



**I, John Freeman, Interim Chief Executive Officer, hereby give notice that  
an Ordinary Meeting of Council will be held on:**

**Date:** Tuesday, 12 September 2017  
**Time:** 1.30pm  
**Location:** Council Chamber, Wairoa District Council,  
Coronation Square, Wairoa

# **AGENDA**

## **Ordinary Council Meeting**

**12 September 2017**

The agenda and associated papers are also available on our website: [www.wairoadc.govt.nz](http://www.wairoadc.govt.nz)

For further information please contact us 06 838 7309 or by email [info@wairoadc.govt.nz](mailto:info@wairoadc.govt.nz)



**Order Of Business**

<b>1</b>	<b>Karakia .....</b>	<b>5</b>
<b>2</b>	<b>Apologies for Absence .....</b>	<b>5</b>
<b>3</b>	<b>Declarations of Conflict of Interest .....</b>	<b>5</b>
<b>4</b>	<b>Chairperson's Announcements .....</b>	<b>5</b>
<b>5</b>	<b>Late items of Urgent Business .....</b>	<b>5</b>
<b>6</b>	<b>Public Participation .....</b>	<b>5</b>
<b>7</b>	<b>Minutes of the Previous Meeting .....</b>	<b>5</b>
<b>8</b>	<b>General Items.....</b>	<b>16</b>
8.1	Procurement of the Transport Maintenance Contracts .....	16
8.2	Drinking Water Governance Joint Committee .....	22
8.3	Community Partnership Committee Terms of Reference .....	31
8.4	Initiation of Rates Resetting Process.....	38
8.5	Motorcycle races at Airport .....	46
8.6	Electoral System For 2019 and 2022 Local Government Elections.....	49
<b>9</b>	<b>Receipt of Minutes from Committees/Action Sheets.....</b>	<b>59</b>
9.1	Minutes of Finance, Audit & Risk Committee Meeting - 4 July 2017 .....	59
9.2	Minutes of Chief Executive Review Committee Meeting - 5 July 2017 .....	65
9.3	Minutes of Māori Standing Committee Meeting - 13 July 2017 .....	68
9.4	Minutes of Māori Standing Committee Meeting - 10 August 2017.....	73
<b>10</b>	<b>Public Excluded Items.....</b>	<b>79</b>
10.1	Valuation and sale of airport land .....	79
10.2	Youth Services Evaluation - Wairoa District Council .....	79



- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

**7 MINUTES OF THE PREVIOUS MEETING**

Ordinary Meeting - 1 August 2017

Extraordinary Meeting - 22 August 2017

**MINUTES OF WAIROA DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON TUESDAY, 1 AUGUST 2017 AT 1.30PM**

**PRESENT:** Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Hine Flood, Cr Michael (Mike) Bird, Cr Jeremy Harker, Cr Michael (Min) Johansen, Cr Charles (Charlie) Lambert, Mr Paul Kelly, Mr Kiwa Hammond

**IN ATTENDANCE:** J Freeman (Interim Chief Executive Officer), G Borg (Chief Financial Officer), J Baty (Corporate Services Manager), K Tipuna (Economic Development & Engagement Manager), H Montgomery (Chief Operations Officer) J Cox (Engineering Manager), C Knight (Governance Advisor & Policy Strategist)

**1 KARAKIA**

Opening karakia – Mr Kiwa Hammond

**2 APOLOGIES FOR ABSENCE**

**APOLOGY**

**RESOLUTION 2017/45**

Moved: Cr Hine Flood

Seconded: Cr Jeremy Harker

That the apology received from His Worship the Mayor Craig Little be accepted and leave of absence granted.

**CARRIED**

**3 DECLARATIONS OF CONFLICT OF INTEREST**

None.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

None.

**5 LATE ITEMS OF URGENT BUSINESS**

Delegations – Warrant to Act

Public Excluded Item – Review of Building Control Authority

**6 PUBLIC PARTICIPATION**

None.

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2017/46**

Moved: Cr Hine Flood

Seconded: Cr Michael (Mike) Bird

That the minutes and confidential minutes of the Ordinary Meeting held on 20 June 2017, the Extraordinary Meeting held on 23 June 2017, the Extraordinary Meeting held on 4 July 2017 and the Extraordinary Meeting held on 18 July 2017 be confirmed.

**CARRIED**

**8 GENERAL ITEMS**

Item 8.1. was presented by the Engineering Manager and the item moved to after the public excluded items due to a confidential matter relating to the item being discussed during the public excluded part of the meeting.

**8.2 CCTV PROGRAMME UPDATE**

At 2:09 p.m., Cr Michael (Mike) Bird left the meeting.

At 2:10 p.m., Cr Michael (Mike) Bird returned to the meeting.

**RESOLUTION 2017/47**

Moved: Cr Hine Flood

Seconded: Cr Michael (Min) Johansen

That Council receives the report and continue with the existing system and further develop in an internal continuous improvement process including stakeholders (this group to include the farming community).

**CARRIED**

**8.3 AUDIT FEES 2017-2019****RESOLUTION 2017/48**

Moved: Cr Jeremy Harker

Seconded: Cr Denise Eaglesome-Karekare

That Council approves the proposed Annual Report audit fees and disbursements of \$286,198 for the three years ending 30 June 2017-2019.

**CARRIED**

**8.4 MATARIKI REGIONAL ECONOMIC DEVELOPMENT STRATEGY (REDS) GOVERNANCE STRUCTURE****RESOLUTION 2017/49**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Michael (Mike) Bird

That Council endorse the governance structure, delivery and funding model for the Matariki Regional Economic Development Strategy , but amend so that Wairoa District Council is a permanent member of the governance structure.

**CARRIED**

**8.5 DRAFT WAIROA DISTRICT COUNCIL ECONOMIC DEVELOPMENT PLAN**

This report is to come back to Council on the 12 September for a final review of the proposed plan.

**RESOLUTION 2017/50**

Moved: Cr Jeremy Harker

Seconded: Cr Charles (Charlie) Lambert

That the report be received.

**CARRIED**

**8.6 PROCUREMENT STRATEGY****RESOLUTION 2017/51**

Moved: Cr Jeremy Harker

Seconded: Cr Hine Flood

That Council receive the report and approve, in principle, the Wairoa District Council 'Procurement Strategy 2017' to be submitted for NZTA endorsement (in relation to roading activities) prior to adoption by Council.

**CARRIED**

**8.7 INSURANCE TERMS 2017-18****RESOLUTION 2017/52**

Moved: Cr Michael (Min) Johansen

Seconded: Cr Jeremy Harker

That Council approves the terms attached as Appendices 2 & 3 and the associated expenditure of \$283,087.37 for insurance premiums for the year ending 30 June 2018.

**CARRIED**

At 3:00 p.m., Mr Paul Kelly left the meeting.

**8.9 DELEGATIONS - WARRANT TO ACT****RESOLUTION 2017/53**

Moved: Cr Hine Flood

Seconded: Cr Michael (Mike) Bird

That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the item **Delegations – Warrant to Act** be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the timeframe allowed.

**CARRIED**

**RESOLUTION 2017/54**

Moved: Cr Charles (Charlie) Lambert

Seconded: Cr Michael (Mike) Bird

That Council:

1. Receive the report; and,
2. The delegations and appointments as scheduled in the Schedule of Delegations be approved with immediate effect:

<b>NAME</b>	<b>DELEGATION/AUTHORITY</b>
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John Freeman (Interim Chief Executive Officer)	1. The Council delegates to the Interim Chief Executive Officer all responsibilities, duties and powers to act on any matter, subject to any legal restrictions, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. This delegation does not preclude the Interim Chief Executive Officer from referring for any reason any matter to the governing body or a committee (including a subcommittee) of the governing body, for a decision. This delegation includes the authority to
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sub-delegate to an appropriate officer or tier level except where delegation is prohibited by any Act or regulation provided these delegations are along good business practice and are separately recorded.

2. The Council delegates to John Freeman (Interim Chief Executive Officer) all its powers that it is lawfully able to delegate in relation to its status as the lawful occupier of any Council land (including local roads). This includes, for the avoidance of doubt, the Council's power to authorise an employee or other person to act under the authority of the Council in terms of the Trespass Act 1980.

**CARRIED**

## **9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

### **9.1 MINUTES OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 27 JUNE 2017**

#### **RESOLUTION 2017/55**

Moved: Cr Jeremy Harker

Seconded: Cr Denise Eaglesome-Karekare

That the Minutes of the Economic Development Committee Meeting held on Tuesday 27 June 2017 be received and the recommendations therein be adopted.

**CARRIED**

## **10 PUBLIC EXCLUDED ITEMS**

### **RESOLUTION TO EXCLUDE THE PUBLIC**

#### **MOTION**

Moved: Cr Hine Flood

Seconded: Cr Michael (Min) Johansen

That the public be excluded from the following parts of the proceedings of this meeting at 3:08 p.m.

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

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each</b>	<b>Ground(s) under section 48 for the passing of this</b>
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	<b>matter</b>	<b>resolution</b>
<b>10.1 - Frasertown Hall</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.1 - Review of Building Control Authority</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  s7(2)(f)(ii) - the withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**RESOLUTION 2017/56**

Moved: Cr Jeremy Harker

Seconded: Cr Michael (Min) Johansen

That Council moves out of Closed Council into Open Council at 4:27 p.m.

**CARRIED**

**8.1 UPDATE ON PROPERTY ASSET MANAGEMENT PLAN, DATABASE AND STRATEGY**

Councillors requested a workshop and a field trip on the database.

**MOTION**

Moved: Cr Michael (Min) Johansen

Seconded: Cr Charles (Charlie) Lambert

That Council receive the report and resolves to commence negotiations for acquisition of adequate clear zone land for the runway extension

**8.8 TE MATARAE O TE WAIROA TRUST - MAORI LAND DEVELOPMENT PROJECT MANAGER****RESOLUTION 2017/57**

Moved: Cr Jeremy Harker

Seconded: Cr Michael (Min) Johansen

That Council:

- a) Supports Te Mātārae o Te Wairoa Trust's proposal for the establishment of a Māori Land Development Project; and,
- b) Releases \$60,000 from the District Development Fund Reserve to be allocated to Te Mātārae o Te Wairoa Trust for the Māori Land Development Project for a solution-based approach to Māori land development based on their proposal.

**CARRIED**

Closing karakia – Economic Development & Engagement Manager.

**The Meeting closed at 4:45 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 September 2017.**

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**CHAIRPERSON**

**MINUTES OF WAIROA DISTRICT COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON TUESDAY, 22 AUGUST 2017 AT 3.30PM**

**PRESENT:** His Worship the Mayor Craig Little (Mayor), Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Michael (Mike) Bird, Cr Jeremy Harker, Cr Michael (Min) Johansen, Cr Charles (Charlie) Lambert, Mr Kiwa Hammond, Ms Sharon Cooper

**IN ATTENDANCE:** J Freeman (Interim Chief Executive Officer), G Borg (Chief Financial Officer), J Baty (Corporate Services Manager), K Tipuna (Economic Development & Engagement Manager), H Montgomery (Chief Operations Officer), C Knight (Governance Advisor & Policy Strategist)

**1 KARAKIA**

Opening karakia – Mr Kiwa Hammond

**2 APOLOGIES FOR ABSENCE**

**APOLOGY**

**RESOLUTION 2017/45**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Charles (Charlie) Lambert

That the apology received from Cr Flood be accepted and leave of absence granted.

**CARRIED**

**3 DECLARATIONS OF CONFLICT OF INTEREST**

None.

**4 PUBLIC PARTICIPATION**

Verbal submissions were given by:

Organisation	Name
	Jean Martin
First Light Community Foundation Ltd	Mark Sowman
Racing Board	Jarrold True

**5 GENERAL ITEMS****5.1 DOG CONTROL POLICY & BYLAW****RESOLUTION 2017/46**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That Council adopt the proposed Dog Control Policy, Dog Control Bylaw, and Selected Owner Policy with the following amendments:

1. Selected Owner Policy – update example to reflect the current fees and charges and box this off to ensure it is clear that is an example only and not the fee that owners will pay; and,
2. Off lead exercise areas – add an additional off-lead exercise area at Pilot's Hill with river access for dogs to swim, highlight the DOC area on the Map to raise awareness that no dogs should enter this area

**CARRIED**

**5.2 ADOPTION OF CLASS 4 GAMING VENUE AND BOARD VENUE POLICIES****RESOLUTION 2017/47**

Moved: Cr Denise Eaglesome-Karekare

Seconded: His Worship the Mayor Craig Little

That Council adopt the Board (T.A.B) Venue Policy.

**CARRIED**

**RESOLUTION 2017/48**

Moved: Cr Michael (Min) Johansen

Seconded: Cr Jeremy Harker

That Council adopt the Class 4 Gaming Venue Policy.

**CARRIED**

Closing karakia – Mr Kiwa Hammond.

**The Meeting closed at 5:13 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 September 2017.**

.....  
CHAIRPERSON

## 8 GENERAL ITEMS

### 8.1 PROCUREMENT OF THE TRANSPORT MAINTENANCE CONTRACTS

**Author:** Jamie Cox, Engineering Manager

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** Nil

#### 1. PURPOSE

1.1. Transportation Physical Works Contracts Procurement Review update report

#### RECOMMENDATION

The Engineering Manager RECOMMENDS that Council receives this report and attends a workshop to review the options proposed in this report and to confirm the preferred option going forward

#### EXECUTIVE SUMMARY

Smart procurement of transportation physical works contracts is a crucial issue for WDC going forward, as all significant maintenance, operation and renewal contracts are due to end and will need to be re-tendered in 2018/19.

