and focuses on things such as building our internal capability in preparation for engagement with iwi and hapū in a post-settlement era. Supporting documentation will include:

- **Te Reo me ōna Tikanga Implementation Plan** – 12 month implementation plan looking at:
 - o Internal assessment survey
 - o Translation guidelines
 - o Treaty Training
 - o Training Programmes
 - o Logo
 - o Recruitment Process
 - o Position titles
 - o Macron usage
- **Kawa and Tikanga document** – outlining how the council will use tikanga and kawa e.g. Pōhiri
- **Tangata Whenua Resource** – Outlining Wairarapa Māori structure and relevant information
- **Iwi, Hapū, Marae and Hapori Māori Engagement Framework** – providing different methods of engagement for council
- **Internal Training programmes (with a Wairarapa context):**
 - o Basic te reo and pronunciation
 - o Engaging with Wairarapa Iwi, Hapū, Marae and Hapori Māori
 - o What is a Māori Lens?
 - o Treaty Training
 - o Treaty Settlement Workshops

Te Rohe o Rongokako Joint Redress Bill

Te Arawhiti (The Office for Māori Crown Relations) is undertaking preparation work for the establishment of the Wairarapa Moana Statutory Board (part of the Te Rohe o Rongokako Joint Redress Bill). The bill will be passed before the end of the year, with their first meeting being held soon after to confirm the Natural Resources Committee that Masterton District Council has one seat in. The Natural Resources Committee includes the Ruamahanga Catchment. The Pou Ahurea Māori is working with the PSGE's to further understand how this means for Council.

WREMO Iwi Partnership

WREMO have developed an Iwi Partnership Committee that has representation from iwi within its jurisdiction. The Pou Ahurea Māori has been supporting them in this space, to ensure Wairarapa Iwi are at the table.

Strategy and Governance Activity

District Projects

Local Election 2022 Update

The pre-election report is now available on our Council website <https://mstn.govt.nz/wp-content/uploads/2022/07/Pre-Election-Report-2022.pdf> and hardcopies available at 161 Queen Street and the Library. The pre-election report is a legislative requirement of the Local Government Act 2022, with the Chief Executive being required to prepare it independently of our Councillors and Mayor. The report focuses on issues that will need to be considered in the next council term and provides information on what major projects the council expects to fund over the next three years.

Masterton District Climate Change Action Plan

The Masterton District Climate Action Plan consultation period ran from 1 July - 1 August 2022, with public Hearings scheduled to take place on 10 August 2022. As of 26 July 2022, Council had received approximately 46 formal submissions. Staff and elected members have been out in the community spreading the word about the consultation at the Wairarapa Farmer's Market, Skatepark, Masterton Library, and online through public webinars.

ALGIM

Masterton District Council were finalists at the ALGIM 2021 Awards for 'Project of the Year' for our digitisation project and won the 'Best Promo Video' category award - a collaborative effort with our Communications Team to produce.

Regional Projects

Wellington Regional Economic Development Plan (WREDP)

The Wellington Regional Economic Development Plan (WREDP) was endorsed by the Wellington Regional Leadership Committee on 26 July 2022, following a presentation by the project steering group. WellingtonNZ are now developing the details for the launch of the plan, expected to be in September 2022. Details are also being finalised for the socialisation of the plan with councils.

Wellington Regional Climate Change Impact Assessment

A draft engagement plan for the impact assessment project has been circulated with the council project leads for review.

Workshops will be run on different themes within the project (governance, infrastructure etc) during August and September 2022 to collate both local and regional data. Relevant staff will be invited to participate in the workshops.

Grants

The 2022 funding year is now open for the Community Wellbeing Grant and Community Events Fund. These opened on 1 July and closed on Friday, 29 July 2022. Advertising has been done extensively

on the Council's website, Facebook and Instagram as well as additional follow up by email one week out from the closing date. Application forms and information sheets were available for downloading from the website with hard copies at the Customer Services Centre. The Awards and Grants Committee will hear from individuals and organisations wishing to support their application on Wednesday, 7 September 2022 and any funding decisions made after this.

Round one of the 2022 Masterton Arts Fund and Masterton District Creative Communities Scheme are also open and will close on 26 August 2022. The Assessment Committee will meet on 8 September to consider any applications received.

