

Mā tō tātou takiwā  
**For our District**

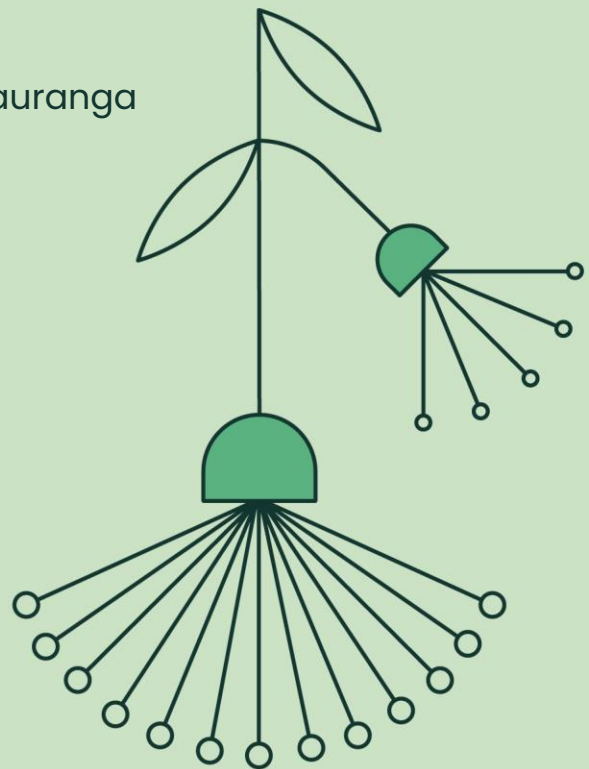
## Council

Te Kaunihera

CL24-8

Thursday, 12 September 2024, 9.30am

Council Chambers, 1484 Cameron Road, Tauranga



# Council

## Membership:

|                           |  |
|---------------------------|--|
| <b>Chairperson</b>        | Mayor James Denyer   |
| <b>Deputy Chairperson</b> | Deputy Mayor John Scrimgeour   |
| <b>Members</b>            | Cr Tracey Coxhead<br>Cr Grant Dally<br>Cr Murray Grainger<br>Cr Anne Henry<br>Cr Rodney Joyce<br>Cr Margaret Murray-Benge<br>Cr Laura Rae<br>Cr Allan Sole<br>Cr Don Thwaites<br>Cr Andy Wichers |
| <b>Quorum</b>             | Six (6)  |
| <b>Frequency</b>          | Six weekly   |

## Role:

The Council is responsible for:

- Ensuring the effective and efficient governance and leadership of the District.
- Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

## Power to Act:

To exercise all non-delegable functions and powers of the Council including, but not limited to:

- The power to make a rate;
- The power to make a bylaw;
- The power to borrow money, purchase, or dispose of assets, other than in accordance with the Long Term Plan;
- The power to adopt a Long Term Plan, a Long Term Plan Amendment, Annual Plan or Annual Report and to receive any related audit report;
- The power to appoint a chief executive;
- The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Local Governance Statement;

- The power to adopt a remuneration and employment policy;
- The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991;
- The power to approve or amend the Council's Standing Orders;
- The power to approve or amend the Code of Conduct for Elected Members;
- The power to appoint and discharge members of committees;
- The power to establish a joint committee with another local authority or other public body;
- The power to make a final decision on a recommendation from the Parliamentary Ombudsman where it is proposed that Council not accept the recommendation.
- To exercise all functions, powers and duties of the Council that have not been delegated, including the power to compulsorily acquire land under the Public Works Act 1981.
- To make decisions which are required by legislation to be made by resolution of the local authority.
- To authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council, or included in Council's Long Term Plan or Annual Plan.
- To make appointments of members to Council Controlled Organisation Boards of Directors/ Trustees and representatives of Council to external organisations.
- To monitor the performance of and make decisions on any matters relating to Council Controlled Organisations (CCO), including recommendations for modifications to CCO or other entities' accountability documents (i.e. Letter of Expectation, Statement of Intent), including as recommended by the Strategy and Policy Committee.
- To approve joint agreements and contractual arrangements between Western Bay of Plenty District Council and Tauranga City Council and/or any other local authority including the requirement to review the terms of any such agreements or contractual arrangements.
- To approve the triennial agreement.
- To approve the local governance statement required under the Local Government Act 2002.
- To approve a proposal to the Remuneration Authority for the remuneration of Elected Members.
- To approve any changes to the nature and delegations of Committees.

**Procedural matters:**

Approval of elected member training/conference attendance.

**Mayor's Delegation:**

Should there be insufficient time for Council to consider approval of elected member training/conference attendance, the Mayor (or Deputy Mayor in the Mayor's absence) is delegated authority to grant approval and report the decision back to the next scheduled meeting of Council.

**Power to sub-delegate:**

Council may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body, subject to the restrictions on its delegations and any limitation imposed by Council.

Notice is hereby given that a Meeting of Council will be held in the  
Council Chambers, 1484 Cameron Road, Tauranga on:  
Thursday, 12 September 2024 at 9.30am

## Order Of Business

|           |   |            |
|-----------|---|------------|
| <b>1</b>  | <b>Karakia</b> .....  | <b>6</b>   |
| <b>2</b>  | <b>Present</b> .....  | <b>6</b>   |
| <b>3</b>  | <b>In Attendance</b> .....  | <b>6</b>   |
| <b>4</b>  | <b>Apologies</b> .....  | <b>6</b>   |
| <b>5</b>  | <b>Consideration of Late Items</b> .....  | <b>6</b>   |
| <b>6</b>  | <b>Declarations of Interest</b> .....   | <b>6</b>   |
| <b>7</b>  | <b>Public Excluded Items</b> .....  | <b>6</b>   |
| <b>8</b>  | <b>Public Forum</b> .....   | <b>6</b>   |
| <b>9</b>  | <b>Community Board Minutes for Receipt</b> .....                                  | <b>7</b>   |
| 9.1       | Minutes of the Katikati Community Board Meeting held on 24 July<br>2024.....      | 7          |
| 9.2       | Minutes of the Te Puke Community Board Meeting held on 1 August<br>2024.....      | 15         |
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**1 KARAKIA**

Whakatau mai te wairua  
Whakawātea mai te hinengaro  
Whakarite mai te tinana  
Kia ea ai ngā mahi

Āe

Settle the spirit  
Clear the mind  
Prepare the body  
To achieve what needs to be  
achieved.  
Yes

**2 PRESENT**

**3 IN ATTENDANCE**

**4 APOLOGIES**

**5 CONSIDERATION OF LATE ITEMS**

**6 DECLARATIONS OF INTEREST**

**7 PUBLIC EXCLUDED ITEMS**

**8 PUBLIC FORUM**

**9 COMMUNITY BOARD MINUTES FOR RECEIPT**

**9.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 24 JULY 2024**

**File Number:** A6462852

**Author:** Rosa Leahy, Senior Governance Advisor

**Authoriser:** Rachael Davie, Deputy CEO/General Manager Strategy and Community

**RECOMMENDATION**

1. That the Minutes of the Katikati Community Board Meeting held on 24 July 2024 be received.

**ATTACHMENTS**

- 1. Minutes of the Katikati Community Board Meeting held on 24 July 2024

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
KATIKATI COMMUNITY BOARD MEETING NO. KKC24-4  
HELD IN THE CENTRE – PĀTUKI MANAWA, 21 MAIN ROAD, KATIKATI  
ON WEDNESDAY, 24 JULY 2024 AT 6.30PM**

**1 PRESENT**

Chairperson J Clements, Member N Mayo, Member A Earl, Member T Sage, Cr A Henry and Cr R Joyce.

**2 IN ATTENDANCE**

J Holyoake (Chief Executive Officer) and G Golding (Governance Manager).