To deliver more cost effective, value-for-money outcomes, Council's 2012 Procurement Strategy introduced a delivery model which included performance based maintenance of unsealed roads, and a scheduled maintenance and renewals (by Council) model for sealed roads. Overall these contract models have resulted in improved maintenance and reduced costs for unsealed and sealed roads.

However, with the introduction of Road Efficiency Group's (REG) One Network Road Classification (ONRC) and the revision of Council's Procurement Strategy in 2017, there is now a need to complete a full review of the procurement of all physical works contracts required to maintain and renew the transport network.

This review should be completed by December 2017, so that new contracts can be developed, tendered and awarded prior to the existing contracts completion dates. This review will look at how work is packaged, adjustment of contract performance measures to align with the intent of the ONRC and our strategic problems, and market capability analysis.

#### 1. BACKGROUND

1.1 NZTA provide a Financial Assistance Rate (FAR) of 70% contribution towards WDC's transportation activity. Achieving Value for Money is a key driver for NZTA and is a requirement of the Government Policy Statement on Transportation. As a primary investor in the WDC transportation network, NZTA require their investment assessment criteria to be met, necessitating all RCAs to complete a Smart Buyer's Self-Assessment. With the update of WDC's Procurement Strategy in July 2017 to reflect the key criteria for successful procurement and delivery of services, we are well placed to take advantage of opportunities to provide Value for Money.

Current physical works contracts for the various land transport contract areas are as follows:

CONTRACT NO.	NAME	CONTRACT TERM	CONTRACTOR	END DATE
15/06	Sealed Road Repairs	1+1+1	Russell Roads	30 September 2018
15/08	Sealed Road Resurfacing	1+1	Downer NZ Ltd	30 June 2018
13/02	Network Maintenance (unsealed roads)	2+1+2	Quality Roading and Services (Wairoa) Ltd	30 June 2018
14/22	Pavement Remarketing	1	Orsborn Roadmarkers Ltd	30 June 2018
15/07	Maintenance of Kinikini Rd	12+1+1	Telford Contracting Ltd	30 June 2018
14/17	Streetlights Maintenance	3+1+1	Eastech Ltd	30 June 2020

1.2 Since 1 July 2013 the delivery of the physical maintenance and operations of the land transport network as outlined above is based upon three distinctly different contract models:

- The sealed road network (pavements and surfacing) is managed using output basis contracts (i.e. Council schedules and tasks all repairs for the contractor to deliver the output in two defined interventions over a calendar year).
- The unsealed road network (including general maintenance requirements for drainage, vegetation, traffic services and emergency response) is managed using an outcome basis contract (i.e. the contractor is paid a monthly lump sum to deliver an outcome to Council's condition/performance standards).

1.3 The procurement of physical works contracts has a direct impact on Council's Goal for transportation: Provision of a safe and **affordable** land transport network that contributes to the outcomes of the land transport management act and the objectives of the regional land transport strategy.

## 2. VALUE FOR MONEY

2.1 WDC's Procurement Strategy was updated in July 2017 to reflect the key criteria for successful procurement and delivery of services to provide Value for Money.

This requires a whole-of-life approach implementing good asset management planning including lifecycle management planning and modelling. The key components of value for money are regarded as:

- Robust planning to identify an effective work plan
- Appropriate, efficient and compliant supplier selection procedures
- Maintaining capacity and competitiveness in the local market

- Successful delivery of works and services (the right outcome on time and within budget)

This broad, long-term, perspective commits the Council to seeking sustainable options and not necessarily the lowest cost ones.

The Procurement strategy outlines key Procurement Objectives and how these will be met.

### **3. PAVEMENT MAINTENANCE & RENEWALS**

- 3.1 Pavement maintenance and renewals are the key drivers for provision of long term access of the transport network. This will be the primary focus of the review process, particularly LoS requirements and performance outcomes.

### **4. MARKET ENVIRONMENT & SUSTAINABILITY**

- 4.1 **OPTIONS** Presently there is a reasonably competitive contracting market based in and around Wairoa. The three significant pavement maintenance and renewals contracts are all held by different contractors, though Quality Roading and Services has the more significant Network Maintenance (unsealed roads) contract. The recently awarded water contract has added a further contractor to the local market.
- 4.2 There is scope for competitive tendering in this next round of contracts from these existing contractors as well as other Hawke's Bay or Gisborne based contractors by packaging work into attractive bundles and making the market aware of these well in advance.
- 4.3 Diversity and competition is less evident in specialised areas such as streetlight maintenance and road-marking, so careful attention is needed in these areas to ensure value for money – where direct competition is less likely to contribute to that goal.
- 4.4 Sustainability is a statutory or strategic requirement for councils. It is important to ensure sustainability of the market place for the long term.

### **5. OPTIONS**

- 5.1 The options identified are:
- a. Status Quo
  - b. Repackaging of Sealed Roads maintenance & renewals, and leaving the Unsealed maintenance performance based contract unchanged
  - c. Repackaging of Sealed Roads maintenance & renewals AND further Optimisation of Unsealed maintenance performance based contract
- 5.2 **Option a** – Under the current model there has been an overall reduction in maintenance expenditure and a slight improvement in key performance measures (i.e. road roughness). However, forecasts for traffic increases (primarily due to forestry activity) in future years are likely put pressure on resources under this current model, with resulting performance implications. The review should examine the historic performance of the current models in details to determine if continuing with this model in future will provide the best Value for Money.

- 5.3 Option b** – This option allows for maintenance of the sealed road portion of the network to be repackaged to create a single sealed roads physical works contract encompassing both maintenance and renewals (resurfacing and pavement rehabilitation). Combining these works together produces a significant package of work that is likely to encourage competitive tendering in the current market environment. This option would assist in responding to increased traffic on the network, by focussing on performance of the highly- trafficked portions of the network.
- 5.4 Option c** – This option provides an opportunity to fully reassess how all contracts are structured. It would allow for Option b as well as enhance the maintenance of unsealed roads by fully reviewing current performance measures, and incorporation of a risk-based approach to optimise activities across the different ONRC. This option would provide the ability to directly respond to forecast increases in traffic, both on high volume sealed roads and key rural links, such as forestry routes. This would then align with regional objectives of supporting economic growth and productivity, as well as ensuring asset integrity for future users.
- 5.5** A half day workshop with key Council members is required to review the options proposed above and confirm the preferred option going forward. This workshop would be facilitated by members of Opus International Consultants' procurement team – Rowan Kyle and Adele Jones. The suggested dates for this workshop are 25, 26 or 27 September 2017.
- 5.6** This transportation procurement review needs to be completed as a high priority as timeframes for renewal of these contracts are only 1 year away. The preferred procurement option should be confirmed prior to December 2017, so that work can commence on current contract performance review and document preparation. Re-tendering and award should be completed at least a month prior to the existing contracts completion dates to ensure the contract handover processes can be managed smoothly.

## **6. CONCLUSION**

- 6.1** A workshop is required to review the options proposed above and confirm the preferred option going forward. Based on the timeline for procurement outlined in 6.6 above, this workshop should be completed as suggested in late September 2017.

## **7. CORPORATE CONSIDERATIONS**

### **What is the change?**

- 7.1** A workshop is programmed

### **Compliance with legislation and Council Policy**

- 7.2** Procurement Strategy 2017
- 7.3** Land Transport Management Act 2003

### **What are the key benefits?**

- 7.4** Council input into transportation procurement

### **What is the cost?**

- 7.5** Included for in the 2017/18 annual plan from subsidised roading.

**What is the saving?**

7.6 N/A

**Who has been consulted?**

7.7 This is the development stage of the development of the transportation procurement

**Service delivery review**

7.8 A service delivery review was undertaken in 2015

**Maori Standing Committee**

7.9 NA- this matter is culturally neutral

**8. SIGNIFICANCE**

This report is a prelude to a workshop and does not trigger the significance policy

**Further Information**

<https://www.nzta.govt.nz/resources/procurement-manual/procurement-manual.html>

<https://nzta.govt.nz/roads-and-rail/road-efficiency-group/procurement/>

**Background Papers**


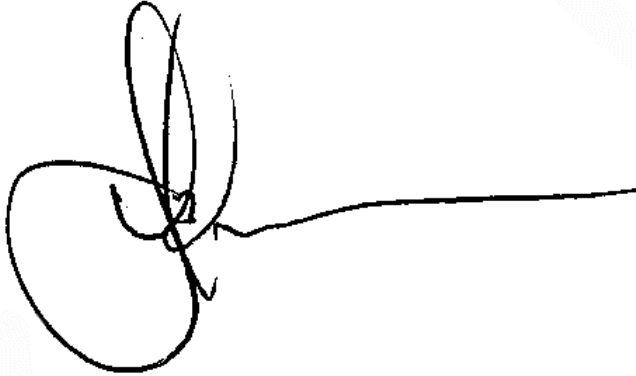
[List any papers/websites used in preparing the report and/or are referenced in the report]

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

## Signatories

	
Author Jamie Cox	Approved by John Freeman

**8.2 DRINKING WATER GOVERNANCE JOINT COMMITTEE**

**Author:** Jamie Cox, Engineering Manager

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Draft Terms of Reference [↓](#)

**1. PURPOSE**

- 1.1 The purpose of this report is to obtain a decision from the Council on a proposal to establish a governance Joint Committee to provide oversight of drinking water matters within the Hawke's Bay region

**RECOMMENDATION**

That Council

- A) That the report of the Chief Executive titled "Regional Drinking Water Governance Joint Committee" dated 29/10/2015 be received
- B) That, subject to the agreement of the other participating agencies, Council resolve to establish the Hawke's Bay Drinking Water Governance Joint Committee.
- C) That the Terms of Reference for the Hawke's Bay Drinking Water Governance Joint Committee be adopted

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for good quality local infrastructure in a way that is most cost-effective for households and business by:

- i) Providing for effective Governance oversight and regional collaboration over activities that contribute to safe and adequate drinking water.

**2. BACKGROUND**

- 2.1 The proposal arises from discussions between the councils in the region and other stakeholders following on from the Havelock North water contamination event, and the establishment of an officer level joint working group (JWG) by the Hawke's Bay District Health Board (HBDHB), the Hawke's Bay Regional Council (HBRC) and the Hastings District Council (HDC), joined more latterly by the Napier City Council (NCC). The JWG has focused on normalising collaboration and working together between the parties aimed at ensuring drinking water safety.
- 2.2 The proposal for a governance Joint Committee is designed to provide joined up governance oversight of drinking water safety and the work of JWG. It is intended to provide a focus on collaboration in drinking water safety work beyond the life of the Government Inquiry into Havelock North Drinking Water which is currently taking a strong interest in the work of the JWG.
- 2.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for

households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.

- 2.4 The objective of this decision relevant to the purpose of local government is to provide governance arrangements that support and provide oversight to the collaborative work necessary to promote and help ensure safe drinking water
- 2.5 The report concludes by recommending that, subject to the agreement of the other participating agencies, Council resolve to join the Hawke's Bay Drinking Water Governance Joint Committee and that the Terms of Reference for the Joint Committee be adopted
- 2.6 The Havelock North water contamination event highlighted the need for greater collaboration between health, environment and water supply agencies in work to ensure drinking water safety. This is particularly important with the 'multiple barrier' approach required by legislation, and which is international best practice, where multiple agencies need to work together to ensure multiple risks are comprehensively managed. At the initiative of the Chief Executive of the HBDHB, a JWG was established between the HBDHB, the HBRC and HDC to help normalise and drive greater collaboration on drinking water safety matters. NCC also joined the group once it was established.
- 2.7 The JWG has been working effectively since late 2016 under the leadership of Mr Chris Tremain, the independent chairperson appointed by the parties. The JWG has overseen implementation of Government Inquiry recommendations, and is addressing a number of policy and coordination matters relating to drinking water safety, agency collaboration, catchment protection and effective use of statutory policy and planning tools.
- 2.8 The JWG currently exists on the agreement of the chief executives of the participating agencies. It has also been tasked with various activities by the Government Inquiry. It formally reports to the chief executives and, in effect, to the Government Inquiry.
- 2.9 The chief executives agree that the JWG has added significant value in systematising and resourcing collaborative work between the agencies that contributes to drinking water safety, and therefore this momentum should not be lost.
- 2.10 The Government Inquiry is due to complete its work in December 2017. While the JWG will continue to operate and operationally report to respective chief executives, it is also considered desirable in terms of focus and accountability for there to be an ongoing level of governance oversight of the activities of the JWG, particularly when the oversight focus brought to bear by the Inquiry is no longer present.
- 2.11 Discussions between a number of the governance and management leaders of stakeholder organisations has led to the development of a proposal to establish a Hawke's Bay Drinking Water Governance Joint Committee.
- 2.12 Attached in appendix is the proposed terms of reference for the Hawke's Bay Drinking Water Governance Joint Committee.
- 2.13 The Joint Committee will be established between the HBDHB, the HBRC and those territorial authorities that wish to participate in the Joint Committee. The geographic jurisdiction for the Joint Committee will be across the area of the territorial authorities that elect to participate in the Joint Committee and such other land and catchment areas within

the jurisdiction of the HBRC that have an impact on drinking water matters within the participating territorial authorities.