Library Activity

In June, the Library celebrated Matariki with a night of fun with crafts, trivia, kirituhi and flax weaving. We used this celebration to kick off our Matariki Reading Challenge where those between ages 2 - 13 can read to earn entries for prizes. This free challenge runs from 28 June- 7 August 2022.

We restarted a variety of programmes in June which have proved to be very successful, typically filling up and requiring a wait list. For children, The School of Awesome, a weekly hands-on class to explore our makercrate, produced 3D books marks, Matariki stars and custom designed and 3D printed chess sets. Another highly popular programme is our After School Among Us Club, an online multiplayer game where the players work together to figure out who betrayed the group.

Our adult Stepping Up courses also resumed in June, with each course fully booked. Subjects offered in June were Internet Security, Intro to Chromebooks, Google Drive, Intro to Apps and Tablets and Smartphones 2.

The July School Holidays have not been dampened by the weather. Our Beyond the Page Festival, a multi-disciplinary literary festival for tamariki and their whanau have kept the kids dry and entertained. We held seven events, including a puppet workshop, Zine making, a poetry workshop and a very entertaining puppet show.

Finally, the Library has been working with other Council departments and was very happy to host two sessions for the climate change consultation and welcomed the Animal Services Team to the Library for three Saturdays in July for dog registrations.

Archive Activity

The Wairarapa Archive had 71 in-person visits to the Reading Room, just slightly down on the same period last year. Researchers are still preferring to access our services via email and phone, with 130 requests completed this way - 3.5 times higher than June 2021. This certainly is a very efficient method of delivering research and material, and customers are delighted with the quality and range of results they receive.

Requests for presentations to community groups are picking up, with three delivered in June and more booked for July. Five articles by archive staff have been published in the newspaper.

Our Matariki outreach, which ran from 16 June to 29 June, was a success with excellent engagement on social media. This was followed by a social media series in support of the Carterton leg of the Wairarapa Film Festival, which is still creating interest in July.

Research and writing on the Hood Aerodrome project for Comms is slowly ongoing, given the large amount of material in the collection on the subject.

The process on relocating the Archive to 3 Albert Street is moving ahead with fit out starting within the next month.

Hood Aerodrome

Aeronautical Study

A response from the Civil Aviation Authority (CAA) to an Aeronautical Study commissioned by Council has not yet been received. The CAA had earlier advised this would be available in early April, however the CAA operational teams are extremely busy as aviation scales up after the restrictions placed on international and domestic flights. The study was required by CAA and completed in December 2021. The study reviewed the safety management for the current and proposed infrastructure at Hood Aerodrome.

Safety Management Systems

A part-time Safety Officer has been appointed for a two-year fixed term. Guy Holdsworth has started in the role and will focus on implementing our Safety Management Systems (SMS) and operational safety during the construction period for the Hood Aerodrome infrastructure project.

Operations

The Wellington Wairarapa Gliding Club (Papawai) is operating at Hood Aerodrome over the next few weeks due to the very wet conditions at Papawai. All taxiways and runways remain open at Hood Aerodrome though heavy aircraft must remain on the sealed areas.

Planning is underway for the summer season and includes Wings Over Wairarapa, Vintage Aviator flying weekends and the National Aerobatics Championships

Properties and Facilities Activity

Coronation Hall – contractors have been engaged to provide advice and pricing to tidy up aspects of Coronation Hall, including vinyl flooring repairs, heat pump installation, general servicing of refrigeration appliances, gas appliances, and decorating repairs. Short-term hire access enquiries have been put on hold while assessments on repairs and upgrades are completed.

Queen Street Refurbishment – visitors to the Council's Queen Street offices will begin to notice changes from early August, with the landlord refurbishing the layout of the office. This will see public

counters made more accessible and new meeting rooms installed. The work will be done in stages to minimise inconvenience to the public, with the office continuing to be open normally. The work is being largely funded by the landlord.

Municipal Building – an assessment of what is currently being stored in the old Town Hall and a decision over disposal of broken furniture items will be elevated for SLT consideration.

ADT Fire Alarm Key Holder Records – a review of the Key Holder records held by ADT for Fire Alarm activations has been completed and updated contact records sent through to ADT. Council's contract renewals with ADT for this service are also being reviewed and finalised.

