



Date: Tuesday, 28 September 2021
Time: 10.00am
Location: Held Remotely via Video Conferencing

AGENDA

Late Reports

Extraordinary Council Meeting

28 September 2021

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

Order Of Business

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1 GENERAL ITEMS

1.1 DELEGATION TO SUBMIT TO HBRC REPRESENTATION REVIEW

Author: Courtney Hayward, Kaiurungi Matua Kaupapa Here me te Mana Arahi Senior Policy & Governance Advisor

Authoriser: Kitea Tipuna, Tumu Whakarae Chief Executive

Appendices:

1. Proposed changes to general Mohaka-Wairoa boundary [↓](#)
2. Populations represented General Roll [↓](#)
3. Populations Represented Māori Roll [↓](#)

1. PURPOSE

- 1.1 To delegate to the Mayor and Chief Executive to complete a submission to the Hawkes Bay Regional Council Representation Review

RECOMMENDATION

The Kaiurungi Matua Kaupapa Here me te Mana Arahi Senior Policy & Governance Advisor RECOMMENDS that Council delegate to the Mayor and Chief Executive to complete a submission to the Hawkes Bay Regional Council Representation Review

2. BACKGROUND

- 2.1 The Regional Council is required to review its representation arrangements at least every six years. The last Representation Review was in 2018. The Regional Council decision in May this year to establish Māori constituencies for the 2022 and 2025 local elections means they must carry out another review now.
- 2.2 The Regional Council has already decided to keep using the 'First Past the Post' electoral system and to introduce one or more Māori constituencies. These matters are not up for debate as part of this Representation Review.

3. REGIONAL COUNCIL PROPOSAL

- 3.1 Increase the total number of councillors from 9 to 11 (including the 2 new councillors for election by voters registered on the Māori roll)
- 3.2 Retain 5 general constituencies,
- 3.3 Set formal boundaries to establish two Māori constituencies, and
- 3.4 Alter the boundary between the Ngaruroro and (current) Wairoa general constituencies.
- 3.5 Incorporate Māori place names within each of our General constituencies (as well as the English name)
- 3.6 Ask kaumatua in the region to name the Māori constituencies

4. IMPLICATIONS FOR WAIROA (GENERAL ROLL)

- 4.1 For the general roll, changes to the current representation arrangements are proposed to the boundary between the Ngaruroro and Mohaka-Wairoa constituencies. (appendix 1)
- 4.2 The Regional Council's proposal moves the Wairoa boundary south to include the Tūtira and Esk Valley areas, to increase the population and bring the representation ratio closer to meeting the +/-10% requirement. This also attempts to keep a sense of the "community of interest" identity.
- 4.3 The other three constituencies' boundaries will remain unchanged
- 4.4 The Regional Council considers that further extending the Mohaka-Wairoa boundary to achieve the population increase needed to comply with the ±10% rule would limit effective representation for several communities isolated from each other across geographically challenging landscapes and require the grouping together of communities with few commonalities across an extensive area.
- 4.5 The population that each General Constituency member will represent is attached as appendix 2

5. IMPLICATIONS FOR WAIROA (MĀORI ROLL)

- 5.1 The option to establish a Māori constituency is covered in the Local Electoral Act. It is premised on Māori being a distinct 'community of interest' and guarantees Māori on the Māori roll representation on the Council proportional to the percentage of the voting population they make up. The Regional Council decided to establish 'one or more' Māori Constituencies on 19 May this year. This followed community consultation during which 89% of submitters expressed their support. Wairoa District Council and the Māori Standing Committee both made submissions in support of this.
- 5.2 In line with the preferences of tangata whenua representatives on the Regional Council's Māori and Regional Planning committees, HBRC propose to establish two Māori constituencies using the Ngaruroro River as the North-South boundary. One councillor will be elected from each.
- 5.3 The population that each Māori Constituency member will represent is attached as appendix 3.