14 Members of the Public; and

Mayor J Denyer

Councillor Murray-Benge

Waihi Beach Community Board Chairperson Ross Goudie

**3 APOLOGIES**

Nil

**4 CONSIDERATION OF LATE ITEMS**

Nil

**5 DECLARATIONS OF INTEREST**

Nil

**6 PUBLIC EXCLUDED ITEMS**

Nil

**7 PUBLIC FORUM**

**Carol Parker – Abbeyfield**

Ms Parker was in attendance to discuss the Abbeyfield development in Katikati. She noted the below points:



- The development had secured affordable housing funding from Central Government as well as donations from individuals. They had secured up to \$3 million of funding, however they still had a shortfall of \$250,000 to complete the project.
- A range of fundraising events were being held, including a 'stake in Abbeyfield'. Donors could purchase a garden stake which would be painted by local artists, with the donors name on it. The stakes cost \$5,000, five stakes had already been sold.
- Ms Parker suggested that the Katikati Community Board purchase a garden stake to support the development.
- A plan of the house was provided to the Katikati Community Board (**Tabled Item 1**).
- 31 people had already signed up on the waiting list. The chosen individuals would have to meet a certain criteria to be selected for a spot. It was noted that 14 individuals would be flatting in the same house and there would be consideration to how the individuals get along.
- An anticipated completion date for the project was October 2025. Once a Code of Compliance certificate was obtained the residents would move in.

#### Tabled Item 1 – Abbeyfield Housing Plan

#### **Jim Davidson – Highfields Pond**

Mr Davidson was in attendance to discuss the establishment of the Highfields Pond. He noted the below points:

- The Highfields Pond would enhance the beauty of Haiku Park and could be used recreationally.
- The project to convert the Highfields stormwater pond into a permanent body of water had taken over 12 years.
- After consultation with the community, the project had reached stage 1 of the development.
- It was hoped that future stages would include planting and other enhancements.
- Mr Davidson thanked Council's Engineers, Elected Members and community members that were involved in the project.
- Mr Davidson requested that the Community Board request that Council change the Highfields pond name to Lake Waterford.
- Mr Davidson requested that the planting plan be held off for 12 months.

The Community Board thanked Mr Davidson for his dedication and work on the project.

### Keith Pyle – Beach Road Boat Ramp Development

Mr Pyle was in attendance on behalf of the Katikati Boating Club to discuss the Beach Road Boat Ramp development. He noted the below points:

- The Katikati Boating Club were disappointed that the development of a beach was not included in the concept plan.
- Out of the 127 submissions to Council, 16 specifically mentioned they supported including a beach.
- Mr Pyle is of the belief that the concept plan creates a health and safety hazard for the Club's sailors and other recreational users. Sailors would have to manoeuvre through the carpark to get to the beach on the northern side of the ramp.
- The Katikati Boating Club do not believe the eroding cliff face could be stabilised by plantings. The Club had taken professional and local advice that suggested planting would not stop erosion. Furthermore, the plantings would block the view.
- The Club believe there was not sufficient seating and picnic facilities in the plan and object to the use of rocks to prevent erosion.
- Feedback from the consultation suggest that the community wanted a playground and more security in the area.
- The Club believe that Katikati has poor harbour access planning and the community have to travel to Ōmokoroa or Waihi Beach to gain adequate beach access.
- Resource Consent would be required for the removal of sand to create a beach.

### Brian Anderson – Highfields Apartment Development

Mr Anderson, a resident of Katikati, was in attendance to discuss the development of apartments on Highfields Drive. He noted the below points:

- Residents were concerned that twelve high storey apartments were being developed on the corner of Highfields Drive. This would limit access to Highfields Drive.

Cr R Joyce provided the following updates:

- There had been some initial interactions with staff over the project, however no Resource Consent application had been made.
- The development would go through the normal planning process.

### **Trevor Burgess – Katikati Lions Club**

Mr Burgess, on behalf of Katikati Lions Club, was in attendance to provide an update on the Katikati Lions Club activities. He noted the below points:

- The Katikati Lions Club had been around for 54 years and had been involved in many projects in the community.
- The Club has a number of fundraising activities such as their garage sale, and they also work with other Lions Clubs through a banking trust which enables them to access more funds.
- The Katikati Lions Club requested they undertake the project for tables and seats at Uretara. The Club had funding for the project but needed Council to support it.

The Community Board indicated their support for the project and would workshop it at a later date.

### **Brodie Davis – Project Parore**

Mr Davis, on behalf of Project Parore, was in attendance to provide an update on Project Parore's activities. He noted the below points:

- Project Parore was working towards improving the water quality in the area, and worked with landowners to ensure cattle were not contaminating the water.

7.41pm Cr R Joyce left the meeting.

- Project Parore received funding from Regional Council to undertake some of their activities including monitoring water quality at culverts.
- The group provided water monitoring scorecards to landowners, so they were aware of the water quality from their property.
- Project Parore would like to be involved in the planting for the Highfields Pond and had a plan for planting along the Uretara River.

## **8 PRESENTATIONS**

### **8.1 PRESENTATION – KATIKATI SPORTS AND RECREATION CENTRE**

Representatives from Katikati Sports and Recreation Centre were unable to attend the meeting.

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## **9 MINUTES FOR CONFIRMATION**

### **9.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 29 MAY 2024**

#### **RESOLUTION KKC24-4.1**

Moved: Member A Earl

Seconded: Member T Sage

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1. That the Minutes of the Katikati Community Board Meeting held on 29 May 2024 as circulated with the agenda be confirmed as a true and correct record.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

## 10 REPORTS

### 10.1 KATIKATI COMMUNITY BOARD CHAIRPERSON'S REPORT - JULY 2024

The Board considered the Chairperson's Report, the report was taken as read with the following points:

- It was noted that the Katikati Community Board had made submissions to the Long Term Plan 2024-34 and Financial Contributions 2024/25.
- Costings for the Market Square project had not yet been finalised.
- The Chairperson raised concerns about the balance of the Katikati Town Centre Development Fund.
- Appointments to the Wastewater Treatment Advisory Group would be made by Mayor J Denyer.
- It was clarified that funding for the conference would cover flights, accommodation, conference tickets and other expenses related to the conference.

#### RESOLUTION KKC24-4.2

Moved: Member N Mayo

Seconded: Member T Sage

1. That the Katikati Community Board Chairperson's Report dated 24 July 2024 be received.

**CARRIED**

#### RESOLUTION KKC24-4.3

Moved: Member A Earl

Seconded: Member N Mayo

2. That the Katikati Community Board approve up to \$2,140 from the Conferences Account for costs related to attending the 2024 LGNZ Community Board Executive Committee Conference.

**CARRIED**

**RESOLUTION KKC24-4.4**

Moved: Cr A Henry

Seconded: Member T Sage

3. That the Katikati Community Board approve up to \$805 from the Contingency Account for costs related to attending the 2024 LGNZ Community Board Executive Committee Conference.

**CARRIED**

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**10.2 PROJECTS AND OPERATIONS REPORT - JULY 2024**

The Board considered the Projects and Operations Report – July 2024. The following points were noted:

- It was noted that the bus shelter at Taupiro Marae was unable to proceed at this stage until they had addressed their roading issues.
- 

**RESOLUTION KKC24-4.5**

Moved: Member T Sage

Seconded: Member A Earl

1. That the Governance Advisor's report dated 24 July 2024 titled 'Projects and Operations Report – July 2024' be received.

**CARRIED**

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**10.3 KATIKATI FINANCIAL REPORT - JUNE 2024**

The Board considered the Katikati Financial Report – June 2024. The report was taken as read and no discussion was held.