Colin Pugh Sports Bowl – estimated track replacement costs have seen a large increase from \$400K to \$600K. The replacement is currently scheduled for Year 3 of the LTP and work will be done in the coming year to explore potential options to minimise the cost of this work.

CCTV Review – an initial meeting between relevant Council work-streams has been held to review and assess the current CCTV systems in place. Facilities and Open Spaces will coordinate the review, which will include representatives from Information Management, IT and Roading.

Partnerships – the rejuvenation of a bi-monthly meeting between Council and Wairarapa Police has begun, to enable discussions between Regulatory Services, Roading, Parks and Reserves, and Facilities with Community Police Staff.

Rural Fire Stations – The Property Group are assisting Council in the local transition of Rural Fire Station Leases to Fire and Emergency NZ, which is a national programme occurring across all jurisdictions. The transition was approved at the previous Council meeting.

Community Development Activity

Te Ara o Nga Whetu o Matariki (Matariki Celebration)

March through to June this year was spent on the design and execution of Te Ara o Nga Whetu O Matariki (Matariki Celebration) for the first time. We had the goal of nine groups or organisations registering to get involved and exceeded this by having 13 in total. These groups were supported by Council to run community events the week of the public holiday (20 – 26 June 2022). We saw this holiday as an opportunity for the Council to implement community-led activities from the community, cultural groups, local iwi, Hapu and Marae. We wanted the celebration to represent what Matariki meant to our communities, and for the events to educate the public on its significance.

The Community Development Team were happy with how the advertisement to register to host a Matariki event went, and in turn the attendance at and diversity of events. There were a range of events, including several that celebrated different Matariki stars (e.g., Pathways Wairarapa focused on Pohutukawa and Ururangi). Following the week of events, the Community Development Team took some time to reflect on what went well and what could be improved upon. Internally, next year we would like to have more internal promotion on Matariki and have a Council celebration. Externally, we would start the process earlier to allow for more time to advertise and collate the information,

ensuring that we reach those we want to and that everyone has the same information. In addition, we would streamline the registration process so the financial element was simpler and those who gained funding had accountability measures to report back on.

Rangatahi (Youth) Strategy Review

The Project Team (Policy and Community Development teams at MDC and Community Development staff at CDC and SWDC) will commence the targeted engagement phase of the review in August 2022. The purpose of this engagement is for rangatahi to provide feedback and identify ideas and opportunities relevant to the strategy and inform them of the ongoing opportunity to be involved (with the Focus Group).

All schools (with years 8 and above) in the Wairarapa have been offered the opportunity for their students to engage on the Wairarapa Rangatahi (Youth) Strategy review. We have received twenty responses so far, 10 in Masterton for engagement sessions.

We have continued to connect with a range of stakeholders including mana whenua, Rangatahi tū Rangatira, Masterton Youth Council, Youth 2 Work, and Pasifika o Wairarapa Trust to ensure that we are connecting with a range of rangatahi (youth).

The Project Team is exploring opportunities for 19–24-year-olds to engage and expect this approach will be slightly different (to 12–18-year-olds) and will likely fall to sports organisations / employers to help us connect.

Following these and other targeted workshops we will pull together interested rangatahi (youth) to be in a focus group to help support and test ideas for the strategy over the coming months.

Ara Taiohi Workshop on Mana Taiohi (Principles of youth development)

As part the Wairarapa Rangatahi Strategy Review, we identified a range of resources that could support the review process. Mana Taiohi (principles of youth development) developed by Ara Taiohi was one of these resources. Ara Taiohi is the peak body for youth development in New Zealand/Aotearoa which supports Youth Workers and others working with youth. Mana Taiohi is a principle based, mana enhancing framework that informs a way to work with young people in Aotearoa. Mana Taiohi intends to support, empower and enhance the individual and collective practice with rangatahi (youth). Further information, including videos that explain the principles are available on Ara Taiohi's website: <https://arataiohi.org.nz/mana-taiohi/>

The principles are nationally recognised and have been adopted by a range of organisations across the country.

On the 21/22 July the Council hosted a workshop facilitated by Ara Taiohi on Mana Taiohi. A range of staff from across the three councils were invited to participate and we had community development, policy, governance, Youth 2 Work and Library staff in attendance. Staff found this workshop to be

positive and found the principles were already in action (to certain degrees) in areas of how we work with rangatahi.

