



**Notice of the Ordinary meeting of**

## **Nelson City Council**

***Te Kaunihera o Whakatū***

Date:	Tuesday 10 May 2022
Time:	9.00a.m.
Location:	Council Chamber Civic House 110 Trafalgar Street, Nelson

# **Supplementary Agenda Late Item Agenda**

## ***Rārangi take***

<b>Chairperson</b>	Her Worship the Mayor Rachel Reese
<b>Deputy Mayor</b>	Cr Judene Edgar
<b>Members</b>	Cr Yvonne Bowater Cr Trudie Brand Cr Mel Courtney Cr Kate Fulton Cr Matt Lawrey Cr Rohan O'Neill-Stevens Cr Brian McGurk Cr Gaile Noonan Cr Pete Rainey Cr Rachel Sanson Cr Tim Skinner

**Quorum 7**

**Pat Dougherty  
Chief Executive**

### Nelson City Council Disclaimer

Please note that the contents of these Council and Committee agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision. For enquiries call (03) 5460436.

## **Supplementary Agenda Item:**

### **1. Mayor's Report**

Document number R26751

Supplementary information provided.

Recommendation

#### ***That the Council***

- 1. Receives the report Mayor's Report (R26751) and its attachments (A2883846 and A2883833); and***
- 2. Supports Gisborne District Council's proposed remit to Local Government New Zealand as set out in Attachment 1 (A2883846) and asks the Mayor to advise Gisborne District Council accordingly.***

## **Late Agenda Item:**

### **12. Late Item: Mayor's Report - Leave of Absence**

Document R26880

A confidential report titled Mayor's Report - Leave of Absence is to be considered as a major late item at this meeting.

Section 46A(1)-(6) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.8 require that agendas are distributed with the associated reports. As this report was not distributed with the agenda for this meeting, it must be treated as a major late item to be considered at this meeting.

In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.12, a procedural resolution is required before a major item that is not on the agenda for the meeting may be dealt with.

In accordance with section 46A(7)(b)(i) the reason why the item was not on the agenda is because it came to hand after the agenda had been distributed.

In accordance with section 46A(7)(b)(ii) the reason why discussion of this item cannot be delayed until a subsequent meeting is because a resolution on the matter is required before the next scheduled meeting of the Council to enable a timely decision to be made.

Recommendation

***That the Council***

1. ***Considers the confidential item regarding Mayor's Report - Leave of Absence at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable a timely decision to be made.***

**CONFIDENTIAL BUSINESS**

**2. Exclusion of the Public**

Recommendation

***That the Council***

1. ***Excludes the public from the following parts of the proceedings of this meeting.***
2. ***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:***

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Mayor's Report - Leave of Absence	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"><li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li></ul>

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**REPORT R26751**

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**Mayor's Report**

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**1. Purpose of Report**

- 1.1 To update Council on current matters

**2. Recommendation**

***That the Council***

- 1. Receives the report Mayor's Report (R26751) and its attachments (A2883846 and A2883833); and***
- 2. Supports Gisborne District Council's proposed remit to Local Government New Zealand as set out in Attachment 1 (A2883846) and asks the Mayor to advise Gisborne District Council accordingly.***

**3. Updates**

**Climatorium**

- 3.1 Whakatū Inc has additional capability within its team to work on the Climatorium proposal.
- 3.2 An application was submitted to the Agricultural and Marketing Research and Development Trust for funding to write the Climatorium Business Case and this has recently been confirmed as being successful. The focus now will be on writing this Business Case.

**Proposed LGNZ Remit 2022**

- 3.3 The Mayor of Gisborne District Council, Rehette Stoltz, has requested Nelson City Council's support for a remit regarding gambling harm to Local Government New Zealand (LGNZ) for consideration at its Annual General Meeting on 28 July 2022. Remits must have formal support from at least one zone or sector group meeting, or five Councils.

## Item 7: Mayor's Report

- 3.4 The Mayor supports Gisborne District Council's proposed remit and recommends the remit to Council for its formal support. A copy of the proposed remit application and information is attached (A2883846 and A2883833).
- 3.5 Should Council provide support for the remit then the Mayor will advise Gisborne District Council accordingly.
- 3.6 If further requests for support of Remits are received these could be circulated and tabled for consideration at the meeting.

**Author:** Rachel Reese, Mayor of Nelson

### **Attachments**

Attachment 1: A2883846 LGNZ remit application - Gambling harm - GDC 2022  
[↓](#)

Attachment 2: A2883833 Gambling Harm Remit information [↓](#)

## Annual General Meeting 2022

### Remit application

<b>Council Proposing Remit:</b>	Gisborne District Council
<b>Contact Name:</b>	Joanna Noble
<b>Phone:</b>	06 869 2720
<b>Email:</b>	Joanna.Noble@gdc.govt.nz
<b>Remit passed by:</b> (zone/sector meeting and/or list 5 councils as per policy)	TBC
<b>Remit:</b> That LGNZ works with central government to:	
<ul style="list-style-type: none"> <li>Amend the Gambling Act 2003 and Racing Industry Act 2020 to give councils a broader scope for their policies under these acts, including the ability to apply controls and restrictions on existing venues; and</li> </ul>	
<ul style="list-style-type: none"> <li>Develop additional gambling-harm reduction measures and strategies for</li> </ul>	
provincial parts of New Zealand, where the effects of problem gambling continue to	
disproportionately affect those with low-socio-economic indicators and outcomes.	