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**RESOLUTION KKC24-4.6**

Moved: Member T Sage

Seconded: Chairperson J Clements

1. That the Financial Business Advisor's report dated 24 July 2024, titled 'Financial Report Katikati – June 2024', be received.
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- 
2. That the Katikati Community Board approve for the remaining funds from the below resolutions, to be released back into the Operational Budget, noting any unspent budget will transfer to the Reserve Account:
- a. KKC23-2.4 with remaining funds of \$261.00
  - b. KKC23-4.4 with remaining funds of \$15.00
  - c. KKC23-7.3 with remaining funds of \$298.00
  - d. KKC24-2.5 with remaining funds of \$46.00

**CARRIED**

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**The Meeting closed at 8.41pm.**

**Confirmed as a true and correct record at the Katikati Community Board meeting held on 18 September 2024.**

.....  
Chairperson J Clements

**CHAIRPERSON**

**9.2 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 1 AUGUST 2024**

**File Number:** A6464828

**Author:** Ella Logan, Governance Advisor

**Authoriser:** Robyn Garrett, Governance Manager

**RECOMMENDATION**

1. That the Minutes of the Te Puke Community Board Meeting held on 1 August 2024 be received.

**ATTACHMENTS**

1. Minutes of the Te Puke Community Board Meeting held on 1 August 2024

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
TE PUKE COMMUNITY BOARD MEETING NO. TPC24-4  
HELD IN THE TE PUKE LIBRARY AND SERVICE CENTRE, 130 JELLCOE STREET, TE PUKE  
ON THURSDAY, 1 AUGUST 2024 AT 7.00PM**

## **1 PRESENT**

Chairperson K Ellis, Member N Chauhan, Member D Snell, Member K Summerhays, Cr G Dally, Cr A Wichers, Mayor J Denyer.

## **2 IN ATTENDANCE**

G Golding (Governance Manager) and E Logan (Governance Advisor).

## **3 APOLOGIES**

### **APOLOGY**

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#### **RESOLUTION TPC24-4.1**

Moved: Member K Summerhays

Seconded: Cr A Wichers

That the apology for absence from Member Snell be accepted.

**CARRIED**

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## **4 CONSIDERATION OF LATE ITEMS**

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#### **RESOLUTION TPC24-4.2**

Moved: Chairperson K Ellis

Seconded: Member N Chauhan

That the following items be included in the agenda:

9.6 Local Government New Zealand Conference 2024.

**CARRIED**

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## **5 DECLARATIONS OF INTEREST**

Nil

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## 6 PUBLIC EXCLUDED ITEMS

Nil

## 7 PUBLIC FORUM

Nil

## 8 MINUTES FOR CONFIRMATION

### 8.1 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 6 JUNE 2024

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#### RESOLUTION TPC24-4.3

Moved: Cr A Wichers

Seconded: Chairperson K Ellis

That the Minutes of the Te Puke Community Board Meeting held on 6 June 2024 as circulated with the agenda be confirmed as a true and correct record with the below amendments.

That the following sentence from item **9.2** be removed as it is incorrect:

- "The Board could look into providing advertisement opportunities to local businesses that would fund a portion of the project."

That the following amendment is made to item **9.6**:

- "Member k Summerhays declared an interest in the Natural Burials for Te Puke cemetery section of this item, and took no part in the discussion of this topic."

That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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## 9 REPORTS

### 9.1 TE PUKE COMMUNITY BOARD - WORKSHOP NOTES - JUNE 2024

The workshop notes were received and no further discussion was had.

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### 9.2 TE PUKE COMMUNITY BOARD - CHAIRPERSON'S REPORT - AUGUST 2024

The Board considered a report from the Chairperson. The report was taken as read, with further discussion on the below items:

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- The Board congratulated Laura Rae on becoming Councillor for the Te Puke-Maketu Ward.

### Community Board Grant Applications

- Community Board Grants were suppose to be agile and flexible. The consideration of applications twice a year restricted this.
- The Community Board Grant Criteria was adopted by Council in 2000.

### Traffic Management

- The costs of temporary traffic management had become a barrier for local event organisers.
- The Governance Advisor would discuss with Council's Transportation Direction options/direction to improve the affordability of traffic management for local events. This information would be fed back to the Board at its next workshop.

### External Committee Updates

#### The Sustainable Endeavours Trust

- A hui was being held at the Orchard Church at 5.30pm on 14 August 2024. This meeting was to bring together members of the community that were interested in the environment.
- The present Trustees had agreed that if there was enough community interest, the Trust would be handed over to the people of Te Puke for the benefit of the Te Puke environment and sustainability projects.

#### EPIC

- Epic had renewed its contract with Council. An addition had been made to the contract which was that EPIC would provide support/guidance to other groups that were organising events.

#### Bay of Plenty Te Puke Indian Migrants Women's Group

- The Ladies night at the Memorial Hall was a success. There were both women and children of all ethnicities in attendance, with approximately 300 people in total.
- Another Ladies night was being held on 9 August 2024.

### Te Puke Community Fund

- The Te Puke Community Fund were in the process of formalising a memorandum of understanding with AKORN to transfer the community held funds (from the Te Puke Centre that was not progressed) into a legacy fund. The intention was that the existing trustees would act as advisors to the trust.

It was stipulated that the group wanted its own distribution panel that was separate from the AKORN distribution panel in Tauranga.

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#### Main Street Flags

- It was suggested that new event flags needed to be made.
- Concept designs would be presented to the Board at the workshop in September 2024.

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### **RESOLUTION TPC24-4.4**

Moved: Cr A Wichers

Seconded: Chairperson K Ellis

1. That the Chairperson's report dated 1 August 2024 titled "Te Puke Community Board – Chairperson's Report – August 2024" be received.
2. That the Te Puke Community Board note that the items in the Chairpersons report are a reflection of the Chairpersons aspirations, and that the subjects within the report will be topics of future workshops.

**CARRIED**

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### **9.3 TE PUKE COMMUNITY BOARD – COUNCILLORS REPORT – AUGUST 2024**

The Board considered a report from Councillor Dally. The report was taken as read with further discussion on the below.

#### Rate Strikes

- A query was raised about whether ratepayers were expected to cover the increased expenditure between July and the adoption of the Long Term Plan or would the new rates begin when the Long Term Plan was adopted by Council.
- Staff noted that rates would strike when the Long Term Plan was adopted by Council, bills would be sent out following this and would be retrospective to 1 July 2024.

#### Te Puke – Maketu Ward Community Forum

- The Te Puke – Maketu Community Forum would be held on 25 September 2024 at the Orchard Church, Te Puke.

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### **RESOLUTION TPC24-4.5**

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Moved: Member K Summerhays

Seconded: Member N Chauhan

1. That Councillor Dally's report dated 1 August 2024 titled 'Te Puke Community Board – Councillors Report – August 2024' be received.

**CARRIED**

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#### **9.4 TE PUKE COMMUNITY BOARD – PROJECTS AND OPERATIONS REPORT – AUGUST 2024**

The Board considered a report from the Governance Advisor. The report was taken as read, with further discussion on the below.

##### Heritage Plaza

- The Landscape Architect would bring a developed design back to the Board at the September 2024 workshop.
- The budget of the lighting would need to be estimated prior to the approval of the concept design.

##### Cameron Road Safety Improvements

- The Board requested further clarification around the pricing of the detailed design from the Project Engineer before they could approve the project.

##### Te Puke Wastewater Treatment Plant Upgrade

- Water charges were standardised across the district. The costs of the Te Puke Wastewater Treatment Plant upgrade were spread out equally across the District, not just in Te Puke.
- 

#### **RESOLUTION TPC24-4.6**

Moved: Cr A Wichers

Seconded: Cr G Dally

1. That the Governance Advisor's report dated 01 August 2024 titled 'Te Puke Community Board – Projects and Operations Report – August 2024' be received.