- 2.14 The Joint Committee will focus on drinking water matters, including in particular drinking water adequacy, quality and safety. The Joint Committee will be able to consider other network infrastructure matters (e.g. stormwater and wastewater) and other freshwater matters to the extent that they impact on drinking water. The Joint Committee will be able to make decisions within its own terms of reference, but will also be empowered to make recommendations to its member organisations' other decision making and policy fora as appropriate (e.g. TANK, the Regional Planning Committee).
- 2.15 Iwi participation in the Joint Committee has therefore been left open within the terms of reference and can be revisited if iwi organisations determine they do wish to participate within the joint committee structure.
- 2.16 Establishing the Joint Committee and adopting the Terms of Reference will enable a regional approach to governance over drinking water matters and drinking water safety to be established, and will further reinforce and systematise the interagency collaboration that is desirable to ensure a strong focus on drinking water safety and adequacy. By overseeing drinking water management collectively as a region, a more consistent and mutually reinforcing approach can be taken to the management of shared water resources. Furthermore the experience of larger and better resourced parts of the region can be shared with all.
- 2.17 Policy and technical work to support the Joint Committee work programme is already being carried out under the auspices of the JWG and is funded by the agencies involved.

### 3. OPTIONS

- 3.1 The options identified are:
  - a. Proceed to join the proposed Joint Committee on the basis of the proposed Terms of Reference.
  - b. Seek to modify the form and/or terms of reference for the Joint Committee.
  - c. Decline to establish the Joint Committee
- 3.2 Not resolving to join the Joint Committee would mean that the Council was forgoing the opportunity to establish regional governance to reinforce collaboration in respect of drinking water matters. While this course is open to the Council, this is seen as neglecting an opportunity to strengthen desirable inter agency collaboration in this area
- 3.3 The preferred option is (a) to resolve to join the Joint Committee and adopt the terms of reference. This will enable a regional approach to governance over drinking water matters and drinking water safety to be established, and will further reinforce and systematise the interagency collaboration that is desirable to ensure a strong focus on drinking water safety and adequacy, this meets the purpose of local government as it will help meet the current and future needs of communities for good-quality infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

### 4. CONCLUSION

- 4.1 [\[Type here\]](#)

**5. CORPORATE CONSIDERATIONS****What is the change?**

5.1 A Joint governance water group

**Compliance with legislation and Council Policy**

5.2 Section 10 of the Local Government Act 2002

**What are the key benefits?**

5.3 Interagency collaboration

**What is the cost?**

5.4 Minimal

**What is the saving?**

5.5 NA

**Who has been consulted?**

5.6 There has been no local consultation

**Maori Standing Committee**

5.7 During discussions over the form and function of this Committee it was unclear as to whether iwi wished to participate as members of the Joint Committee. Iwi representatives engaged noted the statutory provisions that allow them to input into and challenge decision making in relation to water matters

**6. SIGNIFICANCE**

6.1 The proposal recommended in this report relates to governance and administrative arrangements. It is not considered to trigger the thresholds contained in Council's significance policy

**7. RISK MANAGEMENT**

7.1 The strategic risks (e.g. publicity/public perception, adverse effect on community, timeframes, health and safety, financial/security of funding, political, legal – refer to S10 and S11A of LGA 2002, others) identified in the implementation of the recommendations made are as follows:

- a. Joining the HBJWC manages some of the risks associated with Councils water supply governance overview

**Further Information**

None

**Background Papers**

None

**References (to or from other Committees)**


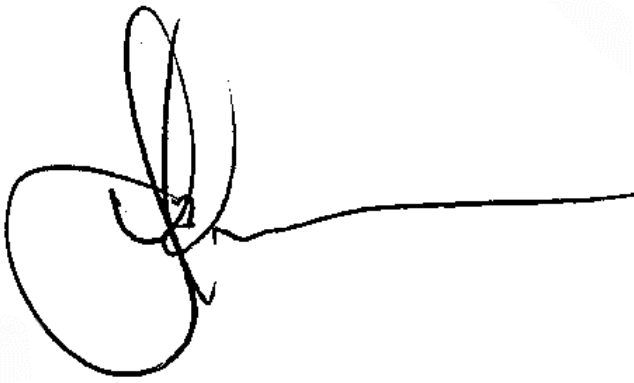
None

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

**Signatories**

	
Author Jamie Cox	Approved by John Freeman

**Hawke's Bay Drinking Water Governance Joint Committee****Terms of Reference****1. Background**

- 1.1. In August 2016 a significant water contamination event occurred that affected the Hawke's Bay community of Havelock North. The Government established an Inquiry into the Havelock North water supply.
- 1.2. It became apparent during the Government Inquiry that in order to achieve a systematic approach to ensuring safe drinking water, there was a need to strengthen interagency working relationships, collaboration and information sharing pertaining to drinking water.
- 1.3. The Inquiry asked a Joint Working Group (JWG) initially comprising staff representatives of the Hawke's Bay District Health Board, Hawke's Bay Regional Council and the Hastings District Council to implement its 17 initial recommendations. As this group has evolved it has become apparent that many drinking water issues will require an ongoing forum for regional collaboration and decision making. Napier City Council have also joined the Joint Working Group.
- 1.4. Ngati Kahungunu Iwi Incorporated have called for the agencies involved in water management to view water as a taonga, the lifeblood of the land and people. They consider that drinking water should be set as the number one priority for water use in decision-making processes related to water.
- 1.5. It is within this context that the Hawke's Bay Drinking Water Governance Joint Committee has been established. The principal focus of the Committee is on drinking water, however drinking water cannot be considered in isolation from other fresh water management issues. For that reason the focus of the Committee will be twofold: 1. To provide governance oversight for planning and decision making on regional drinking water matters; and 2. To consider and make recommendations where appropriate to decision-making bodies with responsibility for broader freshwater management issues or planning or infrastructure issues that have implications for drinking water or drinking water safety.

**2. Purpose**

- 2.1. The parties agree that water is a taonga, the lifeblood of the land and people. They further agree that the Joint Committee established under this Terms of Reference is intended to give practical meaning and effect to this agreement.
- 2.2. The Committee is established to provide governance oversight to the existing JWG regarding the implementation of recommendations from the Inquiry Panel and then the evolution of the JWG into a more permanent officials working group.
- 2.3. In the context of this agreement including a. and b. above, the purpose of the Hawke's Bay Regional Drinking Water Security Joint Committee is to give governance oversight and direction in respect of the following matters:
  - 2.3.1. Programmes and initiatives to protect and enhance drinking water quality and safety.
  - 2.3.2. Improving and maintaining effective inter-agency working relationships relating to drinking water, including the extent and effectiveness of cooperation, collaboration and information sharing between the agencies, and mechanisms to achieve these desired outcomes.
  - 2.3.3. Provision of governance oversight of strategies and work programmes related to drinking water management, including drinking water sources and infrastructure matters.
  - 2.3.4. To recommend to the relevant bodies and decision making for changes to strategies and work programmes to protect and enhance drinking water quality and safety.

- 2.3.5. To encourage the member parties to give adequate consideration of the safety of drinking water in the carrying out of their range of functions.
- 2.3.6. To make recommendations as appropriate to relevant agencies and decision making fora on initiatives and priorities related to water, having regard to the needs of the region for adequate and secure water resources suitable for the supply of safe drinking water.
- 2.4. The geographic scope of the Joint Committee's jurisdiction shall be over drinking water related matters on the land and catchment areas within territorial authorities who elect to be members of the Joint Committee (the participating territorial authorities) plus such other land and catchment areas within the authority of the Hawke's Bay Regional Council that have an impact upon drinking water within the participating territorial authorities.

### 3. Members/Parties

- 3.1. If they elect to take up membership and establish the Joint Committee, each of the following shall be a Member of the Hawke's Bay Drinking Water Governance Joint Committee and a party to this document and the establishment of the Joint Committee:
  - 3.1.1. Hawke's Bay District Health Board
  - 3.1.2. Hawke's Bay Regional Council
  - 3.1.3. Central Hawke's Bay District Council
  - 3.1.4. Hastings District Council
  - 3.1.5. Napier City Council
  - 3.1.6. Wairoa District Council
- 3.2. Each member may appoint two (2) representatives.
- 3.3. To ensure the work of the joint Committee is not unreasonably disrupted by absences each party may appoint alternative representatives.
- 3.4. The Joint Committee shall appoint an Independent Chair of the Joint Committee.
- 3.5. Water is of particular importance to Maori, and Maori have certain statutory rights in respect of decision making relating to water under the Resource Management Act 1991 and the Local Government Act 2002. Some iwi representatives have been involved in discussions leading to the proposal for this Joint Committee but have not determined whether or not they wish to formally participate in the Joint Committee. Provision is made for iwi representation to be added to the Committee should iwi organisations with authority in respect of the geographic areas over which this Joint Committee has jurisdiction indicate that they wish to formally join the Committee.
  - 3.5.1. Notwithstanding any decision by iwi organisations under e. above, the member organisations will take steps to consult with, and take into account the interests of, Maori as appropriate in terms of local authority decision making requirements in respect of matters before the Joint Committee.

### 4. Name

- 4.1. The Hawke's Bay Drinking Water Governance Joint Committee shall be known as the **Hawke's Bay Drinking Water Governance Joint Committee (HBDWGJC)**.

### 5. Status

- 5.1. By agreement of the local authority members, the Hawke's Bay Drinking Water Governance Joint Committee is to be established as a Joint Committee under clause 30 and clause 30A of Schedule 7 of the Local Government Act 2002.

### 6. Delegated Authority

- 6.1. The Hawke's Bay Water Governance Joint Committee shall have authority to undertake such steps as are necessary to give effect to the purpose of the Hawke's Bay Water Governance Joint Committee including but not limited to;
  - 6.1.1. Establishing and amending as it sees fit the Terms of Reference for the JWG.
  - 6.1.2. Receiving reports from and giving direction to the officials Joint Working Group that leads interagency cooperation and work programmes on drinking water quality and safety and/or from the Chief Executives of the member agencies.
  - 6.1.3. Commissioning reports and studies
  - 6.1.4. Making recommendations to members related to the security and safety of drinking water.
  - 6.1.5. Making recommendations to members relating to strategies and work programmes.
  - 6.1.6. Making recommendations to appropriate parties on matters within the purpose of the Joint Committee.
7. **Administering authority and Servicing**
  - 7.1. The members of the Hawke's Bay Drinking Water Governance Joint Committee shall work with the JWG established to lead interagency cooperation and work programmes on drinking water quality and safety.
  - 7.2. The Administering Authority of the Joint Committee shall be the \_\_\_\_\_.
8. **The Remuneration**
  - 8.1. Each member of the Hawke's Bay Drinking Water Governance Joint Committee shall be responsible for the cost of its participation in the Joint Committee.
  - 8.2. The Joint Committee shall agree on the apportionment of the costs of the independent chair on the recommendation of the JWG.
  - 8.3. The JWG shall agree the apportionment of any costs arising from the work of the Joint Committee.
9. **Meetings**
  - 9.1. The Standing Orders of the Hawke's Bay Regional Council will be used to conduct Joint Committee meetings.
  - 9.2. The Joint Committee shall meet not less than 6 monthly or at such other times and places as agreed for the achievement of the purpose of the joint committee.
10. **Quorum**
  - 10.1. The quorum at any meeting shall be not less than eight (8).
11. **Voting**
  - 11.1. The members shall strive at all times to reach a consensus.
  - 11.2. Each member representative and the independent Chairperson shall be entitled to one vote at any meeting.
  - 11.3. There shall be no casting vote.
12. **Chairperson and Deputy Chairperson**
  - 12.1. Member representatives shall appoint by agreement an independent chairperson who shall be entitled to a vote.
  - 12.2. The Joint Committee shall also appoint by simple majority vote, from among the representatives, a Deputy Chairperson.

13. **Variations**

13.1. Any Member may propose an amendment (including additions or deletions) to the Terms of Reference which may be agreed to by the Joint Committee and the member organisations.

13.2. Amendments to the Terms of Reference shall have no effect until each member organisation agrees to the amendment.

14. **Good Faith**

14.1. The parties to this Terms of Reference agree to act in good faith towards each other and to give effect to the purpose of the Joint Committee.

Dated:

Signed on behalf of:

**8.3 COMMUNITY PARTNERSHIP COMMITTEE TERMS OF REFERENCE**

**Author:** Charlotte Knight, Governance Advisor & Policy Strategist

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Community Partnership Committee Terms of Reference [↓](#)  
2. Community Partnership Group Terms of Reference [↓](#)

**1. PURPOSE**

- 1.1 To disestablish the Community Partnership Committee of Council.
- 1.2 To endorse the terms of reference for a Community Partnership Governance Group.

**RECOMMENDATION**

*The Governance Advisor & Policy Strategist RECOMMENDS that Council:*

- a) Disestablish the Council's Community Partnership Committee (terms of reference attached Appendix 1); and,*
- b) Endorse the Community Partnership Governance Group terms of reference (attached as Appendix 2).*

**2. BACKGROUND**

- 2.1 The Community Partnerships Committee was originally established as a committee of Council under the Local Government Act 2002 (LGA 2002). After several workshops with other stakeholders the group decided to proceed with a model that is not a council committee established under the LGA 2002.
- 2.2 The details of the governance group for this model is attached as Appendix 2 for Council's endorsement. As the project is in its infancy it is expected that there will be additional changes to this document.
- 2.3 In order to tidy up the Council's committee structure the Council's committee currently adopted, terms of reference under Appendix 1, needs to be disestablished by Council.

**Further Information**

None.


