



Date: Tuesday, 24 July 2018
Time: 1.30pm
Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa

AGENDA

Late Reports

Ordinary Council Meeting

24 July 2018

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Order Of Business

8 General Items..... 3
8.6 Representation Review 3

8 GENERAL ITEMS

8.6 REPRESENTATION REVIEW

Author: Kitea Tipuna, Electoral Officer

Authoriser: Steven May, Chief Executive Officer

Appendices: Nil

1. PURPOSE

- 1.1. The purpose of this report is for Council to resolve its final proposal relating to its representation arrangements.

RECOMMENDATION(S)

The Electoral Officer RECOMMENDS that;

- 1) Council receive this report;
- 2) *Council resolves as its final proposal for the 2018 representation arrangements review as follows:*
 - a) *A Mayor to be elected over the entire district;*
 - b) *Three (3) Councillors elected at large from the General Ward;*
 - c) *Three (3) Councillors elected at large from the Māori Ward;*
 - d) *No community boards to be set up.*
- 3) *Council enter into the public notification process as prescribed in the Local Electoral Act 2001.*

EXECUTIVE SUMMARY

Local authorities are required to review their representation arrangements at least every six years. Council's last review was conducted in 2015. Council must undertake this review as the Wairoa community voted to establish Māori Wards at the last local body elections in 2016. As defined by the Local Electoral Act 2001 (LEA), representation reviews are reviews of the representation arrangements for a local authority.

Local authorities' representation reviews determine detailed arrangements for:

- the number of electoral subdivisions (if any), and
- their boundaries, names, and number of members.

For territorial authorities, the representation review includes deciding the:

- basis of election (at large, wards, or a mix of both), and
- the establishment of community boards.

In addition to the above representation arrangements, local authorities and communities have the opportunity to consider the:

- electoral system to be used for their elections: first past the post (FPP) or single transferable vote (STV), and
- the establishment of Māori wards/constituencies.

These processes are not formally part of representation reviews; they are matters for local discretion with no right of appeal to the Local Government Commission (the Commission). However, these options relate to identifying appropriate representation arrangements for a district, and needed to be resolved before the detailed ward/constituency arrangements are determined. These matters were discussed in full at Council's meeting of 12 June 2018.

The initial proposal of a representation arrangements review had to be completed by 31 August 2018, and given that there are changes required due to the community voting for the establishment of Māori Wards in 2016, the initial proposal proposed what those arrangements would look like. The formal process under the LEA is still required to be followed.

Council resolved an initial proposal at its meeting of 12 June 2018, specifically:

1. *The Wairoa District Council resolves as its initial proposal for the 2018 representation arrangements review that:*
 - e) *A Mayor to be elected over the entire district*
 - f) *Three (3) Councillors elected at large from the General Ward*
 - g) *Three (3) Councillors elected at large from the Māori Ward*
 - h) *No community boards be set up*
2. *That the formal legislative consultative process and timetable contained in this report be adopted.*
3. *That the hearing of any representation arrangements review submissions that may be received, be heard by Council 19 or 20 July 2018.*

The following formal process is being followed:

Council resolution (initial)	12 June 2018	(section 19H, LEA)
Public notice	14 June 2018	(section 19M, LEA)
Public submission period	18 June – 13 July 2018 (one month)	(section 19M, LEA)
NO SUBMISSIONS RECEIVED		
Submissions heard	19 or 20 July 2018	(section 19M, LEA)
Council resolution (final)	24 July 2018 (late item)	(section 19N, LEA)
Public notice	26 July 2018	(section 19N, LEA)
Public objection period	30 July – 24 August 2018 (one month)	(section 19N, LEA)
Forward material to LGC	27 August 2018	(section 19V (4), LEA)

The formal consultative process involves the ability for the public to make submissions on the representation arrangements review. Any submissions received over the submission period need to be heard by Council prior to making its final proposal resolution.

No submissions were received. Council may resolve to proceed with the initial proposal as its final proposal giving one month for objections or appeals to be received; or resolve to amend the initial proposal as its final proposal giving one month for objections or appeals to be received. Council may still wish to consider whether or not to amend the proposed representation arrangements.

Once Council has resolved its final proposal, public notice of this is required providing the public with a one-month objection/appeal period. Should any objection/appeal be received, the whole matter is then required to be forwarded to the Local Government Commission for determination.

1. CORPORATE CONSIDERATIONS

What is the change?

- 1.1 A final proposal to change the representation arrangements of the Wairoa District to include one or more Māori Wards.

What is the cost?

- 1.2 This Representation Review has been allowed for in current budgets

Who has been consulted?

Māori Standing Committee

- 1.3 The Initial Proposal for Representation Arrangements Report was tabled at the Māori Standing Committee on the 14th of June. The Electoral Officer also presented to the Māori Standing Committee on the 14th of June. The Māori Standing Committee is aware that Council will establish Māori wards for the next two triennials. This Representation Review is a legislative requirement for Council, given the result of the 2016 poll to establish Māori wards. The Māori Standing Committee will be kept up-to-date of the progress of this review as it progresses.

2. SIGNIFICANCE

- 2.1 Section 19M of the LEA required that the consultative procedure prescribed therein was used for this process.
- 2.2 Moreover, decisions made by the Wairoa District Council affect the residents and ratepayers of Wairoa. Council is committed to building and maintaining good relationships with stakeholders and our community so that decisions are well informed. Wherever practical, we engage with individuals, organisations and groups in our community in ways that give them the best opportunity to have their say.
- 2.3 Significance means the importance of an issue, proposal, decision, or matter, as assessed by Council. Council needs to take into account the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:
 - The likely impact/consequences of the issue, proposal, decision or other matter, on the district.
 - Whether the asset is a strategic asset as listed in schedule two of the Significance & Engagement Policy.
 - The impact on levels of service provided by Council or the way in which services are delivered.
 - The degree of impact on Council's debt or the level of rates it charges.
 - The financial and non-financial costs and implications of the issue, proposal, decision or other matter having regard to Council's capacity to perform its role.

- Whether the decision is reversible and the likely impact on future generations.
- The impact on the community, how many people are affected and by how much.
- Whether the decision or action flows from, or promotes, a decision or action that has already been taken by Council or furthers a community outcome, policy or strategy.
- Is there a past history or reasonable expectation of the issue generating wide public interest within the district.
- The likely impact/consequences of the issue, proposal, decision or other matter, on youth, elderly and Māori.



2.4 On 12 June 2018, Council adopted the initial proposal for public consultation. The period of consultation closed on 13 July 2018.

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 Kitea Tipuna	Approved by Steven May