**CARRIED**

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#### **RESOLUTION TPC24-4.7**

Moved: Member K Summerhays

Seconded: Cr A Wichers

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2. That the Te Puke Community Board approves a budget of up to \$100,000.00 out of the Roothing Account for the costs relating to the design and installation of the Heritage Plaza, contingent on the concept design being approved by the Board.

**CARRIED**

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### RESOLUTION TPC24-4.8

Moved: Member K Summerhays

Seconded: Chairperson K Ellis

3. That the Te Puke Community Board approves a budget of \$100,000.00 from the Roothing Account for the design and installation of a footpath along Landscape Road along the road reserve in McCloughlin Park as shown in **Attachment 1**.

**CARRIED**

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### RESOLUTION TPC24-4.9

Moved: Cr G Dally

Seconded: Member K Summerhays

4. That the Te Puke Community Board approves a budget of \$50,000.00 from the Roothing Account for the design and installation of a footpath through Fairhaven Park as shown in **Attachment 2**.

**CARRIED**

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### RESOLUTION TPC24-4.10

Moved: Member K Summerhays

Seconded: Chairperson K Ellis

5. That the Te Puke Community Board approves a budget of \$110,000.00 from the Roothing Account for safety improvement installations on Commerce Lane as shown in **Attachment 3**.

**CARRIED**

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**9.5 TE PUKE COMMUNITY BOARD – FINANCIAL REPORT JUNE 2024**

The Board considered a report from the Financial Business Advisor. The report was taken as read.

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**RESOLUTION TPC24-4.11**

Moved: Member K Summerhays

Seconded: Chairperson K Ellis

1. The Financial Business Advisor's report dated 1 August 2024 titled 'Te Puke Community Board – Financial Report June 2024' be received.
2. TP22-4.8 to release back the unspent \$49 from outstanding operational commitments.

**CARRIED**

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**9.6 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE 2024**

The Board considered a report from the Governance Advisor. The report was taken as read.

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**RESOLUTION TPC24-4.12**

Moved: Member K Summerhays

Seconded: Chairperson K Ellis

1. That the Governance Advisor's report dated 1 August 2024, titled 'Local Government New Zealand Conference 2024', be received.
2. That the Te Puke Community Board approve \$2,945 from the Te Puke Community Board Contingency Account, for Member N Chauhan to attend the 2024 Local Government New Zealand Conference.

**CARRIED**

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**The Meeting closed at 8.33pm.**

**Confirmed as a true and correct record at the Te Puke Community Board meeting held on 26 September 2024.**

.....

Chairperson K Ellis

**CHAIRPERSON**

Unconfirmed

**9.3 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 6 AUGUST 2024**

**File Number:** A6464825

**Author:** Ella Logan, Governance Advisor

**Authoriser:** Robyn Garrett, Governance Manager

**RECOMMENDATION**

1. That the Minutes of the Maketu Community Board Meeting held on 6 August 2024 be received.

**ATTACHMENTS**

1. Minutes of the Maketu Community Board Meeting held on 6 August 2024



**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
MAKETU COMMUNITY BOARD MEETING NO. MKC24-5  
HELD IN THE MAKETU COMMUNITY CENTRE, WILSON ROAD, MAKETU  
ON TUESDAY, 6 AUGUST 2024 AT 7.00PM**

**1 PRESENT**

Acting Chair Deputy Mayor J Scrimgeour, Deputy R Corbett, and Member T Hopping.

**2 IN ATTENDANCE**

R Davie (Deputy CEO/General Manager Strategy and Community) and E Logan (Governance Advisor).

Newly Elected Councillor for Te Puke – Maketu Ward L Rae (Not yet sworn in).

**3 APOLOGIES**

**3.1 APOLOGY**

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**RESOLUTION MKC24-5.1**

Moved: Deputy R Corbett

Seconded: Member T Hopping

That the apology for absence from Member Walters be accepted.

**CARRIED**

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**4 CONSIDERATION OF LATE ITEMS**

Nil

**5 DECLARATIONS OF INTEREST**

Nil

**6 PUBLIC EXCLUDED ITEMS**

Nil

## 7 PUBLIC FORUM

Nil

## 8 MINUTES FOR CONFIRMATION

### 8.1 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 11 JUNE 2024

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#### RESOLUTION MKC24-5.2

Moved: Member T Hopping

Seconded: Deputy R Corbett

1. That the Minutes of the Maketu Community Board Meeting held on 11 June 2024 as circulated with the agenda be confirmed as a true and correct record.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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### 8.2 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 27 JUNE 2024

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#### RESOLUTION MKC24-5.3

Moved: Deputy Mayor J Scrimgeour

Seconded: Member T Hopping

1. That the Minutes of the Maketu Community Board Meeting held on 27 June 2024 as circulated with the agenda be confirmed as a true and correct record.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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## 9 REPORTS

### 9.1 ELECTION OF CHAIRPERSON FOR THE MAKETU COMMUNITY BOARD

The Board considered a report from the Governance Advisor. The report was taken as read.

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#### RESOLUTION MKC24-5.4

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Moved: Deputy Mayor J Scrimgeour

Seconded: Deputy R Corbett

1. That the Governance Advisors report dated 06 August 2024 titled 'Election of Chairperson for the Maketu Community Board' be received.

**CARRIED**

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### RESOLUTION MKC24-5.5

Moved: Deputy R Corbett

Seconded: Member T Hopping

2. That in accordance with Clause 25(4), Schedule 7 of the LGA 2002, the Maketu Community Board adopts **System B** for the election of the Chairperson.

**CARRIED**

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### RESOLUTION MKC24-5.6

Moved: Deputy Mayor J Scrimgeour

Seconded: Deputy R Corbett

3. That the Maketu Community Board elects Member Tippy Hopping as the Chairperson of the Maketu Community Board.

**CARRIED**

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## 9.2 MAKETU COMMUNITY BOARD - OUTGOING CHAIRPERSON'S REPORT - AUGUST 2024

The Board considered a report from the outgoing Chairperson. The report was taken as read, with further discussion on the below:

### Maketu Spit

- Engagement for the Maketu Spit work had closed. A clear way forward for the project had not been communicated by the Bay of Plenty Regional Council.
- The re-diversion annual update meeting was held at the Community Centre on 9 August 2024.

### Wharekahu Urupa

- An additional handrail would need to be installed at the bottom of the hill to complete the work.
-

Community Board Grant Process

- The Board would workshop their Grant process to customise it to benefit the needs of their community.
- 

**RESOLUTION MKC24-5.7**

Moved: Deputy Mayor J Scrimgeour

Seconded: Deputy R Corbett

1. That the Chairperson's report dated 6 August 2024 titled 'Maketu Community Board – Outgoing Chairperson's Report – August 2024' be received.

**CARRIED**

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**9.3 MAKETU COMMUNITY BOARD – COUNCILLOR'S REPORT – AUGUST 2024**

The Board considered a report from the Deputy Mayor. The report was taken as read, with further discussion on the below:

- The Board congratulated Laura Rae on becoming Councillor for the Te Puke-Maketu Ward.
- There would be a by-election for the Maketu Community Board to fill the empty seat on the Board, however, the dates for this had not been confirmed.

Tauranga City Council Election Results

- The Board congratulated those who were elected to the Tauranga City Council.

Long-Term Plan

- Council was in the process of workshopping the submissions that were received during consultation. A formal meeting was planned for 26 August 2024.

Te Puke Spatial Plan

- The pre-engagement phase of the Spatial Plan has closed, and the submissions had been shared with the Sub-Committee. Staff would provide Council with an overview of the progress that was made to the development of a draft spatial plan.
- 

**RESOLUTION MKC24-5.8**

Moved: Deputy Mayor J Scrimgeour

Seconded: Member T Hopping

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- 
1. That the Deputy Mayor's report dated 6 August 2024 titled 'Maketu Community Board – Councillor's Reports – August 2024' be received.