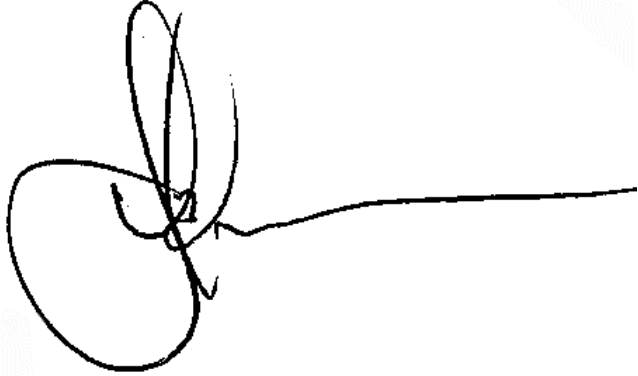
**Background Papers**

None.

**References (to or from other Committees)**

None.

## Signatories

	
Author Charlotte Knight	Approved by John Freeman



## WAIROA DISTRICT COUNCIL

PO Box 54, Wairoa – Telephone (06) 838-7309 – Facsimile (06) 838-8874

### Terms of Reference: Community Partnership Committee

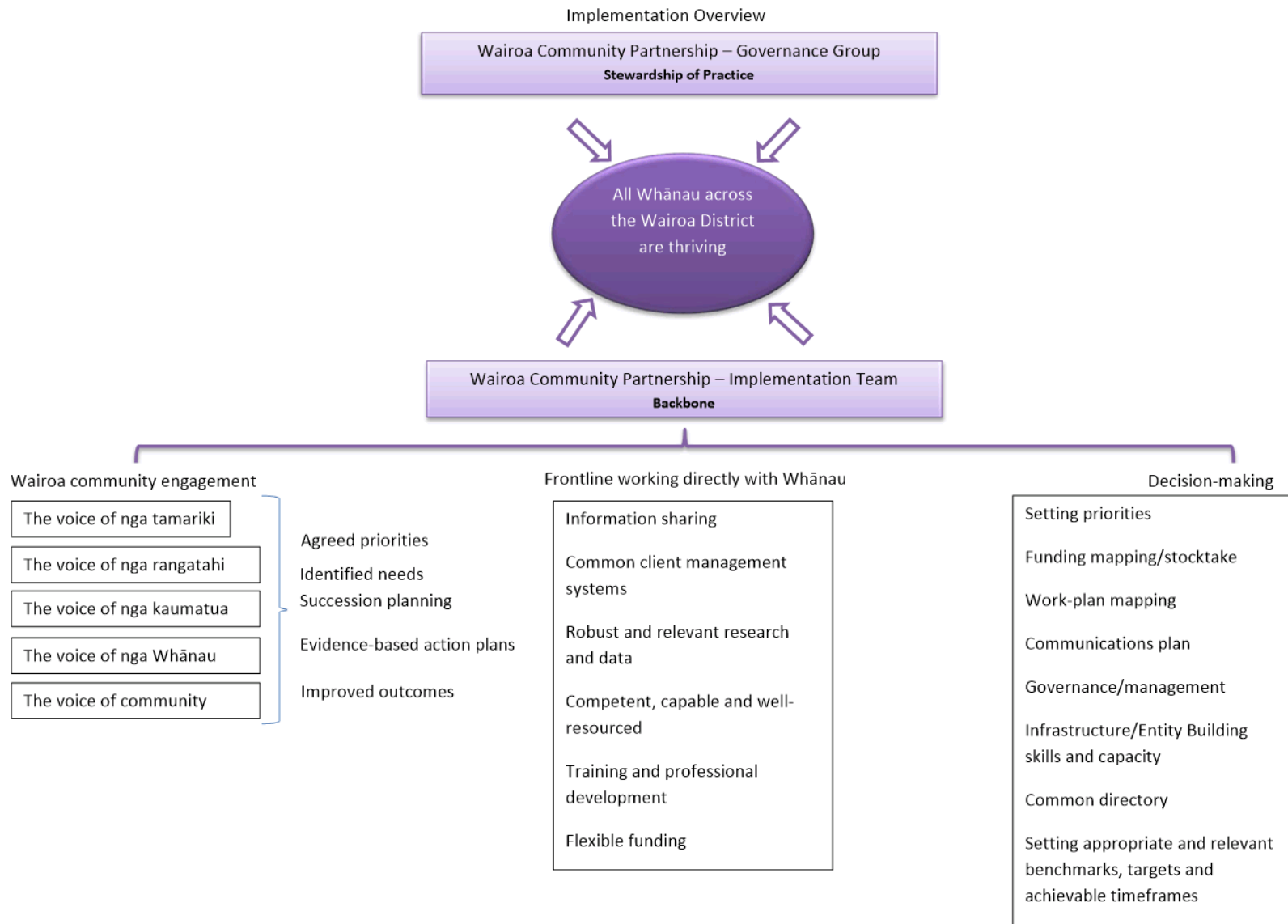
<b>Membership</b>	2 councillors, a representative from the Maori Standing Committee and His Worship the Mayor (ex-officio).
<b>Meeting frequency</b>	As required
<b>Responsibilities</b>	<ul style="list-style-type: none"> <li>• Appoint the Council's representative for the Regional Licensing Committee under the Sale and Supply of Alcohol Act.</li> <li>• Monitor the development of strategies and policies that meet the current and future needs of communities, local public services, and performance of regulatory functions in a way that is cost-effective for households and businesses.</li> <li>• Review and make recommendations to Council on the Council's Delegation Manual.</li> </ul>
<b>Delegations</b>	<ul style="list-style-type: none"> <li>• Power to appoint hearing committees and hearings commissioners if and when these are required.</li> <li>• All powers necessary to perform the Committee's responsibilities Except               <ol style="list-style-type: none"> <li>a. Powers that the Council cannot delegate or has retained to itself</li> <li>b. Where the Committee's responsibility is limited to making a recommendation only</li> <li>c. The approval of expenditure not contained within approved budgets</li> <li>d. The approval of final policy</li> <li>e. Deciding significant matters for which there is high public interest and which are controversial</li> <li>f. The commissioning of reports on new policy where that policy programme of work has not been approved by the Council</li> </ol> </li> </ul>
<b>Relevant Legislation</b>	<ul style="list-style-type: none"> <li>• Local Government Act;</li> <li>• Resource Management Act;</li> <li>• Building Act;</li> <li>• Sale and Supply of Alcohol Act;</li> <li>• Psychoactive Substances Act;</li> <li>• Health Act; and,</li> <li>• Dog Control Act.</li> </ul>

<b>Rules and Procedures</b>	<ul style="list-style-type: none"><li>• Standing Orders apply.</li><li>• Minutes will be submitted to Council.</li><li>• The Committee will be serviced by the Regulatory Department.</li><li>• There will be an appropriate induction programme for new members of the committee.</li><li>• The committee will be advised by the Chief Executive Officer, Regulatory Manager, and other officers and advisors as necessary.</li></ul>

## Terms of Reference – Wairoa Community Partnership Group

Aspiration	All whānau across the Wairoa district are thriving
Membership	Local, regional, intersectoral and interagency decision-makers who make decisions that have a bearing on the people of the Wairoa district.
Meeting Frequency	Six (6) weekly and as required
Purpose	To provide the people of the Wairoa district with united leadership that works together to allow for joined-up community planning and a whole of community and government approach to decision-making
Goals	<p>To have a meeting point for decision-makers to come together and bring forward their respective priority areas, to facilitate the development of a programme of work that supports and enables all whānau across the Wairoa district to thrive.</p> <p>Shift to a single-oversight group that is well-informed about initiatives and services that engage with whānau so the group knows what is working well, where the gaps are and what are the barriers and opportunities to improved outcomes for whānau.</p> <p>To drive forward changes required in the health and social sector necessary for improved outcomes for whānau of Wairoa.</p> <p>To de-clutter and reduce duplication of health and social services and various initiatives that engage with whānau across the Wairoa district.</p> <p>All investment models and strategies that reference Wairoa are lead, informed and operationalised by the concept of 'Wairoa - one voice, our voice'.</p> <p>Appraise all new regional, central government initiatives that come into the Wairoa district to ensure these align with the overarching aspiration</p>
Principles	<p><b>Whānau Ora / Whānau First</b> – We will consider the needs of nga tamariki/children and their whānau/families first; before all other considerations</p> <p><b>Āta Haere / Deliberate Action</b> – We will allow ourselves the time to learn and approve by doing so we are solution focussed and action orientated.</p> <p><b>Kia Tika, Kia Pono / Strengths</b> – We will adopt a strengths-based approach that will be influenced greatly by the voice of whānau from across the Wairoa district</p>
Attachments	<p>Membership List</p> <p>Implementation Overview</p>

<b>Membership – Wairoa Community Partnership Group</b>	
<b>Governance Group</b>	<b>Organisation</b>
Mayor, Wairoa District Council (Chair)	Wairoa District Council (including Councillors)
Chair (or nominee)	Tātau Tātau o te Wairoa
Chair (or nominee)	Ngāti Pāhauwera Development Trust
Chair (or nominee)	Tūhoe, Waikaremoana
Chair (or nominee)	Wairoa Taiwhenua, Ngāti Kahungunu Iwi Inc.
Regional Commissioner (Annie Aranui)	Ministry of Social Development
Tairāwhiti Area Commander (Sam Aberahama)	NZ Police
Regional Manager, Partnering for Outcomes, (Iria Pene)	Ministry for Vulnerable Children – Oranga Tamariki
Ikaroa-Rāwhiti Regional Manager - (Mere Pohatu)	Te Puni Kōkiri
Chair (or nominee)	Hawke's Bay Regional Council
Manager Education – Gisborne/Hawke's Bay - (Cherreen Exerter)	Ministry of Education
CEO or Executive Lead	HB District Health Board
Stakeholder Relationships Manager - (Renee Martin)	Housing New Zealand
<i>Additional members to be co-opted as and when required</i>	



**8.4 INITIATION OF RATES RESETTING PROCESS**

**Author:** John Freeman, Interim Chief Executive Officer

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. LGRS s119 [↓](#)  
2. Prospective adjustments to average rates [↓](#)

**1. PURPOSE**

- 1.1 The purpose of this report is to seek Council approval to reset the Rates for the year ending 30 June 2018.

**RECOMMENDATION**

The Chief Executive Officer RECOMMENDS that Council:

1. Determine it is desirable to set all of its rates (except the Māhia and Opoutama Wastewater Scheme targeted rates for capital repayment and finance costs, and water by meter rates) for the 2017/18 year again because of a mistake in calculating the rates (under section 119(2)(a)(ii) of the Local Government (Rating) Act 2002) as identified and reported to the Council;
2. Will give 14 days' public notice of its intention to set the 2017/18 rates (except the Māhia and Opoutama Wastewater Scheme targeted rates for capital repayment and finance costs , and water by meter rates) again in accordance with the requirements of the Local Government (Rating) Act 2002;
3. Will include in the public notice the following information, required by section 119 of the Act:
  - a. information in relation to the 2017/18 rates (except the Māhia and Opoutama Wastewater Scheme targeted rates for capital repayment and finance costs , and water by meter rates) that was, or would otherwise have been, included in the funding impact statement in the Council's 2017/18 Annual Plan (including the correctly calculated amounts of the rates); and
  - b. a statement of the reason why the Council has determined that it is desirable to set the 2017/18 rates again.
4. Will also include in the public notice a statement of its intention to adjust its penalties regime for the 2017/18 year so that penalties will only be added to late payment of rates for instalments 2 to 4.

**EXECUTIVE SUMMARY****2. BACKGROUND**

- 2.1 Council adopted the Annual Plan 2017-18 and set the corresponding Rates based on an understanding that the average increase was 4.9%. Continued analysis and examination

of cases presented by ratepayers identified that an omission had occurred in calculating this average and that the rates set mean the true average increase was 7%.

- 2.2 In response to community concerns Council has undertaken to consider remediation.
- 2.3 The draft Annual Plan budgets 2017-18 and Consultation Document were adopted on 28 March 2017, resolutions 2017/23 and 2017/24 respectively.
- 2.4 The Annual Plan 2017-18 was adopted [2017/54] and the Rates were set [2017/55] on 20 June 2017.
- 2.5 This matter is ambivalent in regards to the community outcomes identified in Council's Long-term Plan [LTP] 2015-25. The Annual Plan 2017-18 includes activities and projects that are faithful to these outcomes and the rates were correctly set to ensure appropriate funding. However, Council recognises that sustainability is an important component of economic well-being and a measure of affordability is thus required.

### **3. FURTHER ANALYSIS**

- 3.1 While the true average is 7%, numerous urban rating units incurred increases of between 10% and 12%. Council's current rating method approximates as far as possible to a user pays matrix, insofar as there are myriad rate types and differentials that attempt to directly connect the costs of provision to the primary beneficiaries or drivers. The result of this is that variability in the annual funding requirements of each activity can cause marked spreads of rating movements across sectors. In proportion therefore, at an average of 4.9% the majority of urban ratepayers would experience increases in the range 7% - 9%.

### **4. OPTIONS**

- 4.1 The options identified are:
  - a. Do nothing
  - b. Undertake a rates resetting process in accordance with s119 of the Local Government (Rating) Act 2002 and instruct the Chief Executive to publicly notify Council's intention to reset the rates for the year ending 2017-18
  - c. Apply a remission to decrease rates
- 4.2 (a) Council would maintain adequate funding to complete the objectives contained in the Annual Plan 2017-18 and avoid the costs and disruption associated with the other options. This option maintains a sustainable funding base for Council's activities ahead of determining levels of service in its LTP 2018-28. Options (b) and (c) would necessitate savings of approximately \$250,000 from Council's operations, or otherwise incur a deficit for the year, which may have downstream funding implications. Conversely, Council has unwittingly exceeded the limit to rates increases contained in its financial strategy and will likely encounter continued discontent from ratepayers.
- 4.3 (b) Resetting the rates would enable Council to achieve its original expectation of an average increase of 4.9%. This would restore some community confidence and it is the most expedient path to remediation. Administratively it is the most expensive and burdensome. All charges would be recalculated and, if Council wishes, penalties relating to quarter 1 instalments reversed. Replacement rating assessments would be generated and distributed and the balances would be collected over the remaining instalments. Direct debit instructions would reset and customers utilising automatic payment facilities

advised of amended instalments. Refunds may be necessary where customers have paid for the full year.