6. THE +/- 10% RULE

- 6.1 The +/-10% "rule" is an important guide to assess fair representation, and is required under section 19V(2) of the Local Electoral Act 2001. Simply put, this rule looks to ensure each Councillor represents a similar number of people. It requires the number of people represented by each Councillor from a General constituency to be within +/-10% of the average across all elected members from the General constituencies. If the proposal does not comply with the +/-10% "rule", it has to be approved by the Local Government Commission.
- 6.2 While guided by the principle of fair representation in the Local Electoral Act, the Local Government Commission balances this with the requirement to also ensure, in practical terms, constituency boundaries coincide with city and district council boundaries. The Commission sees this as important because city and district councils reflect their communities of interest based on the delivery of a wide range of day-to-day services.

City and district council territories are also areas that electors closely identify with. This helps to encourage participation in local government at times of voting or when candidates stand at local elections.

Maori Standing Committee

6.3 The Māori Standing Committee have discussed this and are workshopping a submission

7. SIGNIFICANCE

7.1 This decision will not trigger the Significance and Engagement Policy

8. RISK MANAGEMENT

8.1 In accordance with the Council's Risk Management Policy the inherent risks associated with this matter are:


Human	Financial	Regulatory
Low	Low	Low
Operations	Employees	Image & Reputation
Low	Low	Low

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 Courtney Hayward	Approved by Kitea Tipuna