On Day 2 Ara Taiohi worked closely with the project team supporting the review and how we can apply the principles in our engagement approach with rangatahi. We are currently considering how the framework and principles could be incorporated into our revised strategy.

Refugee Resettlement Programme

Currently in discussion with TransDev (operate the trains of behalf of GW/Metlink) regarding the transportation of bikes from Wellington to Masterton via train for families. Further investigation is underway into locally sourced bikes, as availability and transportation become a growing concern.

Refugee and Migrant Services are coming to our office on 4 August to run an information session discussing the refresh of the two national settlement strategies for refugees and recent migrants. The Refugee Resettlement Steering group will be attending as well as interested community stakeholders.

Parks and Open Spaces Activity

- Street tree planting completed, and reserve tree planting started. Wilderness biodiversity plantings half completed with a further 6,000 eco sourced native plants remaining.
- Storm damage is being assessed and repairs are scheduled in.
- Spring turf renovations plan is underway, Council have requested a more tailored seasonal approach and to find ways to manage the soil and turf quality more sustainably.

Contractor Activity

Recreational Services – Parks and Open Spaces Management

The impact on the contract cost for inflation and compensation events (new or revamped assets) has been agreed between Council and Recreational Services and is currently with Council's Finance team.

The annual contract review is scheduled for August 2022 at which Recreational Services and Council workshop what good might look like in the future for the relationship and the contract, and how the contract can best support Council priorities.

Belgravia Leisure – Trust House Recreation Centre

Total facility visits for June were 8,742 compared to 10,379 for the same month last year. Facility memberships are also tracking down, 950 compared to 968 in 2021. The decline in visitor numbers and memberships is to be expected given the degree of COVID-19 and other illnesses currently circulating in our community.

Belgravia Leisure – Mawley Holiday Park

While revenue for the year is down 3% compared to last year, the contractor still exceeded the revenue target by 10%. This is a great result considering the challenges of restrictions and lockdown on events and tourist numbers.

Local Government Official Information and Meetings Act Requests

For the period 23 June 2022 to 27 July 2022, Council received a total of 23 Local Government Official Information Act (LGOIMA) requests. 15 requests and queries from media outlets and 8 from the public.

The average number of days to complete the response is decreasing and we are also missing some of the 20 working day targets, this is due to staff workloads and absenteeism.

				
Total number of requests received.	Responded	Ave day for completed responses	Completed within 20 working days	NOT completed within 20 working days
8 (others)	5	10	5	1
15 (media)	15	2	15	0

Customer Services Activity

Complaints (5 May to 25 July 2022)

5 Official Complaints have been received, 1 for Community Facilities and Activities, 1 for Utility Services and 3 for Strategy & Governance. 4 have been completed and one is still ongoing.

Compliments (5 May to 25 July 2022)

Parks Department

- "I would like to thank and compliment the Masterton District Council and Recreational Services for planting the kowhai trees on the verge outside my home in Totara Street. I'm hoping the trees will encourage tui into my neighbourhood in the years to come as a result. Been meaning to email you every time I drive through Kuripuni and let you know how great I think the planting is looking in Kuripuni! Hats off to you for getting everyone and everything organised to deliver it. It looks brilliant and I'm looking forward to keeping an eye out for more planting as it happens too! Keep up your awesome work!"*

City Care

- "I would like to compliment Duncan for taking the time to come and explain the Drainage problem to us it helped with a lot of the issues we had. 5 Star Duncan."*
- "The contractors are repairing the manhole cover, it is a bigger job than I thought. I wish to congratulate the council on seeing to the matter so quickly. 29 days since i reported it and the*

men are on the job so well done everybody. The workmen were very pleasant and explained everything. I am very delighted thank you all very much..”