**CARRIED**

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#### **9.4 MAKETU COMMUNITY BOARD – PROJECTS AND OPERATIONS REPORT – AUGUST 2024**

The Board considered a report from the Governance Advisor. The report was taken as read, with further discussion on the below:

- The purpose of the culvert capacity improvement on Spencer Avenue was to improve the storm water and flooding management.
  - The Maketu Wastewater Treatment Plant was an essential project and would be resolved.
  - Work on the Information Centre mural would resume near the end of August 2024.
- 

#### **RESOLUTION MKC24-5.9**

Moved: Member T Hopping

Seconded: Deputy R Corbett

1. That the Governance Advisor's report dated 6 August 2024 titled 'Maketu Community Board – Projects and Operations Report – August 2024' be received.

**CARRIED**

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#### **9.5 MAKETU COMMUNITY BOARD – FINANCIAL REPORT JUNE 2024**

The Board considered a report from the Financial Business Advisor. The report was taken as read.

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#### **RESOLUTION MKC24-5.10**

Moved: Deputy Mayor J Scrimgeour

Seconded: Deputy R Corbett

1. That the Financial Business Advisor's report dated 6 August 2024 titled 'Maketu Community Board – Financial Report June 2024' be received.
2. MKC24-1.7 to release back the unspent \$90 from outstanding operational commitments.

**CARRIED**

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**The Meeting closed at 7.56pm.**

**Confirmed as a true and correct record at the Maketu Community Board meeting held on 1 October 2024.**

.....

Deputy Mayor J Scrimgeour

**ACTING CHAIRPERSON**

UNCONFIRMED

**9.4 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 12 AUGUST 2024**

**File Number:** A6462859

**Author:** Rosa Leahy, Senior Governance Advisor

**Authoriser:** Rachael Davie, Deputy CEO/General Manager Strategy and Community

**RECOMMENDATION**

1. That the Minutes of the Waihī Beach Community Board Meeting held on 12 August 2024 be received.

**ATTACHMENTS**

1. **Minutes of the Waihī Beach Community Board Meeting held on 12 August 2024**

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
WAIHĪ BEACH COMMUNITY BOARD MEETING NO. WBC24-4  
HELD IN THE WAIHĪ BEACH COMMUNITY CENTRE, 106 BEACH ROAD, WAIHĪ BEACH  
ON MONDAY, 12 AUGUST 2024 AT 5.30PM**

**1 PRESENT**

Chairperson R Goudie, Deputy Chair D Simpson, Member H Guptill, Member W Stevenson, Cr A Henry and Cr A Sole.

**2 IN ATTENDANCE**

A Henderson (General Manager Corporate Services) and R Leahy (Senior Governance Advisor).

10 Members of the Public; and

Mayor J Denyer

**3 APOLOGIES**

Nil

**4 CONSIDERATION OF LATE ITEMS**

Nil

**5 DECLARATIONS OF INTEREST**

Nil

**6 PUBLIC EXCLUDED ITEMS**

Nil

**7 PUBLIC FORUM**

**7.1 PETER MORTEN – LOCATION OF ENTRANCEWAY SIGNS**

Mr Morten was in attendance on behalf of the Athenree Homestead to raise concerns about the proposed location of the entrance way sign on Athenree Road. He noted the below points:

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- It had been suggested that the Athenree Homestead sign be relocated to make way for 'Welcome to Waihi Beach' entranceway signs.
  - There was a more suitable site for the sign along the straight near the airfield.
  - The proposed location of the sign lumped Athenree into the same location as Waihi Beach, the two areas should be separated.
- 

## **7.2 MIKE HICKEY – VARIOUS ISSUES**

Mr Hickey, a resident of Waihi Beach, was in attendance to speak on the following items:

- There was a young family in the community that were struggling to obtain a building consent to build on their property. The family were currently living in Waihi and had to travel into Waihi Beach each day to drop their kids off at school.
  - There were ongoing concerns with uncontrolled dogs on the beach and reports that roaming dogs were entering the School grounds.
- 

## **8 PRESENTATIONS**

### **8.1 PRESENTATION – LIVE WELL WAIHI BEACH**

Pippa Coombes was in attendance to provide the Board with an update on behalf of Live Well Waihi Beach. The below points were noted:

- Sustainable Waihi Beach were aiming to reduce single use cups in Waihi Beach and introduce a keep cup scheme.
  - Hot composters had been installed at the School which would compost the compostable single use cups.
  - They had received funding from national sources and Western Bay of Plenty District Council to introduce a keep cup scheme.
  - They had engaged with local hospitality providers to get onboard with the compostable cups and keep cup schemes.
  - Sustainable Waihi Beach were also looking at reducing other packaging waste through a scheme for 'save board', which was made from compressed food and beverage cartons.
  - Save board was a low carbon alternative to gib board and could be used as an external and internal building material.
  - Recycling stations would be placed at retail locations across Waihi Beach so the beverage cartons could be recycled.
-

## 8.2 PRESENTATION – TE WHANĀU Ā TAUWHAO KI OTAWHIWHI

Reon Tuanau was in attendance to provide the Board with an update on behalf of Te Whānau ā Tauwhao ki Otawhiwhi. The below points were noted:

- A meeting was held with Regional Council over of the bridge on Waiau Road. There were issues with flooding in the area due to a build up of silt and reeds in the river. They were looking to form a catchment group to manage the river better.
- They were looking to submit to the Western Bay of Plenty and Regional Council for funds for Hapū Management Plan development.
- They had just completed mahi for Te Mana o te Wai (the National Policy Statement for Freshwater Management).
- A successful Matariki event was held this year, which was led by children from Waihi Beach School.
- They were working with Council and the school on design elements for the Athenree–Waihi Beach crossing. A similar engagement group was used to help design the Island View Reserve playground which recently won an award.

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## 9 MINUTES FOR CONFIRMATION

### 9.1 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 17 JUNE 2024

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#### RESOLUTION WBC24-4.1

Moved: Member W Stevenson

Seconded: Cr A Sole

1. That the Minutes of the Waihi Beach Community Board Meeting held on 17 June 2024 as circulated with the agenda be confirmed as a true and correct record.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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## 10 REPORTS

### 10.1 WAIHĪ BEACH COMMUNITY BOARD – WORKSHOP NOTES – 22 JULY 2024

The workshop notes from 22 July 2024 were received for information, no discussion was held.

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**10.2 WAIHĪ BEACH COMMUNITY BOARD CHAIRPERSONS REPORT – AUGUST 2024**

The Board considered a report dated 12 August 2024 from the Chairperson. The report was taken as read, with further discussion on the below items:

- Members of the Board felt they should not go against the recommendation of the Road Safety Engineer in regard to removing one or two carparks on Wilson Road.
- The Board supported the idea of installing a seat outside the porch.
- The Board raised concerns regarding the communication from Council in relation to the planting of trees in Bowentown.
- The Board queried if they could be provided with a schedule of upcoming works for Waihi Beach.
- The speed limit outside the School may reduce, which may enable a pedestrian refuge on Beach Road to be installed closer to the School. The Board queried when the speed limit changes would be introduced.
- The Board would look to review their Community Plan at their next workshop and consider a work programme for the Board.
- There were concerns regarding the level of service for rubbish bins in the town centre, particularly over the busy summer period. The General Manager Corporate Services advised that there may be cost implications to increasing the level of service for rubbish bins.
- There was concern that community projects may arise outside of the Community Board grants cycle. The Board would workshop their operating budget to accommodate for potential community projects that may arise outside of the proposed two meetings dedicated to grants.
- Work on the model for a community safety event was ongoing. A concept plan for the event would be considered at the 16 September 2024 Community Board workshop.