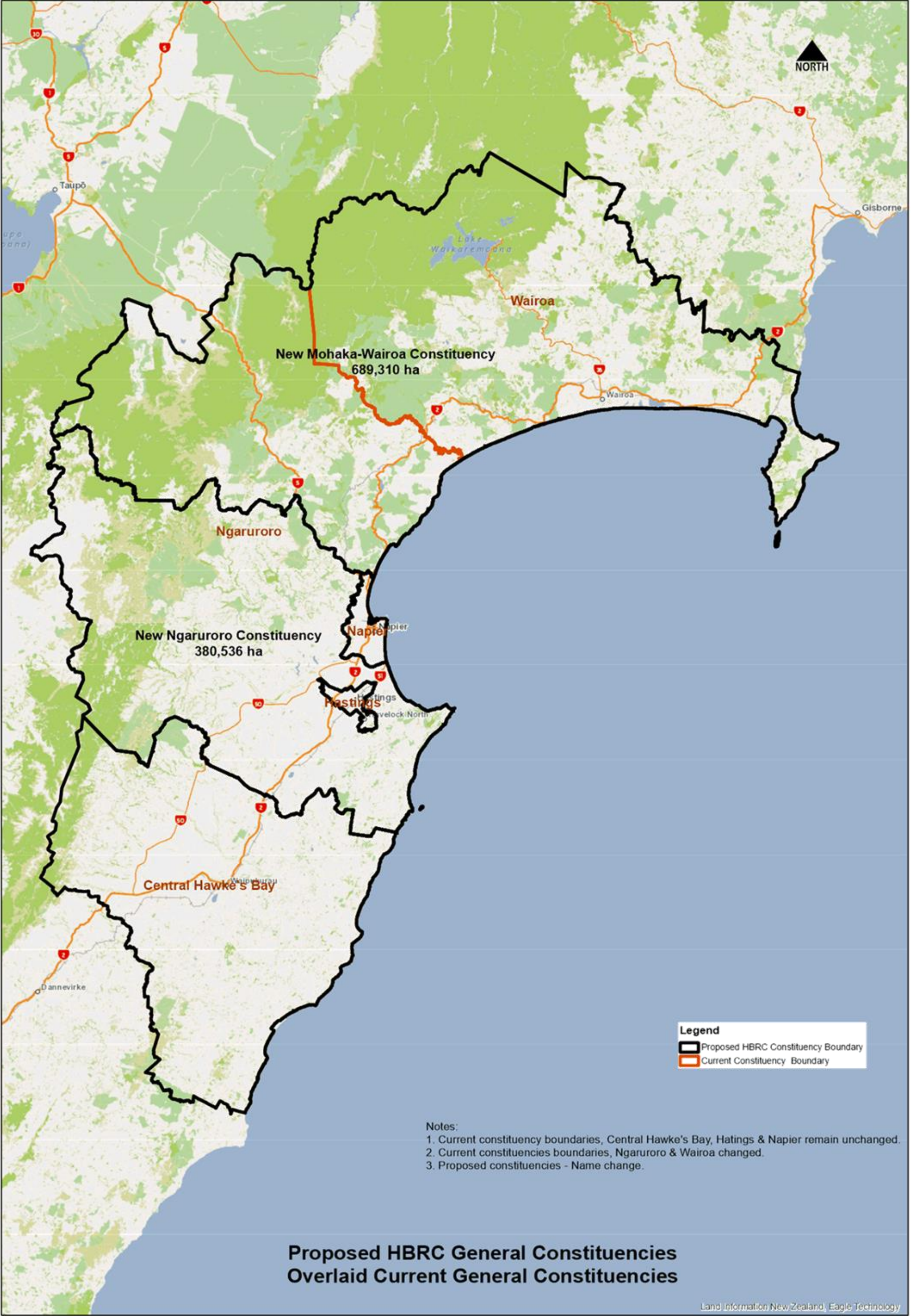


Table 2: The population that each General Constituency member will represent

Constituency	General Electoral Population	Reps	Population per Rep	Difference from Average	% Difference from Average
Tamatea-Central Hawke's Bay	11,955	1	11,955	-3,243	-21.34%
Ahuriri-Napier	53,940	3	17,980	2,782	18.30%
Mohaka-Wairoa	5,691	1	5,691	-9,507	-62.56%
Heretaunga-Hastings	47,928	3	15,976	778	5.12%
Ngaruroro	17,271	1	17,271	2073	13.64%
Total	136,785	9	Av: 15,198		

Table 1: The population that each Māori Constituency member will represent

Constituency	Māori Electoral Population	Reps	Population per Rep	Difference from Average	% Difference from Ave
Māori Constituency 1 (Northern)	12,519	1	12,519	-1,494	-10.66%
Māori Constituency 2 (Southern)	15,507	1	15,507	1,494	10.66%
Totals	28,026	2	Av = 14,013		

1.2 THREE WATERS COMMUNITY FEEDBACK

Author: Courtney Hayward, Kaiurungi Matua Kaupapa Here me te Mana Arahi Senior Policy & Governance Advisor

Authoriser: Kitea Tipuna, Tumu Whakarae Chief Executive

Appendices: 1. Survey Feedback [↓](#)

1. PURPOSE

- 1.1 To present thematic analysis of community feedback including the Three Waters survey that was on the Council website.

RECOMMENDATION

The Kaiurungi Matua Kaupapa Here me te Mana Arahi Senior Policy & Governance Advisor RECOMMENDS that Council receive the report and consider this feedback for the Three Waters submission.

2. CONTEXT

- 2.1 The Three Waters Reform is a government reform, however as Councils are making submissions of this matter, Wairoa District Council undertook conversations with the community to ensure community voice was included in any Council feedback.
- 2.2 Council undertook community meetings, newspaper advertisements, social media messaging and an online survey. Survey results are attached as appendix 1.

3. COMMUNITY FEEDBACK

- 3.1 Feedback from the survey are attached as appendix 1. The final question of the survey asked for other comments, these are considered alongside feedback received through community meetings, emails and informal feedback as themes.

4. THEMES

- 4.1 The three key themes heard during the eight week feedback period are as below. These themes were reinforced often by strong language:

4.1.1. Lack of representation of Wairoa in the proposed entity C

- The size of Wairoa district was referenced considerably, as was the right to democracy and elected representatives. A lot of feedback referenced amalgamation and a sense of being “forced” and “told” what to do.
- Some feedback valued status quo to maintain representation and local voice.
- Elected members have been urged to be “courageous” and “stand up and voice the opinions of local people”

4.1.2. Maintaining ratepayer ownership of assets

- Concerns were raised around paying for water/infrastructure in areas outside of the Wairoa District

- Questions were raised around what the implications would be on rates and how Council would manage this.

4.1.3. A lack of communication and engagement from central government about the reforms process.


- This was reflected significantly in community meetings where a lot of feedback indicated the information presented was brand new or information that had been heard prior to these conversations was confusing.