Earthcare

- *" We would like to congratulate you on the work of the young lady who greets you at the landfill. We have been a couple of times over the past three or four days (and my husband at least once a week before that). The young lady working at the kiosk is extremely friendly, has a wonderful positive attitude, is well mannered and is very helpful. We both commented on her lovely smile and the welcome we received. She is a credit to you (or the management at the landfill). We would like our comments to be passed on to her manager or the HR or whoever records these compliments. We are happy for you to contact us if you require further information".*

Cashiers/Customer Service

- *"Please pass on that the young lady at the counter yesterday afternoon (after 3pm) was very proficient (about a rates enquiry) and "what she said might happen did happen". He said she was very welcoming and "he felt like a cared for great grandad". He was very impressed and wanted me to let Peter know as well."*

Service Requests

Over the 4 May to 25 May 2022 period, Council has received 1837 service requests. 442 of these remain open. Eight of the total number of service requests have come via Elected members and the remainder came from the public.

In general, the service requests cover the full range of Council activities such as flooding, portals, streetlights, recycling, roading/potholes, water leaks, dogs, street trees, etc.

Project Delivery Activity – See Attachment 1

Financial Report

The financial report and commentary for the forecast full year to 30 June 2022 is reported below.

The financial statements reported below are based on 12 months to date actuals with some known changes for June but there are still costs and other adjustments to come. The **Statement of Revenue & Expenditure** shows an accounting surplus of \$8.2 million. This is \$2.2 million better than the planned surplus of \$6.0 million. This predicted better-than-planned result is due to the following major aspects:

- higher revenue from financial contributions (\$1.68m or 114.8% more than planned) and reflect the continuing strong level of activity of urban subdivision development
- although fees, charges and other revenue shows less than planned (\$2.1M or 11.8% less) this is because the plan included \$7.39M of external funds for capital stimulus projects including the airport and skatepark. As some of these projects (including the airport widening of the runway) have been delayed, only \$3.6M of external funding for capital is

included. Removing the capital funding included in this statement our income from operating activities was more than planned*

- Roothing subsidies are more than planned by \$1.7M or 28.9% as a result of the Plan anticipating a funding reduction by Waka Kotahi, but the reduction did not occur. Extra funding was also gained on unplanned emergency works.
- personnel costs (\$0.78m, 5.9% less than planned) with unfilled positions during the year.
- Depreciation costs are currently showing less than budgeted but this will be more once the new assets have been capitalised.

* There are several reasons for other income being more than planned. These include:

- solid waste user pays revenue of \$3.9M is up 20% or \$700k up due to higher waste tonnages coming through the transfer station
- building consent revenue of \$1.6M is \$300k or 22.5% more than planned
- planning consent revenue of \$366k is \$204k or 127%% more than planned
- Mawley Holiday Park revenue is \$61k or \$12.9% above the planned level

Other Variances from Plan include:

- Interest expense is 5.5% more than planned due to pre-funding (borrowing early) for two scheduled LGFA bond repayments.
- Other all operating expenditure is close to plan with increased costs in some areas offset by reduced costs in others. Of note, solid waste charges and building consent costs have increased but also resulted in more revenue to cover these costs and delayed resourcing in the community development space means lower levels of expenditure than planned.
- Less interest income than planned as the bond fund investments have performed below expectations.

Statement of Revenue & Expenditure					
12 months 2020/21 Actual	12 months Year to Date to 30 June 2022	12 months	12 months		
		2021/22 Actual	2021/22 Plan	Variance	
	Revenue				
32,399,016	Rates Revenue*	34,826,775	34,741,289	85,485	0.2%
381,479	Interest Received (external)	299,886	431,000	(131,114)	-30.4%
7,293,322	Waka Kotahi Roothing Subsidies	7,498,851	5,818,281	1,680,570	28.9%
2,538,534	Financial Contributions	3,181,598	1,481,000	1,700,598	114.8%
10,113,644	Fees, Charges & Other Revenue	15,761,547	17,871,190	-2,109,643	-11.8%
52,725,995	Total Operating Revenue	61,568,657	60,342,760	1,225,897	2.0%
	Expenditure				
10,783,753	Personnel Costs	12,300,332	13,078,498	778,166	5.9%
23,623,751	Other Operating Expenditure	24,526,469	24,500,162	(26,307)	-0.1%
2,137,483	Interest Expense	1,898,489	1,799,808	(98,681)	-5.5%
13,129,830	Depreciation & amortisation	14,642,387	14,938,115	295,728	2.0%
49,674,817	Total Operating Expenses	53,367,677	54,316,583	948,906	1.7%
\$3,051,178	Operating Surplus/(Deficit)	\$8,200,980	\$6,026,177	\$2,174,803	

*Rates Revenue excludes rates on Council properties

This accounting surplus should not be taken that we are overrating. The \$3.2M of financial contributions we are required to transfer to reserves as per the Resource Management Act. External funding (including Waka Kotahi subsidy) of \$7.6M is to fund our capital programme with the costs not being included in the above statement. \$3.3M of loan repayments have been made.