### Background information and research:

Please attach separately and include:

- Nature of the issue;
- Background to its being raised;
- New or confirming existing policy;
- How the issue relates to the LGNZ strategy and work programmes on critical issues;
- What work or action on the issue has been done, and the outcome;
- Any existing relevant legislation, policy or practice;
- Outcome of any prior discussion at a Zone or Sector meeting;
- Evidence of support from Zone/Sector meeting or five councils; and
- Suggested course of action envisaged.

**Please forward to:** Local Government New Zealand

Scott Necklen, Deputy Chief Executive

PO Box 1214, Wellington 6140

[Scott.necklen@lgnz.co.nz](mailto:Scott.necklen@lgnz.co.nz)

**No later than 5.00pm, Friday 20 May 2022.**

## Gambling Harm Remit information

Council proposing remit: Gisborne District Council

Contact Name: Joanna Noble

Remit:

**That LGNZ works with central government to:**

- **Amend the Gambling Act 2003 and Racing Industry Act 2020 to give councils a broader scope for their policies under these acts, including the ability to apply controls and restrictions on existing venues; and**
- **Develop additional gambling-harm reduction measures and strategies for provincial parts of New Zealand, where the effects of problem gambling continue to disproportionately affect those with low-socio-economic indicators and outcomes.**

### Background information and research:

- *Nature of the issue;*

NZ Gambling Harm Needs Assessment

<https://www.health.govt.nz/system/files/documents/publications/gambling-harm-needs-assessment-2021.pdf>

Under the Racing Industry Act 2020 (replaces Racing Act 2003) councils must adopt a policy regarding TAB venues and the policies "must specify whether or not new TAB venues may be established in the territorial authority district and, if so, where they may be located" (s96(3)). Councils have no ability under the legislation to enforce policy on any other matter relating to TAB venues.

Under the Gambling Act 2003 councils must adopt a policy regarding class 4 venues and the policies (s101(3)):

- "must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located"
- "may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue"
- "may include a relocation policy"

Councils have no ability under the legislation to enforce policy on any other matter relating to class 4 venues.

- *Background to its being raised;*

GDC resolved on 27 January to submit a remit to LGNZ to lobby Central Government for more control of gambling in the Local Government space. The local aim being to achieve a 'pokie free Tairāwhiti'.

Under the current legislation existing venues are primarily insulated from any changes to councils' policies under the Acts. This undermines communities right to decide regarding gambling venues. It has resulted in very little change to many councils' policies over the last couple of review cycles as they have no more 'levers to pull' to address the problem in their communities.

There is also insufficient gambling harm support available to provincial parts of New Zealand, where the effects of problem gambling continue to disproportionately affect those with low-socio-economic indicators and outcomes.

A2882833

## Item 7: Mayor's Report: Attachment 2

- *How the issue relates to the LGNZ strategy and work programmes on critical issues;*

This issue related to 'Local democracy (Localism)' – communities should have more control over gambling venues in their communities and problem gamblers should receive appropriate support.

- *What work or action on the issue has been done, and the outcome;*

Hastings District Council have been leading a group of councils lobbying the Government to regulate online gambling and minimise problem gambling. Opoitiki District Council has also approached the Minister of Internal Affairs on this matter.

There have been no significant changes to date. The current public consultation on reducing pokie harm is focused on how staff in pubs and clubs identify and deal with harmful gambling, potential changes to the machines and opportunities for more penalties. See [reducingpokiesharm - dia.govt.nz](https://www.dia.govt.nz/reducingpokiesharm)

- *Any existing relevant legislation, policy or practice;*

Gambling Act 2003

<https://www.legislation.govt.nz/act/public/2003/0051/latest/DLM207497.html?src=qs>

Racing Industry Act 2020

<https://www.legislation.govt.nz/act/public/2020/0028/latest/LMS291924.html?src=qs>

- *Outcome of any prior discussion at a Zone or Sector meeting;*

Unknown

- *Evidence of support from Zone/Sector meeting or five councils; and*

TBD

- *Suggested course of action envisaged.*

It is recommended that LGNZ work with central government to raise the issue and advocate for legislative change and additional gambling-harm reduction measures and strategies.

Convene a working group of local government subject matter experts to prepare a prototype legislative solution to put to the Government to guide advice to MPs.

The solution should enable councils to reduce the number of pokie machines in existing venues and take other steps needed to reduce community harm. For example, additional compliance, monitoring and enforcement powers may be required.

A2882833