- 4.4 The statutory requirements for resetting rates are disclosed in 6.6, the practical implications of these are that Council must provide 14 days public notice of its intention to reset the rates, and its intention to waive penalties charged in respect of the first quarter's instalments, before revoking an altering its rates setting resolution made on 20 June 2017. Public notice would be provided in the newspaper by 19 September 2017. A subsequent meeting would be required for Council to resolve to reset the rates. During the notification period indicative rates would be made available on Council's website and by enquiry at Council offices, along with a draft replacement Funding Impact Statement.
- 4.5 Options for recalculating the rates were examined. Primarily these involve proportionately increasing all rates from 2016-17 or proportionately decreasing the rates set for 2017-18 so that an average of 4.9% is derived. Since the former leads to a material number of outcomes in excess of the rates set for 2017-18, only the latter is legally compliant. A targeted adjustment was not considered because this would lead to disproportionate outcomes and be inconsistent with Council's Revenue and Financing Policy. As shown in the table in **Appendix 2**, this has the effect of reducing rates to all rating units by 2.1%. To avoid distortion this excludes 412 rating units that have been subject to the Sewerage Disposal Rates Differentials for Māhia and Opoutama capital repayment and financing costs. The classifications shown are those used for the roading rate because it is applied throughout the district and has the broadest range of differentials.
- 4.6 (c) The use of a remission would be a lower cost and administratively simpler method to reduce the rates receivable because it effectively applies a credit to every ratepayer account and requires only the adjustments to balances and instalment payments thereafter. However, Council does not currently have a remissions policy that provides for these circumstances and, due to the significance of this matter, Council would be required to undertake public consultation in accordance with s82 of the Local Government Act 2002. This process would require approximately one month longer than (b), and invoices for the second quarterly instalments would be due for processing during the consultation period.
- 4.7 The preferred option is *b: Undertake a rates resetting process in accordance with s119 of the Local Government (Rating) Act 2002 and instruct the Chief Executive to publicly notify Council's intention to reset the rates for the year ending 2017-18*. This meets the purpose of local government as it will help meet the current and future needs of communities for good-quality infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses, along with the provisions of s14(1)(a)(i) which prescribes that a local authority should conduct its business in an open, transparent, and democratically accountable manner.

## 5. CORPORATE CONSIDERATIONS

### What is the change?

- 5.1 The revocation of the rates resolution and subsequent resetting of rates for the year ending 30 June 2018 would require a restriction of discretionary activities and postponement of some projects in order to operate within a reduced funding envelope.
- 5.2 It is intended that any such measures would not materially affect levels of service.

**Compliance with legislation and Council Policy**

- 5.3 A proportionate adjustment to rates should enable Council to substantially deliver the activities and projects contained in the Annual Plan 2017-18, albeit in a restricted or deferred format.
- 5.4 The proposed adjustment would bring the rates increase below the limit contained in Council's Financial Strategy.
- 5.5 The procedure for revoking a resolution is contained within Council's Standing Orders.
- 5.6 The process for resetting rates is contained within s119 of the Local Government (Rating) Act 2002. This is reproduced in Appendix 1.

**What are the key benefits?**

- 5.7 The key benefit is the restoration of confidence in Council's responsiveness to ratepayer concerns and leadership in dealing with issues.

**What is the cost?**

- 5.8 This decision represents a reduction in revenue of \$250,000 compared to the Annual Plan 2017-18.
- 5.9 Legal costs amounting to approximately \$3,500 have already been incurred. It is estimate that a similar expense would be incurred in reprocessing, printing and distributing of rate assessments and invoices along with rating system support costs.

**Who has been consulted?**

- 5.10 Council has received correspondence from the community on this matter. There has also been commentary in the local newspaper and on social media.
- 5.11 The reasons for the disparity across sectors has been explained, this matter concentrates on the discrepancy in the quoted overall average.
- 5.12 Consultation would be required to develop a remission policy, public notice is required to reset the rates.

**Service delivery review**

- 5.13 There will only be short term service delivery implications if insufficient savings can be realised from 4.2.

**Māori Standing Committee**

- 5.14 This matter has not been referred to the MSC because it is an issue that concerns the district as a whole.

**6. SIGNIFICANCE**

- 6.1 Impact – all ratepayers are affected.
- 6.2 Public interest is high.
- 6.3 Council's budgetary capacity would be restricted by \$250,000.
- 6.4 This matter considers the reversal of a decision made in accordance with Standing Orders and relevant legislation. A subsequent reversal would be similarly problematic.

- 6.5 It is not intended that this will materially impact upon levels of service in the short term. Notwithstanding Council is advised that this re-baselining may have implications for future capacity.
- 6.6 There is not impact on any strategic assets beyond the potential deferral of certain projects.
- 6.7 There are no direct implications for wāhi tapu, whenua rāhui or other sites of cultural significance.

## 7. RISK MANAGEMENT

- 7.1 The strategic risks (e.g. publicity/public perception, adverse effect on community, timeframes, health and safety, financial/security of funding, political, legal – refer to S10 and S11A of LGA 2002, others) identified in the implementation of the recommendations made are as follows:
  - a. The primary strategic risk relates to Council's reputation. By considering this matter in a public forum and through public messaging Council is demonstrating its responsiveness and willingness to act. Independent advice has been obtained to ensure any action taken is legally compliant. The financial risks are considered in sections 4.2, 5.8 and elsewhere in this report.

### Further Information

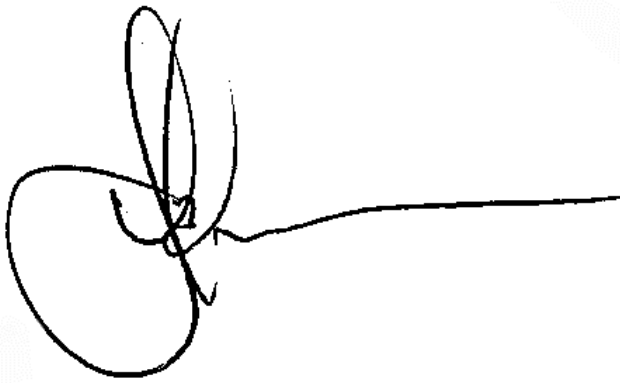
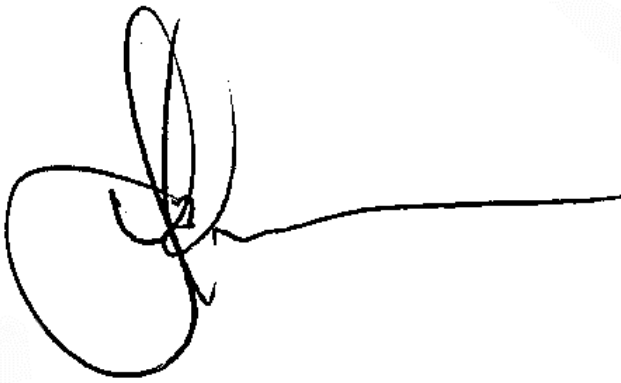
A formal announcement will be placed in the Wairoa Star.

### Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

### Signatories

	
Author John Freeman	Approved by John Freeman



Section 119 of the Rating Act states:

- 119 Local authority may set rates again**
- (1) *A local authority may set a rate again in the financial year in which the rate was set.*
- (2) *Subsection (1) applies if—*
- (a) *the local authority determines that it is desirable to set the rate again because of—*
- (i) *an irregularity in setting the rate; or*
- (ii) *a mistake in calculating the rate; or*
- (iii) *a relevant change in circumstances; and*
- (b) *setting the rate again will not increase the amount of rates assessed to any rating unit.*
- (3) *A local authority may set a rate again only if—*
- (a) *it has given 14 days' public notice of its intention to set the rate again; and*
- (b) *it complies with the local authority's standing orders for the revocation and alteration of resolutions.*
- (4) *Notice under subsection (3) must include—*
- (a) *the information in relation to the rate that was, or would otherwise have been, required to be included in the local authority's long-term... plan or annual plan; and*
- (b) *a statement of the reason why the local authority has determined that it is desirable to set the rate again.*
- (5) *If setting the rate again results in a change to the amount of rates to be assessed to any rating unit,—*
- (a) *the rates record for the rating unit must be corrected as soon as practicable; and*
- (b) *section 41 applies.*

**Average by Roading Rate Type**

<b>Sector</b>	<b>No of Rating Units</b>	<b>Average Increase Current</b>	<b>Average Increase Proposed</b>
Utility rates only	78	7.6%	5.4%
Rural 1.0 \$100k - \$1m	475	10.5%	8.4%
Rural 1.0 < \$100k	2,080	8.0%	6.0%
Rural 1.0 > \$1m	194	6.8%	4.8%
Rural Forestry > 100ha	85	5.1%	3.1%
Rural Forestry 100ha	35	6.4%	4.4%
Rural Residential 0.85*	639	5.6%	3.7%
Rural Residential 0.5	129	9.3%	7.2%
Rural Residential 1.25	490	7.8%	5.7%
Urban 0.55	64	6.1%	4.1%
Urban 1.00	1,644	10.9%	8.7%
Urban 3.85	174	6.3%	4.2%
<b>Grand Total</b>	<b>6,087</b>	<b>7.0%</b>	<b>4.9%</b>

\*Excludes Māhia Wastewater capital contribution rate

**8.5 MOTORCYCLE RACES AT AIRPORT**

**Author:** Jamie Cox, Engineering Manager

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** Nil

**1. PURPOSE**

- 1.1 To review Council's direction on the usage of the airport for a Motorcycle event

**RECOMMENDATION**

The Engineering manager RECOMMENDS that Council provides direction regarding the motorcycle racing event at the airport

**EXECUTIVE SUMMARY**

[\[Type here\]](#)

**2. BACKGROUND**

- 2.1 The local chapter of the British motorcycle club (BMC) have twice previously utilised the airport as a venue for motorcycle racing.
- 2.2 The venue offers a straight, wide and lengthy racing environment for motorcycles
- 2.3 The event has been well run and attracted good numbers in an alcohol free family type racing event
- 2.4 The current surfacing of the airport is in poor condition and it is programmed for an expensive reseal this year
- 2.5 Aircraft users have complained about the risk and expense associated with loose chip on the airstrip
- 2.6 Airport users have expressed concern about motorcycle racing becoming a fixture at the airport

**3. CURRENT**

- 3.1 The BMC approached Council to use the airport last year and this was denied because of concerns that the surface would deteriorate further and that the use was no longer appropriate in our current environment of airport development . This response was coupled with an undertaking to assist the BMC to find another racing venue.
- 3.2 Whilst there has been limited discussions regarding a new venue the BMC has approached Council again to review the decision regarding holding another event at the airport

**4. OPTIONS**

- 4.1 The options identified are:
  - a. Refuse permission for the use and work with the BMC to find another venue.

- b. Allow permission one more time prior to the reseal and require any repairs and loose chip mitigation after the event be paid for by BMC.

- 4.2 The preferred option is at Council's discretion and will carry the balance of risk associated with being a good airport owner as well as enabling Wairoa to be a vibrant community. A decision should be made which meets the purpose of local government as it will help meet the current and future needs of communities for good-quality infrastructure, local public services, in a way that is most cost-effective for households and businesses.

## **5. CORPORATE CONSIDERATIONS**

### **What is the change?**

- 5.1 Airport operations

### **Compliance with legislation and Council Policy**

- 5.2 NA

### **What are the key benefits?**

- 5.3 This is essentially a benefit/cost/risk discussion

### **What is the cost?**

- 5.4 There is a risk of residual cost associated with the proposed usage

### **What is the saving?**

- 5.5 NA

### **Who has been consulted?**

- 5.6 No consultation to date

### **Service delivery review**

- 5.7 NA

### **Maori Standing Committee**

- 5.8 No- culturally neutral

## **6. SIGNIFICANCE**

- 6.1 Does not trigger significance policy

## **7. RISK MANAGEMENT**

- 7.1 The strategic risks (e.g. publicity/public perception, adverse effect on community, timeframes, health and safety, financial/security of funding, political, legal – refer to S10 and S11A of LGA 2002, others) identified in the implementation of the recommendations made are as follows:

- a. Risk associated with airport users perception

**Further Information**

None.

**Background Papers**

None.

**References (to or from other Committees)**


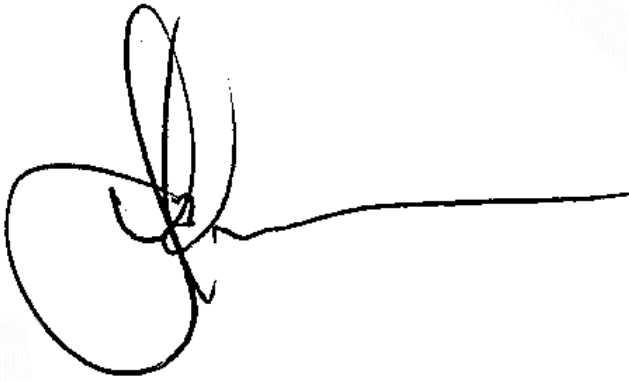
None.