The **Rates Requirement Summary** to 30 June 2022 (on the following page) shows the Council's net spending of rates funding at \$34.1m compared to \$35.4m planned year to date, \$1.3M or 3.8% less but there are still accounts to come in before June will be finalised, additional depreciation costs to expense and money that was rated for work or services not provided that we will carry forward. The end result we predict to be very close to plan.

2021/22 12 months to 30 June 2022

2020/21 12 Months	Rates Requirement Summary	2021/22 12 months	2021/22 YTD Plan	Variance	
\$		\$	\$	\$	%
	RATES REQUIRED BY ACTIVITY				
	Transport				
6,739,436	Roading	7,193,846	7,334,938	141,096	
	Water Services				
3,605,636	Urban Water supply	3,603,623	3,592,193	(11,430)	
(29,324)	Rural Water supplies & races	116,464	124,033	7,571	
	Wastewater Services				
6,548,207	Urban Sewerage system	6,556,794	6,542,117	(14,676)	
386,912	Rural Sewerage systems	313,217	361,901	48,686	
	Stormwater Services				
611,039	Stormwater	701,174	664,267	(36,905)	
	Solid Waste Services				
755,967	Solid Waste Services	382,799	722,236	339,437	
493,212	Waste Minimisation Services	299,342	299,233	(109)	
	Community Facilities				
2,999,183	Parks, Reserves & Sportsfields	3,191,395	3,325,011	133,617	
1,241,895	Trust House Recreation Centre	1,231,561	1,444,592	213,031	
125,381	Cemeteries	106,761	156,901	50,142	
2,142,632	Library & Archive	2,346,420	2,375,523	29,108	
553,930	District Building	490,987	539,814	48,826	
101,648	Housing for Elderly	142,354	144,226	1,872	
635,408	Other Property	918,519	989,633	71,110	
428,957	Hood Airport	307,339	314,244	6,905	
210,195	Mawley Holiday Park	102,212	167,512	65,300	
	Regulatory Services				
872,943	Resource Mgmt & Planning	1,008,053	991,705	(16,347)	
608,818	Building Development	661,983	657,845	(4,138)	
430,661	Environmental Services	563,971	590,273	26,304	
23,494	Parking Control	(1,588)	(24,511)	(22,922)	
92,108	Animal Services	129,014	117,795	(11,218)	
220,919	Emergency Management	223,725	255,502	31,777	
	Leadership, Strategy & Corporate Services				
793,918	Representation	716,429	725,605	74,177	
342,163	Internal Functions (net)	(32,040)	-	32,038	
898,355	Community Development	1,096,286	1,137,126	40,841	
540,258	Arts & Culture	534,395	582,283	47,888	
996,814	Economic Devlpmt & Promo	936,251	945,297	9,045	
223,411	Environmental Initiatives	273,262	320,095	46,833	
\$ 33,594,172	Total Rates Requirement	\$ 34,114,547	\$ 35,397,389	\$ 1,347,861	3.8%
	RATES INCOME				
33,096,901	Masterton District Council rates	35,411,166	35,357,389	53,776	
149,470	Penalty Income	238,220	210,000	28,220	
(186,529)	Rates Remissions	(177,366)	(170,000)	(7,366)	
\$ 33,059,842	Net Rates Income	\$ 35,472,020	\$ 35,397,389	\$ 74,630	0.2%
(\$534,330)	Surplus/(Deficit) of Rates Income	\$ 1,357,473	\$ 0	\$ 1,422,491	4.0%

The **Summary Statement of Capital Expenditure** shows \$23.5M spent which is 61% of the full year capital budget total. The statement also includes a projection of the full year capital expenditure allowing for some internal professional costs to be added to the projects, allowing for a full year's spend of around \$24.1M or 63% of the plan.