Confirmation of statutory compliance

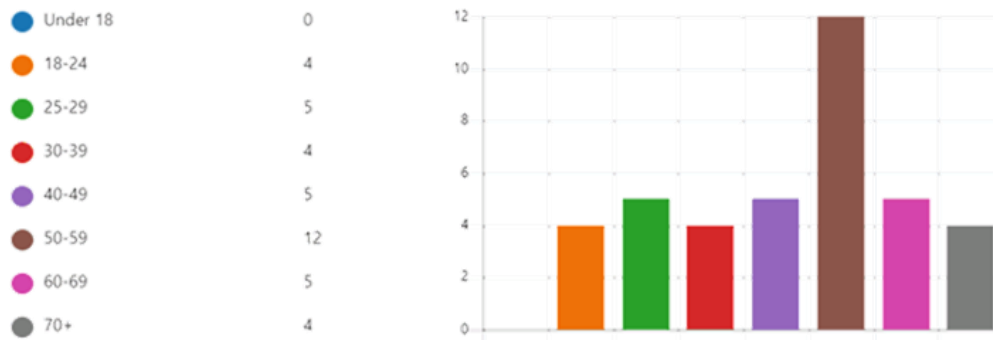
In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- 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 Courtney Hayward	Approved by Kitea Tipuna

1. Which of the following age groups do you fit into? (select one)

[More Details](#)

2. Do you live in an urban or rural area?

[More Details](#)

3. Are you connected to any of the Council delivered three water services? (waste, storm, drinking water)

[More Details](#)

4. Are you happy with the service that is currently provided by your local council?

[More Details](#)

5. Have you heard about the Government's Three Waters Reform prior to this survey?[More Details](#)

6. Where has this information come from?

- | | | |
|---|--|---|
| <ul style="list-style-type: none"> • Council • TV, Local Council, Facebook, Stuff. • Facebook • Friends family • Engineering consultant • Industry and government announcements • Government propaganda • news feeds • Partner • Media • Local News Paper • work related • WDC communication and national media • Media | <ul style="list-style-type: none"> • Media and govt websites. • District council social media • Local council website. • Word of mouth • many sources • Newspapers/ TV news • TV media • Work • Papers internet • Radio and news papers • News media • Govt only information, TV with bad english speech and other public general info | <ul style="list-style-type: none"> • https://www.nzcpr.com/he-puapua/, https://www.nzcpr.com/3waters/, Bruce Smith (West Coast mayor) videos. • Media everywhere and research. not just the govt propaganda • Media • Online and Newspapers • newspaper - WDC facebook page • Social media • Facebook • Internet • Media • Online |
|---|--|---|

7. Are you happy with the information you have received from government on their Three Waters reform proposal?

[More Details](#)

8. Do you have enough information to make an informed decision on the future of our Three Waters?

[More Details](#)

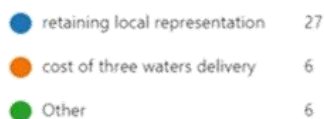


9. The government is proposing to reform the drinking, waste and storm water (three waters) sector. The reform will involve amalgamating the water services of the 67 local authorities into four new regional statutory corporations, with centralised management and a new governance structure. Would you be happy to make a decision about opting in or opting out, based on the information you have received to date?

[More Details](#)



10. What is more important to you?

[More Details](#)

Other: "Both" "That WDC fully retain the 3 waters as under the current model", "keeping control and ownership of infrastructure local" "Both with wairoa being a small place we will be last to receive service and end up paying more for it" "Benefitting our people in our town." "Both cost and local representation"

11. Based on the information you have received; do you think the Reform Scenario will deliver the benefits the government claims it will?

[More Details](#)

12. Tangata whenua and iwi are an important partner in this process. What role should tangata whenua/iwi have in the governance of future three waters services?

[More Details](#)

13. Are you comfortable with the transfer of locally owned Council assets into an entity where Wairoa will have 1% of the proportional representation?

[More Details](#)

14. Are you concerned that we could lose control of our assets if they are taken over by these four large entities?

[More Details](#)



15. Do you think future privatisation of the entities could occur?

[More Details](#)



16. If the Three Waters proposal goes ahead do you think Wairoa should be compensated in full for its assets or just receive a proportion of the assets worth?

[More Details](#)