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

**Signatories**

	
Author Jamie Cox	Approved by John Freeman

**8.6 ELECTORAL SYSTEM FOR 2019 AND 2022 LOCAL GOVERNMENT ELECTIONS**

**Author:** James Baty, Corporate Services Manager

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Detailed Information on STV and FPP Electoral Systems [↓](#)

**1. PURPOSE**

- 1.1 To outline the feedback received from the community consultation on the electoral systems and enable a decision from Council on which electoral system to use for the 2019 and 2022 elections as required under s.27 of the Local Electoral Act (LEA) no later than 12 September 2017, and to give public notice of Council's decision and of the right of electors to demand a poll on by 19 September 2017 in accordance with LEA s.28.

**RECOMMENDATION**

The Corporate Services Manager in his capacity as Electoral Officer RECOMMENDS that Council:

1. Exercises its discretion under Section 79(1)(a) and 82(3) of the Local Government Act 2002, and makes a decision on this issue without conferring directly with the community or others due to the option available to the public to demand a poll under the Local Electoral Act should they choose to do so, and can obtain the necessary number of signatures (5% of the electors).
2. Resolves to retain the status quo and continue with the First Past the Post electoral system for the 2019 and 2022 triennial elections

**OR**

Resolves to change its electoral system to Single Transferrable Vote (STV) for the 2019 and 2022 triennial elections

**OR**

Resolves to hold a poll on the electoral system to apply for the 2019 and 2022 triennial elections

3. Gives public notice - by 19 September 2017 – of resolution 2 (above) and that electors have the right to demand a poll on the electoral system to be used for the next two triennial elections.
4. Instructs staff to action the necessary public notices and any other processes required under the Local Electoral Act 2001 in respect to the electoral system for the Local Government Elections 2019.

**2. BACKGROUND**

- 2.1 The Local Electoral Act 2001 (LEA) offers the choice between two electoral systems for local government elections: first past the post (FPP) and the single transferable vote (STV). Wairoa District Council have used First Past the Post (FPP) as its electoral system for all previous elections, back to 1989.
- 2.2 Traditionally, FPP had been the only electoral system used for all Local Government Elections in New Zealand although several Councils took the opportunity to change to STV for the 2004 elections.

- 2.3 As of 2004 District Health Boards are required by law to use the STV voting system, however local authorities are able to choose which system they use.
- 2.4 Consideration of this matter contributes to Council's vision of 'Connected Communities; Desirable Lifestyles; Treasured Environments', and also contributes to the following community outcome:
- Strong district leadership and a sense of belonging.

### 3. THE TWO SYSTEMS PRESCRIBED BY THE LOCAL ELECTORAL ACT 2001

#### 3.1 *[5A General description of the First Past the Post (FPP) electoral system]*

For local electoral purposes, the First Past the Post electoral system, –

- (a) in the case of an election, has the following features:–
- (i) voters may cast as many votes as there are positions to be filled
  - (ii) where a single position is to be filled, the candidate who receives the highest number of votes is elected
  - (iii) where more than 1 position is to be filled, the candidates equal to the number of positions who receive the highest number of votes are elected
- (b) in the case of a poll, has the features specified in paragraph (a) as if, with all necessary modifications, every reference to a candidate were a reference to the matter or matters that are the subject of the poll.]

#### 3.2 *[5B General description of Single Transferrable Vote (STV) electoral system]*

For local electoral purposes, the Single Transferable Voting electoral system, –

- (a) in the case of an election for multi-member vacancies, has the following features:–
- (i) voters express a first preference for 1 candidate and may express second and further preferences for other candidates
  - (ii) a quota for election is calculated from the number of votes and positions to be filled
  - (iii) the first preferences are counted and any candidate whose first preference votes equal or exceed the quota is elected
  - (iv) if insufficient candidates are elected under subparagraph (iii), the proportion of an elected candidate's votes above the quota is redistributed according to voters' further preferences, and–
    - (A) candidates who then reach the quota are elected; and
    - (B) the candidate with the fewest votes is excluded
  - (v) the excluded candidate's votes are redistributed according to voters' further preferences
  - (vi) if insufficient candidates are elected under subparagraphs (iv) and (v), the steps described in subparagraphs (iv) and (v) are repeated until all positions are filled

- 3.3 Detailed information about how the two electoral systems work, their advantages and disadvantages is attached.

**4. COMMUNITY ENGAGEMENT**

4.1 Officers of Wairoa District Council, Napier City Council and Hawke's Bay Regional Council have undertaken engagement with the public through a joint informal education campaign and consultation process, involving:

- Media releases announcing that we are getting ready to take a paper to our Councils and encouraging the public to have their say
- A Talk To Us page on the Napier City Council website educating community on the two possible systems and what they mean – the public was able to nominate which system they prefer. Other Council's linked to this site throughout the campaign including Wairoa District Council's website and Facebook
- Adverts in regional and local newspapers including the Wairoa Star
- Social media (Facebook) engagement.

4.2 Outlined below is a summary of the data collected during this engagement to inform Council on the public's view of the electoral system.

- comments were received on the Napier City Council's Talk to us page
- comments on Facebook pages across all Councils involved
- Total feedback received: 63 comments – 36 in favour of FPP and 25 prefer STV.

4.3 Comments of those in favour of FPP included:

- Voting needs to be simple and straight forward. We shouldn't be paying people to spend more time counting votes for most liked candidate to the least liked. Also voters don't want to be thinking about other candidates who they DON'T WANT to win. It's just down right confusing
- You vote for the person(s) you want and if you don't get it, tough.
- STV is too time consuming for both the voter and those counting the votes. Also more chance of mistakes being made
- This system is easier for people to understand, consequently they are more likely to place a vote.
- It seems to me that STV would protect incumbent Councillors because it would be harder to vote them off Council than under FPP
- FPP is the easiest, quickest and understandable voting system for the majority of voters to use. More people would probably vote using this system instead of having to try to rank the candidates which takes a lot more time and thought and is more complicated.
- You know who you are getting
- Candidate with the most votes is the choice of the majority of the voters
- That way I know my vote counts for the person I want, rather than it being transferred to someone I don't want
- STV is so confusing and feels like a diluted vote. I want to vote for my preferred candidates rather than ranking them. Stick with FPP it's simpler, people understand it. I think a change to STV may reduce voter turnout as it's not as simpler system.

- The winner wins! With STV a person or party who poles less than the winner can coddle some other persons or party and end up with a casting vote! This does not show the will of the people! So let's be sensible and stick to FPP.
- I favour FPP as it more often delivers a clear result with the winner able to implement his or her policies. I agree it can be perceived as a less democratic system, but in reality proportional voting systems tend to result in tiny minorities having a disproportionate influence over ruling minority parties - just look at NZ First if you need an example. In my opinion, that is more unfair and less democratic than FPP.
- FPP for me. K.I.S.S.

#### 4.4 Comments made by those in favour of STV included:

- As a country we now support MMP which is an alternative to FPP. In a similar way STV is the system where we get representatives with the broadest support. I support a change to STV
- We already have this system for voting for the Health Board. Most people are familiar with it, even if, as one of your commentators says, it requires more thought and time. It is fairer. it is more democratic. FPP is a very blunt instrument and does not always reflect what was hoped for. A bit more education on the STV system would be helpful. When it is used more often people will get used to it.
- First pass the post kills off all but the two major parties, reduced choice and results in people like Trump getting in :- ( Preferential Voting (as Australia has) is the ONLY really democratic way to vote -- because if nothing else it ensures that the lesser of two evils gets elected.
- Scotland introduced STV for local elections some time ago. Look at the Scottish government website to see how it's been working.
- Single transferable vote. FPP system is how Donald Trump got into power – doesn't accurately show who people really want to represent them
- STV, A fairer and more democratic system and ensures that fewer votes are wasted
- STV all the way! Better than FPP in many ways. Also way more democratic than MMP which totally sucks! If National lose in Sept we'll end up with a Labour, Green, NZ first fiasco. But I live in Havelock so looks like I don't get to participate.
- STV, more representative of the votes people make. Many councils and countries are using it successfully
- This voting system gives a fairer result, because it more accurately captures the range of voters' preferences. We already use this system for the health board and it would be easier for voters if we used just one system for Napier City council and the Regional Council as well.
- This is far more democratic, in the views of the public actually standing for something rather than a straight lottery of FPP where only one view is applied the vote. This allows the council to better apply the wishes and views of the voting public.

**5. OPTIONS**

- 5.1 Council may resolve at any time, up to 28 February 2018, to conduct a poll on the electoral system to be used at the 2019 elections.
- 5.2 Central Hawke's Bay District Council, Napier City Council, Hastings District Council and Hawke's Bay Regional have all decided to retain the FPP electoral system for the 2019 and 2022 elections. These resolutions remain in effect until such time as a resolution to change is made or a poll determines otherwise.
- 5.3 Council now has the opportunity to decide whether or not it wishes to change the electoral system for the 2019 and 2022 triennial elections.
- 5.4 The options identified are:
- a. Resolve to retain the status quo (FPP system)
  - b. Resolve to change the electoral system from FPP to STV for the 2019 and 2022 triennial elections
  - c. Resolve to hold a poll on the electoral system to apply for the 2019 and 2022 triennial elections.
- 5.5 Council is required to make a decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained in Part 6 Sub Part 1 of the Act in relation to this item and have concluded the following:
- The decision does not significantly alter the service provision or affect a strategic asset.
  - The use of the special consultative procedure is not prescribed by legislation.
  - Persons affected by the decisions in this paper will be the voters within the region. The Local Electoral Act gives the community the opportunity to contribute to this decision making process through the option to demand a poll.
  - Options for Council to consider are to retain the FPP electoral system, to change to the STV electoral system, or to hold a poll on the electoral system.
  - The decision is not inconsistent with an existing policy or plan.
  - Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.
  - This is a political decision and as such there is no preferred option.

**6. CORPORATE CONSIDERATIONS****What is the change?**

- 6.1 Possibly a change to the electoral system from FPP to STV to the Local Government Elections 2019 and 2022 depending on the outcome of the decision reached.
- 6.2 This decision will not trigger a s17a review.

**Compliance with legislation and Council Policy**

- 6.3 This process follows the statutory provisions of both the Local Government Act 2002 and Local Electoral Act 2001 and their related regulations. As mentioned above there are no other significant issues relating to other Council plans, strategies, policies or similar arising specifically out of this decision.

**What are the key benefits?**

- 6.4 Please refer to the attachment for pros and cons relating to the respective electoral systems.

**What is the cost?**

- 6.5 Currently there are no further cost implications arising out of this report.

**What is the saving?**

- 6.6 There are no anticipated savings.

**Maori Standing Committee**

- 6.7 This matter has not been referred to the Maori Standing Committee as this relates to the Council proper and what electoral system is to be used for its 2019 and 2022 triennial elections. The public at large have been consulted and there is a right to demand a poll on this matter.

**7. SIGNIFICANCE**

- 7.1 The decision does not fall within the definition of Council's policy on significance.

**8. RISK MANAGEMENT**

- 8.1 There strategic risks identified. Of course there is the option available to the public to demand a poll under the Local Electoral Act should they choose to do so, and can obtain the necessary number of signatures (5% of the electors).

**Further Information**

Local Electoral Act 2001

<http://www.legislation.govt.nz/act/public/2001/0035/48.0/DLM93301.html>

Local Electoral Regulations 2001

<http://www.legislation.govt.nz/regulation/public/2001/0145/25.0/DLM49294.html>

All about STV and FPP


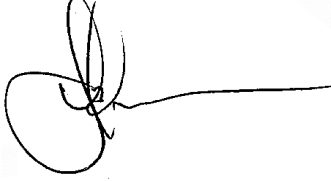
sss[http://www.localcouncils.govt.nz/lcip.nsf/wpg\\_url/About-Local-Government-Participate-in-Local-Government-All-about-STV-and-FPP](http://www.localcouncils.govt.nz/lcip.nsf/wpg_url/About-Local-Government-Participate-in-Local-Government-All-about-STV-and-FPP)

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

**Signatories**

	
Author James Baty	Approved by John Freeman

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**Detailed Information on STV and FPP Electoral Systems**


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The following information has been taken from publications provided by Society of Local Government Managers (SOLGM), Local Government Commission and NZ Department of Internal Affairs.

**About FPP**

1. FPP is a 'plurality' electoral system; this means that to get elected a candidate must win the most votes, but not a majority of the votes. In multi-member constituencies, like local government elections, voters cast multiple votes. This means that one voter can help to elect multiple candidates to represent him/her, and another voter may not elect any candidate to represent him/her. As a plurality system, many votes can be 'wasted' in FPP elections; 'wasted' votes do not help to elect a candidate. FPP is often described as a simple system for voters to use, but it is widely recognised as producing disproportional results; that is results that do not reflect the preferences of the broad community of voters.