Commentary on variances and progress on some items is also included in the Statement. Three high value projects that have not progressed as per the Plan include the Civic facility, Airport upgrade and animal shelter. One project spend (Upper Plain water reservoir land purchase) was unbudgeted. Excluding these four projects from the formula for value of work completed versus planned, results in a projected 81% spent.

Summary Statement of Capital Expenditure					
	Actual 12 Months \$	Plan 12 Months \$	Plan Full Year 2021/22 \$	Full Year Forecast 2021/22 \$	Comments on progress
Roading - subsidised	7,904,530	7,406,340	7,406,340	7,904,530	Completion of 2 construction jobs that carried over from prior year - Te Ore Ore Rd roundabout & Taueru retaining wall and emergency works.
Roading - non-subsidised	2,142,054	1,158,542	1,474,792	2,142,054	Full year includes two jobs carried over from prior year - Essex St carpark and under veranda lighting renewals. Northern entrance work has been delayed.
Water Services	5,247,046	4,790,750	6,788,500	5,347,046	Stimulus projects largely on track, water meter installation on-going but will not need full budget, some mains renewal contracts yet to start, materials shortages, will not spend all of the budget. Land purchase included here, unbudgeted, offsets other underspending.
Wastewater Services	2,403,641	2,062,000	2,042,000	2,493,641	Stimulus funded projects largely on track, including aerators and private property lateral renewals. Sewer renewals projected to be overspent due to priority work brought forward.
Stormwater Services	482,259	655,000	660,000	512,259	Opaki Road stormwater upgrade completed, stimulus-funded creek cleaning work (opex) also completed.
Solid Waste Services	97,505	110,420	260,420	97,505	Cage renewal work expected to be underway.
Parks, Reserves & Sportsfields	2,565,013	2,157,400	2,864,650	2,915,013	Skate park project was budgeted over 2 years but majority of costs fell in 2021/22, so reporting as over-spend in current year, offset by underspend on sportsground buildings where projects remain in the planning stages.
Wellbeings (Amenities)	264,597	263,570	563,570	264,597	Youth hub project spending is underway, delivery of building has been delayed
Other Property	283,400	595,800	1,094,300	283,400	Bentley St asbestos removal project \$600k on-hold, to be scoped further.
Civic Facility	276,544	1,495,000	4,945,000	276,544	Full year projection of project costs to date, including project management.
Recreation Centre	118,528	165,000	255,000	118,528	Some of the plant & equipment renewals programme will be delayed.

Summary Statement of Capital Expenditure					
	Actual 12 Months \$	Plan 12 Months \$	Plan Full Year 2021/22 \$	Full Year Forecast 2021/22 \$	Comments on progress
Housing for the Elderly	335,120	341,000	341,000	335,120	Work includes upgraded insulation, heat pump installs and extractor fans.
Library & Archive	220,519	566,750	1,366,750	220,519	Budget allows for new shelving for Wairarapa Archive - project is now underway to move to a new location, including new shelving, commitment for the majority of the budget is expected in current year.
Airport	560,911	2,018,553	6,873,553	630,911	Completed current services extensions, roading & fencing. Further refining masterplan. Land purchase settlement is not expected before year end.
Regulatory Services	212,097	561,000	1,336,000	212,097	Animal shelter project includes demolition of old pound and conversion of a temporary facility. New animal shelter now projected in next financial year.
Corporate Services	393,597	337,500	280,000	393,597	IT hardware budget will be fully spent, some software application upgrades and security enhancements were not budgeted but were needed, incl software for information mgmt, to improve productivity and security enhancements.
TOTAL COUNCIL	\$ 23,507,361	\$ 24,684,625	\$ 38,551,875	\$ 24,147,361	
% spent of full year Plan	61%			63%	Shortfall largely due to Civic Facility, Airport and Animal shelter projects not progressing as quickly as anticipated in the Plan.

After excluding Civic facility, Airport, animal shelter and Upper Plain land 81% purchase.



Council Project Delivery Programme

Summary of current status of all projects within Project Delivery Work Programme.