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**RESOLUTION WBC24-4.2**

Moved: Cr A Sole

Seconded: Member W Stevenson

That the Waihi Beach Community Board approve up to \$1,056 from their Conferences Budget and \$2,680 from the Miscellaneous Budget for costs relating to attending the 2024 LGNZ Community Board Executive Committee Conference.

**CARRIED**

**RESOLUTION WBC24-4.3**

Moved: Deputy Chair D Simpson

Seconded: Member H Guptill

That the Waihi Beach Community Board support the Road Safety Engineer's recommendation to remove two carparks on Wilson Road (entry to Wilson Road carpark) and install a seat outside The Porch.

**CARRIED**

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**RESOLUTION WBC24-4.4**

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the Waihi Beach Community Board Chairperson's Report dated 12 August 2024 be received.

**CARRIED**

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**10.3 WAIHI BEACH COMMUNITY BOARD COUNCILLORS REPORT - AUGUST 2024**

The Board considered a report dated 12 August 2024 from Councillor Henry. A brief overview of the report was provided, with further discussion as below:

- It was clarified that the Long Term Plan 2024-34 submissions would be included in the agenda for the 26 August Annual Plan Long Term Plan Committee.
  - Council had received 587 submissions to the Long Term Plan 2024-34.
  - The proposal for the Representation Review was being finalised.
- 

**RESOLUTION WBC24-4.5**

Moved: Cr A Henry

Seconded: Cr A Sole

That Councillor Henry's report dated 12 August titled 'Waihi Beach Community Board Councillors Report - August 2024' be received.

**CARRIED**

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**10.4 WAIHĪ BEACH PROJECTS AND OPERATIONS REPORT – AUGUST 2024**

The Board considered a report dated 12 August 2024 from the Governance Advisor. The report was taken as read, with further discussion as below:

Member H Guptill provided an update on the Waihi Beach Emergency Response Team:

- The team met on 1 July 2024 alongside Fire and Emergency Services, Land Search and Rescue, Lifeguard Services and other first responder groups.

**RESOLUTION WBC24-4.6**

Moved: Cr A Sole

Seconded: Deputy Chair D Simpson

That the Governance Advisor's report dated 12 August 2024 titled 'Waihi Beach Projects and Operations Report – August 2024' be received.

**CARRIED**

**10.5 WAIHĪ BEACH COMMUNITY BOARD – FINANCIAL REPORT JUNE 2024**

The Board considered a report dated 12 August 2024 from the Financial Business Advisor. The report was taken as read.

**RESOLUTION WBC24-4.7**

Moved: Chairperson R Goudie

Seconded: Deputy Chair D Simpson

1. That the Financial Business Advisor's report dated 12 August 2024 titled 'Waihi Beach Community Board – Financial Report June 2024', be received.
2. WBC20-11.7 to release back the unspent \$288 from outstanding reserve commitment.

**CARRIED**

**The Meeting closed at 7.55pm.**

**Confirmed as a true and correct record at the Waihi Beach Community Board meeting held on 7 October 2024.**

.....  
Chairperson R Goudie

**CHAIRPERSON**

## **10 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION**

### **10.1 MINUTES OF THE COUNCIL MEETING HELD ON 15 AUGUST 2024**

**File Number:** A6463045

**Author:** Pernille Osborne, Senior Governance Advisor

**Authoriser:** Rachael Davie, Deputy CEO/General Manager Strategy and Community

#### **RECOMMENDATION**

1. That the Minutes of the Council Meeting held on 15 August 2024 be confirmed as a true and correct record and the recommendations therein be adopted.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

#### **ATTACHMENTS**

1. **Minutes of the Council Meeting held on 15 August 2024**

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
COUNCIL MEETING NO. CL24-6  
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA  
ON THURSDAY, 15 AUGUST 2024 AT 9.30AM**

## **1 POWHIRI**

The Council meeting opened with a formal powhiri.

### **CHANGE TO ORDER OF BUSINESS**

The Mayor requested that the order of business be changed in order to deal with business that was of significance to members of the public in attendance.

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### **RESOLUTION CL24-6.1**

Moved: Cr R Joyce

Seconded: Cr M Grainger

That in accordance with Standing Orders the order of business be changed and that items 11.1 and 11.2 be dealt with as the next items of business.

**CARRIED**

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## **2 REPORTS**

### **2.1 FORMAL DECLARATION OF CHRIS DEVER FOR APPOINTMENT TO THE ŌMOKOROĀ COMMUNITY BOARD**

Council considered a report dated 15 August 2024 from the Senior Governance Advisor. The report was taken as read.

The Mayor called Mr Dever to the lectern to make and sign the declaration. The making, attesting and signing of the declaration required of Ōmokoroa Community Board members was witnessed by the Mayor.

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### **RESOLUTION CL24-6.2**

Moved: Cr D Thwaites

Seconded: Cr M Murray-Benge

1. That the Senior Governance Advisor's report dated 15 August 2024 titled 'Formal Declaration of Chris Dever for Appointment to the Ōmokoroa Community Board' be received.
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- 
2. That the oral and written declaration by Chris Dever is witnessed and signed by Mayor James Denyer.

**CARRIED**

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## **2.2 FORMAL DECLARATION OF LAURA RAE FOR APPOINTMENT AS A COUNCILLOR FOR THE MAKETU-TE PUKE WARD**

Council considered a report dated 15 August 2024 from the Senior Governance Advisor. The report was taken as read.

The Mayor called Ms Rae to the lectern to make and sign the declaration. The making, attesting and signing of the declaration required of Maketu-Te Puke Ward Councillors was witnessed by the Mayor.

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### **RESOLUTION CL24-6.3**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr A Wichers

1. That the Senior Governance Advisor's report dated 15 August 2024 titled 'Formal Declaration of Laura Rae for Appointment as a Councillor for the Maketu-Te Puke Ward' be received.
2. That the oral and written declaration by Laura Rae is witnessed and signed by Mayor James Denyer.

**CARRIED**

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10.20am The hui adjourned.

10.40am The hui reconvened.

### **3 PRESENT**

Mayor J Denyer, Deputy Mayor J Scrimgeour, Cr T Coxhead, Cr G Dally, Cr M Grainger, Cr A Henry, Cr R Joyce, Cr M Murray-Benge, Cr L Rae, Cr A Sole, Cr D Thwaites and Cr A Wichers.

### **4 IN ATTENDANCE**

J Holyoake (Chief Executive Officer), R Davie (Deputy CEO/General Manager Strategy and Community), A Henderson (General Manager Corporate Services), A Curtis (General Manager Regulatory Services), C Crow (General Manager Corporate Services), E Watton (Strategic Policy and Planning Programme Director), C Nepia (Strategic Kaupapa Māori Manager), G Golding (Governance Manager), P Osborne (Senior Governance Advisor),

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R Leahy (Senior Governance Advisor), E Logan (Governance Advisor), S Forde (Governance Advisor) and H Wi Repa (Governance Systems Advisor).

## OTHERS IN ATTENDANCE

20 plus members of the public including;

Waihi Beach Chairperson Ross Goudie

### 5 APOLOGIES

Nil

### 6 CONSIDERATION OF LATE ITEMS

Nil

### 7 DECLARATIONS OF INTEREST

Nil

### 8 PUBLIC EXCLUDED ITEMS

Nil

### 9 PUBLIC FORUM

#### 9.1 ŌMOKOROA POINT SCHOOL - REQUEST FOR PEDESTRIAN CROSSING

Representatives from Ōmokoroa Point School were in attendance to request a pedestrian crossing. They noted the below points:

- Students requested that a pedestrian crossing be installed before the Tralee Street/Hamurana Road intersection in Ōmokoroa.
- The school's roll had increased, this meant there was traffic on the roads at peak times which made it harder to keep students safe.
- There had been several misses on Hamurana Road, due to speeding drivers.
- The new shopping centre across the road created an additional hazard in the area. Within the shopping centre there were four pedestrian crossings, however, the road adjacent to the shopping centre had none.