**About STV**

2. STV is a 'proportional' electoral system; this means that to get elected a candidate must win a proportion of the overall votes cast (or 'meet the quota'). In multi-member constituencies like local government elections, a voter casts a single vote by ranking his/her preferred candidates. That single vote can transfer according to the voter's preferences to ensure that the voter has a good chance of helping to elect one candidate to represent the voter. A good example to consider is an election to select three councillors for a constituency in a council election. Under STV, you would write "1" next to the name of your favourite candidate, "2" next to your second favourite candidate and so on.
3. Under a STV (Single-Transferable Vote) electoral system, voters rank candidates in their order of preference.
4. STV means that you have one vote, but can indicate your preferences for all the candidates and it can be transferred if your most preferred candidate is so popular s/he doesn't need all their votes or is not popular at all with other voters. Under FPP, you would place ticks next to the names of up to three candidates, which means you would have three votes.
5. As a proportional system, STV minimises 'wasted' votes; in other words more votes help to elect candidates. STV is often described as a complex system for voters to use, but it is widely recognised to produce proportional results that reflect the preferences of the broad community of voters.
6. Let's imagine that you vote in a local government FPP election to fill two vacancies, with four candidates standing for election. You vote for Candidates A and B. Imagine Candidate A wins by a landslide and Candidate B is the least popular of all the candidates. The vote for the other candidate to be elected is very close between Candidates C and D; in the end Candidate D wins the second vacancy by a very small margin. Candidate D is your least preferred candidate.
7. You might think to yourself, once you see the results, 'I wish I had known that Candidate A didn't need my vote to win, and that Candidate B didn't have a chance of being elected as I would have voted differently. I may have still voted for Candidate A, but would have voted for Candidate C instead of Candidate B.'
8. Now imagine you vote in the same election using STV. You have a *single* transferable vote even though there are two positions to fill. Again Candidate A wins by a landslide and Candidate B is the least popular candidate. Candidates C and D are very close on first preference votes and so second and subsequent preferences become important.
9. You cast your vote by ranking the candidates according to your preferences; you rank Candidate A as '1', Candidate B as '2' and Candidate C as '3'. You don't rank candidate D at all because you don't want that candidate to be elected. Under STV:
  - 9.1. Candidate A is very popular and is elected on first preferences

- 9.2. Candidate A has votes surplus to the number required to reach the quota and these are transferred according to voters' second preferences
- 9.3. the surplus portion of your vote for Candidate A is transferred to your second preference, Candidate B
- 9.4. both Candidates C and D are very close to the quota at this point and Candidate B is least popular
- 9.5. Candidate B is excluded and the proportion of your vote for this candidate is transferred to your third preference, Candidate C
- 9.6. when preferences are counted again Candidate C reaches the quota and is elected.
- 10. Under STV, unlike the FPP election, your ranking of the candidates made your vote more effective and avoided it being 'wasted' on Candidates A (who had a surplus of first preference votes) and B (who was excluded once surplus votes from Candidate A were transferred). In other words, despite Candidates A and B being your most preferred candidates, under STV you were also able to influence the race between Candidates C and D because you showed a preference between them on your voting document.<sup>1</sup>
- 11. These election results reveal an important difference between FPP and STV electoral systems. Think again about your FPP vote. You voted for two candidates to fill two vacancies. If you are part of the largest group of like-minded voters, even if that group is not the majority, you could determine the election of both candidates. Other voters (from perhaps only slightly smaller groups) won't have gained any representation at all.
- 12. In the STV election, however, you cast only one *single* transferable vote, even in multimember wards/constituencies. That vote is used to greater effect as long as you rank all the candidates you like in order of preference. Because your vote is a single vote that can be transferred in whole or in part according to your wishes, you and other voters will not be over-represented or under-represented. This is why STV, unlike FPP, in multi-member wards or constituencies, is called a proportional representation system. The outcomes potentially better reflect community views.

#### **Advantages and Disadvantages of Each System**

- 13. No electoral system is perfect, and different people will have different views on what is 'fair'. Both FPP and STV have advantages and disadvantages.
- 14. Overall, the advantages of STV relate to the people who get elected using STV.<sup>2</sup> The system potentially achieves:
  - 14.1. broad proportionality (in multi-member constituencies)
  - 14.2. Majority outcomes in single-member elections
  - 14.3. more equitable minority representation
  - 14.4. A reduction in the number of wasted votes.
- 15. The disadvantages of STV relate to:
  - 15.1. the public being less familiar with the system and possibly finding it harder to understand
  - 15.2. matters of process such as the way votes are cast and counted (for example perceived complexity may discourage some voters)
  - 15.3. the information conveyed in election results.

<sup>1</sup> These scenarios oversimplify how the vote count actually works under NZSTV, in order to explain the principle of vote transfers. The STV calculator uses a complex mathematical set of rules to ensure that the appropriate proportions of votes are transferred between candidates.

<sup>2</sup> For further discussion, see Graham Bush, 'STV and local body elections – a mission probable?' in J. Drage (ed), *Empowering Communities? Representation and Participation in New Zealand's Local Government*, pp 45–64 (Wellington: Victoria University Press, 2002).

16. The advantages of FPP, on the other hand, relate to the simplicity of the process including the ways votes are cast, counted and announced.
17. The disadvantages of FPP relate to:
  - 17.1. the results of the election, including the generally 'less representative' nature of FPP councils
  - 17.2. the obstacles to minority candidate election
  - 17.3. the number of wasted votes.
18. Detailed advantages and disadvantages include:

FPP	STV
<b>Casting votes</b> FPP is a straight forward system of voting. FPP is familiar to most people.  'Tactical' voting is possible; votes can be used with a view to preventing a candidate from winning in certain circumstances.	<b>Casting votes</b> STV is a less straight forward system of voting. There is a need for more information for people to understand the STV ranking system of candidates.  It is virtually impossible to cast a 'tactical' vote under STV. As a result, voters are encouraged to express their true preferences.
<b>Counting votes</b> FPP is a straight forward system for counting votes. Votes can be counted in different locations and then aggregated. Election results are usually announced soon after voting ends.	<b>Counting votes</b> STV vote counting requires a computer programme (the STV calculator). Votes must be aggregated first and then counted in one location. Election results will usually take a little longer to produce.
<b>Election results</b> Official results show exactly how many people voted for which candidates.  Results are easy to understand.  <b>Election results</b> A 'block' of like-minded voters can determine the election of multiple candidates in multi-member wards/constituencies, without having a majority of the votes, thereby 'over representing' themselves.  The overall election results will not be proportional to voters' wishes, and will not reflect the electoral wishes of the majority of voters, only the largest group of voters who may not be the majority.  In single-member elections, the winner is unlikely to have the majority of votes, just the largest group of votes.  There will be more 'wasted' votes (votes that do not contribute to the election of a candidate).	<b>Election results</b> Official results will identify which candidates have been elected and which have not and in which order. They do not show how many votes candidates got overall, as all successful candidates will have the same proportion of the vote (the quota). This information, at stages of the count, can still be requested.  Results can be easy to understand if presented appropriately.  <b>Election results</b> STV moderates 'block' voting as each voter casts only one single vote, even in multi-member wards/constituencies.  The overall election results reflect the wishes of the majority of voters in proportion to their support for a variety of candidates.  In single-member wards/constituencies, the winner will have the majority of votes (preferences).  Every vote is as effective as possible (depending on the number of preferences indicated) meaning there are fewer 'wasted' votes and more votes will contribute to the election of a candidate than under FPP.

**9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

**9.1 MINUTES OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 4 JULY 2017**

**Author:** Charlotte Knight, Governance Advisor & Policy Strategist

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Minutes of Finance, Audit & Risk Committee Meeting - 4 July 2017

**RECOMMENDATION**

1. That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 4 July 2017 be received and the recommendations therein be adopted.

**MINUTES OF WAIROA DISTRICT COUNCIL  
FINANCE, AUDIT & RISK COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON TUESDAY, 4 JULY 2017 AT 1.30PM**

**PRESENT:** His Worship the Mayor Craig Little (Mayor), Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Hine Flood, Cr Jeremy Harker, Mr Philip Jones

**IN ATTENDANCE:** F Power (Chief Executive Officer), G Borg (Chief Financial Officer), J Baty (Corporate Services Manager), K Tipuna (Economic Development & Engagement Manager), C Knight (Governance Advisor & Policy Strategist), C Hankey (Financial Planning Manager)

Adjourned 1.35pm

Reconvened 1.59pm

**1 KARAKIA**

Given by the Corporate Services Manager

**2 APOLOGIES FOR ABSENCE**

Nil

**3 DECLARATION OF CONFLICT OF INTEREST**

None

**4 CHAIRPERSON'S ANNOUNCEMENTS**

None

**5 LATE ITEMS OF URGENT BUSINESS**

Monthly Summary Finance Report - April 2017

Monthly Summary Finance Report - May 2017

**6 PUBLIC PARTICIPATION**

None.

**7 MINUTES OF THE PREVIOUS MEETING**

**COMMITTEE RESOLUTION 2017/40**

Moved: Mr Philip Jones

Seconded: Cr Denise Eaglesome-Karekare

That the minutes and confidential minutes of the Ordinary Meeting held on 23 May 2017 be confirmed.

**CARRIED**

**8 GENERAL ITEMS****8.1 APPOINTMENT OF INTERNAL AUDITORS****COMMITTEE RESOLUTION 2017/41**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Mr Philip Jones

That the Committee endorses the appointment of Crowe Horwath as Council's internal auditors.

**CARRIED**

**8.2 INSURANCE 2017-18****COMMITTEE RESOLUTION 2017/42**

Moved: Cr Jeremy Harker

Seconded: Cr Hine Flood

That the report be received.

**CARRIED**

**COMMITTEE RESOLUTION 2017/43**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That the Committee recommends to Council the approval of insurance terms attached as Appendices – noting that the professional indemnity and public liability terms have previously been approved.

**CARRIED**

**ADDITION OF LATE ITEMS TO THE AGENDA****COMMITTEE RESOLUTION 2017/44**

Moved: Mr Philip Jones

Seconded: Cr Jeremy Harker

That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the items **Monthly Summary Finance Report - April 2017, and Monthly Summary Finance Report - May 2017** be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond

within the timeframe allowed.

**CARRIED**

#### **8.4 MONTHLY SUMMARY FINANCE REPORT - APRIL 2017**

##### **COMMITTEE RESOLUTION 2017/45**

Moved: Mr Philip Jones

Seconded: His Worship the Mayor Craig Little

That the Committee receives this report.

**CARRIED**

#### **8.5 MONTHLY SUMMARY FINANCE REPORT - MAY 2017**

##### **COMMITTEE RESOLUTION 2017/46**

Moved: Mr Philip Jones

Seconded: His Worship the Mayor Craig Little

That the Committee receives this report.

**CARRIED**

At 3:00 p.m., Cr Denise Eaglesome-Karekare left the meeting.

#### **8.3 HEALTH & SAFETY REPORT - JUNE 2017**

##### **COMMITTEE RESOLUTION 2017/47**

Moved: Mr Philip Jones

Seconded: Cr Jeremy Harker

That the Committee receive the report.

**CARRIED**

## 9 PUBLIC EXCLUDED ITEMS

## RESOLUTION TO EXCLUDE THE PUBLIC

**COMMITTEE RESOLUTION 2017/48**

Moved: Mr Philip Jones

Seconded: Cr Jeremy Harker

That the public be excluded from the following parts of the proceedings of this meeting at 3:15 p.m.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>9.1 - HEALTH &amp; SAFETY REPORT - JUNE 2017</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information  s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

**COMMITTEE RESOLUTION 2017/49**

Moved: Cr Jeremy Harker

Seconded: Mr Philip Jones

That the Committee moves out of Closed Committee into Open Committee at 3:32 p.m.

**CARRIED**

Closing karakia – Corporate Services Manager

**The Meeting closed at 3:33 p.m.**

**The minutes of this meeting were confirmed at the Finance, Audit & Risk Committee Meeting held on 26 September 2017.**

.....

**CHAIRPERSON**

**9.2 MINUTES OF CHIEF EXECUTIVE REVIEW COMMITTEE MEETING - 5 JULY 2017**

**Author:** Charlotte Knight, Governance Advisor & Policy Strategist

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Minutes of Chief Executive Review Committee Meeting - 5 July 2017

**RECOMMENDATION**

That the Minutes of the Chief Executive Review Committee Meeting held on Wednesday 5 July 2017 be received and the recommendations therein be adopted.

**MINUTES OF WAIROA DISTRICT COUNCIL  
EXTRAORDINARY CHIEF EXECUTIVE REVIEW COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON WEDNESDAY, 5 JULY 2017 AT 1PM**

**PRESENT:** His Worship the Mayor Craig Little (Mayor), Cr Hine Flood, Cr Michael (Min) Johansen

**IN ATTENDANCE:** Cr Mike Bird, Cr Denise Eaglesome-Karekare (Deputy Mayor), C Knight (Governance Advisor & Policy Strategist)

**1 KARAKIA**

Given by Cr Flood

**2 APOLOGIES FOR ABSENCE**

**APOLOGY**

**COMMITTEE RESOLUTION 2017/01**

Moved: Cr Michael (Min) Johansen

Seconded: Cr Hine Flood

That the apologies received from Crs Harker and Lambert be accepted and leave of absence granted.

**CARRIED**

**3 DECLARATIONS OF CONFLICT OF INTEREST**

None.

**4 PUBLIC PARTICIPATION**

None.

**5 PUBLIC EXCLUDED ITEMS**

**RESOLUTION TO EXCLUDE THE PUBLIC**

**COMMITTEE RESOLUTION 2017/02**

Moved: Cr Hine Flood

Seconded: Cr Michael (Min) Johansen

That the public be excluded from the following parts of the proceedings of this meeting at 1.01pm.

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

this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>5.1 - Interim CEO - Consideration of CVs</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

#### **COMMITTEE RESOLUTION 2017/03**

Moved: Cr Michael (Min) Johansen

Seconded: His Worship the Mayor Craig Little

That Council moves out of Closed Council into Open Council at 1.50pm.

**CARRIED**

Closing karakia given by Cr Flood.

**The Meeting closed at 1.51 p.m.**

The minutes of this meeting were confirmed at the Extraordinary Chief Executive Review Committee Meeting held on **[TO INSERT WHEN A DATE IS IDENTIFIED]**.