As at: **Wednesday, 27 July 2022**

					At a Glance			Status					Current Status & Next Milestone
Ref	Profile	Stage	Project Name	Completion Date	RAG	Risk Trending	Executive Summary	Scope	Programme	Financial	Resource	Stakeholder & Comms	Commentary
P 001	High	Initiation	Civic Centre	2026 works need to be completed on the existing building to remedy earthquake damage	G	↑	To deliver a Civic facility that: Meets the needs of the Masterton community, and contributes to the wellbeing and liveability of the Wairarapa; embraces our Māori culture and multi-cultural community; utilises Green Building design for efficiency and environmental benefit; is financially sustainable and affordable for the community to use; is multipurpose and will be suitable and well utilised for future generations; is well located to encourage activity, provides easy access, and complements the surrounding community facilities	A	A	G	G	G	<ul style="list-style-type: none"> • Council agreed to put the Civic Facility project on hold until after the Local Government elections in October. • An independent working group for the project has been established. They are expected to have their inaugural meeting in early August, with the aim of providing the new Council with all the information required to enable a decision on next steps early in the new term. • The Terms of Reference for the working group have been confirmed.
P 002	High	Implementation	Masterton Revamp	2031 - 10 year programme	G	↔	The objectives of the Masterton revamp are: <ul style="list-style-type: none"> • Increased connection with the Waipoua River – Masterton is the only Wairarapa town set on a river and showcase the three river crossings • Joining things up – creating linkages throughout the town between key features. • Focusing investment – helping to create a “heart” for the Town Centre and avoiding it spreading out. • Greening things up – bringing in more natural landscapes and plantings and include more green along Town entrance routes • Define the Town thresholds and emphasise them • Be mindful of creating a safer environment for pedestrians and cyclist • Reflect Masterton’s identity and enhance buildings of cultural or municipal importance 	G	G	G	A	G	<ul style="list-style-type: none"> • Boffa Miskell continue to work on the detailed design for the Ngaumutawa Road roundabout, and a site visit in July further progressed this design. This design work supports the main programme of works being completed by Waka Kotahi and Beca.
P 003	High	Initiation	Animal Shelter	Q4 2022	G	↓	The Masterton District Council Animal Shelter does not currently fully meet the legislative requirements and it is essential that the facilities are upgraded. Improvement is necessary for the welfare of staff, the animals under their care and visiting public retrieving their animals.	G	A	G	G	G	<ul style="list-style-type: none"> • We have engaged a supplier to complete the Structural engineering, drainage, and Geotech services for the Preliminary Design for the new Animal Shelter. Once this is complete, Developed Design can proceed and a detailed project timeline can be confirmed.
P 011	High	Implementation	Hood Aerodrome	2025	G	↔	To meet current demand and enable further economic and business investment critical infrastructure improvements are required. The Hood Aerodrome is a 5 year multi-stage project which includes security upgrades, infrastructure upgrades to allow for expansion and to support current hangers, widening and eventually lengthening the runway.	G	G	A	A	G	<ul style="list-style-type: none"> • Procurement documents for Hood Aerodrome’s water and wastewater design are currently on GETS, with an August 11 close date. • Results of the Geotechnical Investigation study have been received, and will be built into the Design and Build procurement documentation. • A Geometric Concept design is underway. The pending CAA report on the Aeronautical Study will feed into this, particularly around the Runway RESA requirements. • The refuelling area upgrade works continue, with BP leading this work.
P 020	High	Implementation	Waipoua Bridge	Q4 2022	G	↔	To deliver a pedestrian, cyclist and wheeled user (pushchairs, wheelchairs, etc.) bridge over the Waipoua River, in close proximity to the Town Centre and Queen Elizabeth Park. The bridge will enable users to complete a short loop circuit utilising our existing recreation trails bridge and provide additional access and connection to Colombo Road and Henley Lake.	G	A	A	G	G	<ul style="list-style-type: none"> • Abseil Access are on site to complete the construction of the main bridge. It is anticipated this will take four weeks (weather depending). • The work on the ramps and lead-ins is mostly complete. Following this, the recreational trail pathways will be completed .
P 021	High	Implementation	Youth Hub	Q1 2023	G	↔	To design and construct a Youth Hub on a site adjacent to the Skatepark in QEII Park at 1 Dixon Street.	G	R	G	A	G	<ul style="list-style-type: none"> • The Building Consent for MDC has been lodged and is currently being processed • Construction of the Youth Hub facility is underway in Rotorua but they have not yet confirmed an updated programme. This is hindering MDC’s ability to provide detailed updates to the community on the progress of the Youth Hub.