The General Manager Infrastructure Services confirmed that the Transportation Team would investigate installing a pedestrian crossing at Tralee Street/Hamurana Road. Staff would work with the school and its students to help design the pedestrian crossing.

## 9.2 LORNA COOPER – NO. 1 ROAD

Ms Cooper was in attendance to speak to Council regarding No.1 Road, noting the below points:

- There were concerns regarding the state of No. 1 Road. Trucks driving along the road shook Ms Cooper's house approximately 20 times a day and this increased to around 150 times a day during kiwifruit season.
- Ms Cooper invited Councillors to meet at her property to show the damage done to the road.
- It was not practicable for residents to monitor the speeding trucks.
- Trucks were shaking the houses even when they were not speeding.

Staff responded to pātai as below:

- The design for rehabilitation of No.1 Road was nearing completion. Due to the urbanisation of the road the design increased the stormwater requirements, which necessitated landowner approval.
- Landowner approval for the stormwater had been obtained and the resource consent was lodged.
- A supplier to undertake the works had been found and work was looking to begin in October 2024.
- Council had been investigating options for the top end of No. 1 Road where the vibrations and speeding drivers were particularly of concern.
- The Maketu-Te Puke Community Forum was being held in September, noting that No. 1 Road would be one of the topics which would be addressed.

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## 9.3 MULTIPLE SPEAKERS – STATE HIGHWAY 2 MEDIAN BARRIERS

Rex D'Ath was the first speaker and referenced two maps that were currently on the Council website, being '[Tsunami Evacuation Zone: Aongatete](#)' and '[Tsunami Evacuation Zone: Wainui North](#)'. He noted the below points:

- Wright Road was in a designated tsunami zone and served as a crucial safety route for local residents and visitors. The wire barriers along State Highway 2 significantly impeded the ability to evacuate the area.
- The wire barriers prevented the ability to do right hand turns and could result in bottle necking of traffic during an evacuation event.
- NZTA Waka Kotahi should remove the wire barriers in designated tsunami zones.
- There were seven narrow bridges between Ōmokoroa and Katikati that had not been widened to six metres in line with the rest of the state highway.

- Mr D’Ath had sent a letter to Civil Defence regarding his concerns.

Rochelle Zajko was the second speaker and noted the below points:

- There were concerns about the local economy due to the wire barriers and the issue was being felt community wide.
- Residents were being forced to make dangerous U-turns as they could not afford the additional petrol required to drive to the nearest roundabout.
- Property prices in the area may be affected by the wire barriers.
- The wire barriers had huge effect on the livelihoods of residents and caused undue stress.
- Ms Zajko queried if the width of the road was in line with state highway standards.

June Sobyte was the third speaker in attendance and noted the below points:

- The wire barriers were installed with no negotiation or engagement from NZTA Waka Kotahi with residents.
- Previously, residents from Aongetete had engaged with Beca over safety measures for State Highway 2.
- A right hand turning bay was installed on Wright Road around three years ago to increase safety. The installation of wire barriers negated this safety measure.
- Emergency services on Wright Road would be delayed by four minutes.
- The tightness of the turning circle on the Morton Road roundabout was an issue for drivers.

Paul Dawick was the final speaker and was in attendance via Zoom on behalf of Leveret and Mills Reef Winery, to speak to Council regarding the financial implications of State Highway 2 (SH2) Median Barriers. He noted the below points:

- There was a sign opposite the winery’s gate, which obstructed the truck driver’s view when exiting the winery.
- The speed of the traffic had now increased from 80km/h to over 100km/h, which did not allow for trucks to exit the winery safely.
- Visitor numbers for the cellar door were down 50 per cent in the first weekend since the barriers were installed. This would affect business and employment for the winery.
- Council requested staff to liaise with NZTA Waka Kotahi over the placement of the sign on State Highway 2 opposite the winery.

**CHANGE TO ORDER OF BUSINESS**

The Mayor requested that the next item of business be *11.4 Mayor's Report to Council*, in order to deal with business that is of interest to members of the public in attendance.

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**RESOLUTION CL24-6.4**

Moved: Mayor J Denyer

Seconded: Cr M Grainger

That in accordance with Standing Orders the order of business be changed and that the item *11.4 Mayor's Report to Council* be dealt with as the next item of business.

**CARRIED**

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**10 REPORTS (CONTINUED)****10.1 MAYOR'S REPORT TO COUNCIL**

Council considered a report dated 15 August 2024 from the Senior Executive Assistant – Mayor/CEO. The report was taken as read, with the below points noted:

- Mayor J Denyer had sent a letter to the Board Chair of NZTA Waka Kotahi's outlining his concerns with the wire barriers on State Highway 2 (Tabled Item 1).
- A date for Councillors to meet with the Mayor of Tauranga City Council had not been set yet.

Tabled Item 1 – Letter to NZTA Waka Kotahi – Safety Improvements to State Highway – Waihi to Ōmokoroa

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**RESOLUTION CL24-6.5**

Moved: Cr R Joyce

Seconded: Deputy Mayor J Scrimgeour

That Council endorse Mayor J Denyer's letter to NZTA Waka Kotahi regarding safety improvements on State Highway 2 – Waihi to Ōmokoroa.

**CARRIED**

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**RESOLUTION CL24-6.6**

Moved: Mayor J Denyer

Seconded: Cr A Henry

That the Senior Executive Assistant – Mayor/CEO's report dated 15 August 2024 titled

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'Mayor's Report to Council – 15 August 2024' be received.

**CARRIED**

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## **11 COMMUNITY BOARD MINUTES FOR RECEIPT**

### **11.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 29 MAY 2024**

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#### **RESOLUTION CL24-6.7**

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

That the Minutes of the Katikati Community Board Meeting held on 29 May 2024 be received.

**CARRIED**

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### **11.2 MINUTES OF THE ŌMOKOROĀ COMMUNITY BOARD MEETING HELD ON 4 JUNE 2024**

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#### **RESOLUTION CL24-6.8**

Moved: Cr D Thwaites

Seconded: Cr M Grainger

That the Minutes of the Ōmokoroā Community Board Meeting held on 4 June 2024 be received.

**CARRIED**

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### **11.3 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 6 JUNE 2024**

It was noted that an amendment would be made to these minutes at the next Te Puke Community Board meeting when they were confirmed.

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#### **RESOLUTION CL24-6.9**

Moved: Cr A Wichers

Seconded: Cr G Dally

That the Minutes of the Te Puke Community Board Meeting held on 6 June 2024 be received.

**CARRIED**

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**11.4 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 11 JUNE 2024**

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**RESOLUTION CL24-6.10**

Moved: Cr L Rae

Seconded: Deputy Mayor J Scrimgeour

That the Minutes of the Maketu Community Board Meeting held on 11 June 2024 be received.

**CARRIED**

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**11.5 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 27 JUNE 2024**

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**RESOLUTION CL24-6.11**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr L Rae

That the Minutes of the Maketu Community Board Meeting held on 27 June 2024 be received.

**CARRIED**

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**11.6 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 17 JUNE 2024**

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**RESOLUTION CL24-6.12**

Moved: Cr A Henry

Seconded: Cr A Sole

That the Minutes of the Waihī Beach Community Board Meeting held on 17 June 2024 be received.