.....  
**CHAIRPERSON**

**9.3 MINUTES OF MĀORI STANDING COMMITTEE MEETING - 13 JULY 2017**

**Author:** Charlotte Knight, Governance Advisor & Policy Strategist

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Minutes of Māori Standing Committee Meeting - 13 July 2017

**RECOMMENDATION**

That the Minutes of the Māori Standing Committee Meeting held on Thursday 13 July 2017 be received and the recommendations therein be adopted.

**MINUTES OF WAIROA DISTRICT COUNCIL  
MĀORI STANDING COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON THURSDAY, 13 JULY 2017 AT 12.30PM**

**PRESENT:** His Worship the Mayor Craig Little (Mayor), Cr Charles (Charlie) Lambert (In at 12.54pm), Mr Paul Kelly, Mr Kiwa Hammond, Mrs Here Nissen, Ms Sharon Cooper, Ms Theresa Thornton, Mr Adrian Manuel

**IN ATTENDANCE:** F Power (Chief Executive), J Freeman (Interim Chief Executive), C Knight (GAP), G Borg (Chief Financial Officer), K Tipuna (ED&EM), D Culshaw (MRM), R Allen, K Burger, (Te Matarae O Te Wairoa Trust), A Revington (Wairoa Star), A King (COMM), G Waikawa (AA)

**1 KARAKIA**

The meeting was opened with a karakia by Mr Adrian Manuel.

The Chairperson welcomed everyone to the meeting and gave a mihi to Mr J Freeman and acknowledged Mr F Power.

The Chairperson expressed his condolences to Mrs Whaiora Maindonald's whanau.

**2 APOLOGIES FOR ABSENCE**

**APOLOGIES**

**RESOLUTION 2017/08**

Moved: Mr Paul Kelly

Seconded: Mrs Here Nissen

That the apologies received from Cr J Harker, H Mita and W Maindonald be accepted.

**CARRIED**

**3 DECLARATION OF CONFLICT OF INTEREST**

None.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

**5 LATE ITEMS OF URGENT BUSINESS**

Valley Road, Tuai  
Update-Wastewater Consent Stakeholders Focus Group  
Ngati Kahungunu Maori Language Awards  
Gisborne Waste

S Cooper  
D Culshaw  
D Culshaw  
His Worship the Mayor

**6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2017/09**

Moved: Mrs Here Nissen

Seconded: Mr Paul Kelly

**RESOLVED**

That the minutes of the Maori Standing Committee Meeting held on 8 June 2017 be confirmed.

**CARRIED**

**8 GENERAL ITEMS****8.1 STATUTE BARRED RATES****RESOLUTION 2017/10**

Moved: Mrs Here Nissen

Seconded: Ms Sharon Cooper

**RESOLVED**

That the Committee receive this report and consider opportunities to mitigate issues relating to Statute Barred rates and Māori freehold land.

**CARRIED**

**8.2 ECONOMIC DEVELOPMENT COMMITTEE - REPORT FROM MSC REPRESENTATIVE PAUL KELLY****RESOLUTION 2017/11**

Moved: Mrs Here Nissen

Seconded: Ms Theresa Thornton

**RESOLVED**

That the Māori Standing Committee receives this report.

**CARRIED**

**8.3 DRAFT WAIROA DISTRICT COUNCIL ECONOMIC DEVELOPMENT PLAN****RESOLUTION 2017/12**

Moved: Ms Sharon Cooper

Seconded: Mr Paul Kelly

**RESOLVED**

That the Māori Standing Committee receives the draft WDC Economic Development Plan and provide feedback.

**CARRIED**

**RESOLUTION 2017/13**

Moved: Mr Paul Kelly

Seconded: Mrs Here Nissen

**RESOLVED**

That the Maori Standing Committee endorse Council establishing a stipend for members of the Te Matarae O Te Wairoa Trust and encourage Council, through this process to recognise the significant sacrifices and effort of members of the Trust and the benefits accruing to the community from their work.

**CARRIED**

**8.4 MAORI RELATIONSHIPS MANAGER REPORT - 13 JULY 2017****RESOLVED**

That the Māori Standing Committee receives the report.

**RESOLUTION 2017/14**

Moved: Mrs Here Nissen

Seconded: Mr Paul Kelly

That the Commiuttee accept T Thornton as the replacement for S Cooper at the upcoming Te Maruata hui in Auckland on 22 July 2017.

**CARRIED**

**General Business****Gisborne Waste**

His Worship the Mayor advised the committee under Section 17A of the Local Government Act requires that "A local authority must review the **cost-effectiveness** of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services and performance of regulatory functions."

As part of this review, opportunities for regional collaboration has been a key focus and an initial discussion between Wairoa and Gisborne District Council.

A lengthy discussion was held.

The Meeting closed with a karakia by A Manuel at 2.34pm.

**The minutes of this meeting were confirmed at the Māori Standing Committee Meeting held on 10 August 2017.**

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**CHAIRPERSON**

**9.4 MINUTES OF MĀORI STANDING COMMITTEE MEETING - 10 AUGUST 2017**

**Author:** Charlotte Knight, Governance Advisor & Policy Strategist

**Authoriser:** John Freeman, Interim Chief Executive Officer

**Appendices:** 1. Minutes of Māori Standing Committee Meeting - 10 August 2017

**RECOMMENDATION**

That the Minutes of the Māori Standing Committee Meeting held on Thursday 10 August 2017 be received and the recommendations therein be adopted.

**MINUTES OF WAIROA DISTRICT COUNCIL  
MĀORI STANDING COMMITTEE MEETING  
HELD AT THE HINEMIHI MARAE, RUATANIWHA ROAD, WAIROA  
ON THURSDAY, 10 AUGUST 2017 AT 1.20PM**

**PRESENT:** His Worship the Mayor Craig Little (Mayor), Cr Jeremy Harker, Cr Charles (Charlie) Lambert, Mr Paul Kelly, Mr Kiwa Hammond, Ms Whaiora Maindonald, Mr Henare Mita, Ms Sharon Cooper, Ms Theresa Thornton, Mr Adrian Manuel

**IN ATTENDANCE:** J Moses, K Tipuna (WDC's EC & E Manager), J Cox (WDC's EM – In at 2.34pm), A King (WDC's COMM Officer), D Culshaw (WDC's MRM), G Waikawa (WDC's Admin Assistant). C Te Amo, Te Mini Smith, R Thompson, M McIlroy, A Revington (Wairoa Star)

**1 KARAKIA**

The meeting was opened with a karakia by A Manuel.

The Chairperson welcomed everyone to the meeting and thanked the whanau of Hinemihi Marae for holding the meeting.

**2 APOLOGIES FOR ABSENCE**

Apologies were received from H Nissen, J Freeman and C Knight.

**APOLOGIES**

**RESOLUTION 2017/15**

*Moved: Mr Paul Kelly*

*Seconded: Ms Theresa Thornton*

*That the apologies received from H Nissen, J Freeman and C Knight be accepted.*

**CARRIED**

**3 DECLARATION OF CONFLICT OF INTEREST**

None.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

None.

**5 LATE ITEMS OF URGENT BUSINESS**

Embankment – Wairoa Skate Park  
River Erosion – Ruataniwha Marae Urupa  
Streetlight – Hinemihi Marae  
Murupara-Te Urewera-Te Wairoa Route

**6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

**PANUI – HUI ROADSHOW**

Mrs J Moses presented a Panui dated 28 May 2017 to the Committee outlining the Introduction of Ngati Ruapani Directors, Claims to Settle and Introduction to Te Kaunihera Kaumatua.

Mrs Moses also explained the beginnings of Te Tatau Pounamu/Ngati Ruapani Ki Waikaremoana.

Mrs Whaiora Maindonald presented on behalf of Ruataniwha Marae (Te Miini Smith) an issue regarding the erosion of their urupa into the Wairoa River. The Marae was asking if the Wairoa District Council and/or the Hawke's Bay Regional Council can assist.

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2017/16**

*Moved: Mr Paul Kelly*

*Seconded: Ms Sharon Cooper*

**RESOLVED**

*That the minutes of the Maori Standing Committee Meeting held on 13 July 2017 be confirmed.*

**CARRIED**

**8 GENERAL ITEMS**

The Maori Relationship Manager presented his report. He reported on Ratification of Sitting Fees, Te Reo Maori Policy Submission Hearing (Decisional), Te Kawa O Te Urewera Draft Document, Equip Workshops – Chief Executive Officer Recruitment (Decisional), Waste Water Consent Stakeholders Group (Decisional), Te Maruata Hui – 22 July 2017 and Meeting and Governance Solution Half-Day Workshop (Decisional).

**8.1 MAORI RELATIONSHIPS MANAGER REPORT - AUGUST 2017****RESOLUTION 2017/17**

*Moved: Mr Paul Kelly*

*Seconded: Mr Henare Mita*

**RESOLVED**

*That the Maori Standing Committee receives the Māori Relationships Manager report.*

**CARRIED**

**8.2 RATIFICATION OF SITTING FEE****RESOLVED**

*Moved: Ms Whaiora Maindonald*

*Seconded: Mr Henare Mita*

*That the Maori Standing Committee accept retrospective ratification of attendance and payments for members attending outside of ordinary meeting.*

**CARRIED**

**8.3 PAYMENT FOR ATTENDING MEETINGS**

*Moved: Ms Sharon Cooper*

*Seconded: Mr Henare Mita*

**RESOLVED: That:**

- 1. Payment for A Manuel be ratified for attending the Te Reo Maori Policy Submission hearing on Tuesday, 18 July 2017 in the absence of H Nissen.*
- 2. Payment for K Hammond be ratified for attending the Equip Workshops for the recruitment process for the Chief Executive Officer on Tuesday, 18 July 2017 and Thursday, 27 July 2017.*
- 3. Payment for K Hammond and P Kelly be ratified for attending the Waste Water Hui-a-Iwi at Te Rauhina Marae on Sunday, 30 July 2017, as well as ratify payment for K Hammond for attending the Waste Water Public Meeting at the War Memorial Hall on Monday, 31 July 2017.*

4. *A sitting fee be approved for the Maori Standing Committee to attend the Meeting and Governance Solution Half-day Workshop being held on Tuesday, 12 September 2017.*

**CARRIED**

## General Business

### TAKIWA REPORTS

**Pahauwera** – reported that the Raupunga Water Project will be having an opening and blessing ceremony on Friday, 8 September 2017, time to be confirmed.

An update from Putere Marae that they now have internet and WIFI connection.

**Waikaremoana** – Thanked Pahauwera for updating Putere Marae. Reported that due to heavy rainfall, Piripaua Village Road has sunk due to erosion and there was a request for the Engineering team to assess the damage.

**Rakaipaaka** – Reported that an issue from Tanenuiarangi Marae in which the Secretary sent a personal letter using Marae letterhead to the Wairoa District Council has now been resolved. Rakaipaaka are now awaiting confirmation of a Community Hui to be hosted by Manutai Marae. A tentative date was given, namely Wednesday, 23 August 2017 – yet to be confirmed.

**Wairoa Whanui** – had nothing to report.

**Mahia Mai Tawhiti** – No report was received.

**Ruakituri** – No report received due to absence of representative.

**Wairoa Matangirau** – Activity report for July/August 2017 attended Wairoa District Council's Forum on 11 July 2017, Maori Standing Committee hui on 13 July 2017 and Hui a Iwi at Te Rauhinu Marae for Wairoa District Council's Wastewater discharge consent.

**Wairoa Hopupu** – The past month has been extremely busy with numerous events throughout the district and matters related to the Wairoa District Council and the Maori Standing Committee.

### EMBANKMENT – WAIROA SKATE PARK

Mrs Maindonald commented on the eroding of the embankment near the Wairoa Skate Park. The Engineering Manager advised eroding has been happening at certain parts of the Wairoa river and Council with Hawke's Bay Regional Council have been monitoring it.

### STREETLIGHT – HINEMIHI MARAE

Mrs Maindonald advised Hinemihi Marae had paid \$10,500 to have street lighting outside their Marae. The Engineering Manager Jamie Cox explained that if every Marae needed a streetlight outside then he could make an assessment of all of them and he also advised Council is undergoing a street light review.

At 2.29pm His Worship the Mayor Craig Little left the meeting.

#### **MURUPARA – TE UREWERA – TE WAIROA ROUTE**

The Engineering Manager presented a report on Murupara-Te Urewera-Te Wairoa Route. It outlined the Purpose, the Project, What do we need to do, Where are we now and Advice required.

At this stage, the Engineering Manager is seeking advice from the Maori Standing Committee on who Council should engage with to collectively speak for tangata whenua in the Wairoa district along the route – during the drive-over in September and an ongoing engagement role as the project develops through to the end of the year.

#### **RESOLUTION 2017/18**

*Moved: Ms Whaiora Maingdonald*

*Seconded: Ms Theresa Thornton*

*That the Maori Standing Committee resolve that the Waikaremoana representative (S Cooper) and the Wairoa Hopupu representative (K Hammond) work with the WDC Engineering Manager on the Murupara-Te Urewera-Te Wairoa route project..*

**CARRIED**

At 3.15pm Cr Jeremy Harker left the meeting.

The Meeting closed at 3.53pm with a karakia by Mr A Manuel.

**The minutes of this meeting were confirmed at the Māori Standing Committee Meeting held on 14 September 2017.**

.....  
**CHAIRPERSON**

**10 PUBLIC EXCLUDED ITEMS****RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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

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

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Valuation and sale of airport land</b>	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities  s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Youth Services Evaluation - Wairoa District Council</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7