**CARRIED**

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**11.7 MINUTES OF THE ŌMOKOROĀ COMMUNITY BOARD MEETING HELD ON 30 JULY 2024**

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**RESOLUTION CL24-6.13**

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Moved: Cr D Thwaites

Seconded: Cr M Grainger

That the Minutes of the Ōmokoroa Community Board Meeting held on 30 July 2024 be received.

**CARRIED**

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## **12 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION**

### **12.1 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 14 DECEMBER 2023**

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#### **RESOLUTION CL24-6.14**

Moved: Mayor J Denyer

Seconded: Cr A Wichers

That the Minutes of the Strategy and Policy Committee Meeting held on 14 December 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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### **12.2 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 9 MAY 2024**

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#### **RESOLUTION CL24-6.15**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr T Coxhead

That the Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 9 May 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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### **12.3 MINUTES OF THE COUNCIL MEETING HELD ON 23 MAY 2024**

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#### **RESOLUTION CL24-6.16**

Moved: Mayor J Denyer

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Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 23 May 2024 be confirmed as a true and correct record and the recommendations therein be adopted.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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#### **12.4 MINUTES OF THE PROJECTS AND MONITORING COMMITTEE MEETING HELD ON 4 JUNE 2024**

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##### **RESOLUTION CL24-6.17**

Moved: Cr D Thwaites

Seconded: Cr A Sole

That the Minutes of the Projects and Monitoring Committee Meeting held on 4 June 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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#### **12.5 MINUTES OF THE AUDIT, RISK AND FINANCE COMMITTEE MEETING HELD ON 4 JUNE 2024**

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##### **RESOLUTION CL24-6.18**

Moved: Cr M Grainger

Seconded: Cr A Henry

That the Minutes of the Audit, Risk and Finance Committee Meeting held on 4 June 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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#### **12.6 MINUTES OF THE COUNCIL MEETING HELD ON 13 JUNE 2024**

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##### **RESOLUTION CL24-6.19**

Moved: Mayor J Denyer

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Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 13 June 2024 be confirmed as a true and correct record and the recommendations therein be adopted.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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## **12.7 MINUTES OF THE COMMUNITY COMMITTEE MEETING HELD ON 18 JUNE 2024**

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### **RESOLUTION CL24-6.20**

Moved: Cr M Murray-Benge

Seconded: Cr T Coxhead

That the Minutes of the Community Committee Meeting held on 18 June 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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## **12.8 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 20 JUNE 2024**

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### **RESOLUTION CL24-6.21**

Moved: Cr D Thwaites

Seconded: Mayor J Denyer

That the Minutes of the Strategy and Policy Committee Meeting held on 20 June 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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## **12.9 MINUTES OF THE DISTRICT PLAN COMMITTEE MEETING HELD ON 27 JUNE 2024**

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### **RESOLUTION CL24-6.22**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr M Grainger

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That the Minutes of the District Plan Committee Meeting held on 27 June 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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## **12.10 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 25 JULY 2024**

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### **RESOLUTION CL24-6.23**

Moved: Mayor J Denyer

Seconded: Cr M Grainger

That the Minutes of the Strategy and Policy Committee Meeting held on 25 July 2024 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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## **13 REPORTS (CONTINUED)**

### **13.1 TAWHITINUI PAKAKĀINGA - REDUCTION TO FINANCIAL CONTRIBUTIONS**

Council considered a report dated 15 August 2024 from the Kaimahere Matua, who took the report as read and provided a brief overview.

Staff responded to pātai as below:

- The financial contributions being charged for Tawhitinui Papakāinga were for roading, recreation, reticulated water and ecology. There was no charge for wastewater, as they would use their own reticulated water system.
  - Even with a financial contributions reduction there would still be a funding shortfall for the papakāinga. They were looking for savings across the development and additional funding sources to cover this shortfall.
  - One household equivalent Financial Contribution payable for every 10 dwellings constructed was inconsistent with the policy. The Papakāinga Plan Change and examination of the merit of working towards development contributions from the model of financial contributions would facilitate discussion of the policy settings around development contributions.
  - Papakāinga were not considered in the calculations and modelling for financial contributions and therefore did not affect the balance that would be collected.
  - Māori land was protected under the Te Ture Whenua Māori Act 1993. The Māori land court was opposed to the sale of Māori land unless under limited circumstances and there was no opportunity for individuals to capitalise Māori land.
-

- How council approached levying development contributions for rest homes and minor dwellings needed to be worked through the policy process for potentially a new development contributions policy.
- 

### RESOLUTION CL24-6.24

Moved: Cr M Grainger

Seconded: Cr M Murray-Benge

1. That the Kaimahere Matua's report dated 15 August 2024 titled 'Tawhitinui Papakāinga – Reduction to Financial Contributions' be received.
2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
3. That Council approves for only one household equivalent Financial Contribution be payable for every 10 dwellings constructed under Resource Consent RC14084L.

**CARRIED**

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### 13.2 INFRASTRUCTURE PROJECTS FOR PRE-LONG TERM PLAN (LTP) APPROVAL

Council considered a report dated 15 August 2024 from the Infrastructure Capital Delivery Manager. The report was taken as read with a brief overview provided.

Staff responded to pātai as below:

- The \$300,000 for the Katikati Wastewater Treatment Plant project would be used for engagement with Beca and advisory groups to look at alternative options for the project.
  - The \$2.07 million required was for UV upgrades to water treatment plants due to updated standards imposed by the Government.
  - The \$6.6 million would be used for the whole project including construction and removal. It was expected that the bridge would be completed in this financial year.
  - There was a difference in price for No.4 Road bridge from the concept plan through to detailed design. The cost of the option that would be implemented had increased along with the other options considered for the bridge.
- 

### RESOLUTION CL24-6.25

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr M Murray-Benge

1. That the Infrastructure Capital Delivery Manager's report dated 15 August 2024 titled 'Infrastructure Projects for Pre-Long Term Plan (LTP) approval' be received.
-

2. That Council approves progression of the following projects ahead of the Long Term Plan 2024-2034 adoption.

| Project ID    | Name  | Draft Project Budget<br>2024/25 Financial Year |
|---------------|---|--|
| LTP25/34-43-B | Transportation - No 4 Road Bridge Replacement | \$6,600,000                                    |
| LTP25/34-16-B | Western UV Treatment All Plants               | \$2,070,000                                    |
| LTP25/34-18-C | Katikati WWTP Alternative Discharge           | \$300,000                                      |

**CARRIED**

### 13.3 APPOINTMENTS TO VACANT POSITIONS

Council considered a report dated 15 August 2024 from the Governance Manager. The report was taken as read.

#### RESOLUTION CL24-6.26

Moved: Mayor J Denyer

Seconded: Cr A Sole

1. That the Governance Manager's report dated 15 August 2024 and titled 'Appointment to Vacant Positions', be received.
2. That, in accordance with the powers vested in the Mayor under Section 41A(3)(c) of the Local Government Act 2002, that Councillor Murray Grainger is appointed as Deputy Chairperson of the Strategy and Policy Committee.
3. That pursuant to Section 50 of the Local Government Act 2022, and Section 19S of the Local Electoral Act 2001, Council appoints Councillor Laura Rae to the Maketu Community Board.
4. That Councillor Laura Rae be appointed as a representative to Envirohub Bay of Plenty.

**CARRIED**

### 13.4 COUNCIL AND COMMITTEE WORKSHOPS

Council considered a report dated 15 August 2024 from the Governance Manager. The report was taken as read, with a brief overview provided.

Staff responded to pātai as below:

- The design of the website had not been confirmed, it was anticipated that the topics would be listed by month.
- An informal decision could be made to make optioneering workshops open to the public.
- There may be implications with advertising the date, time and venue of workshops as it could result in workshops being less flexible due to an expectation they would be held on the day/time they were advertised.

#### MOTION

Moved: Cr Henry

Seconded: Cr Murray-Benge

1. That the Governance Manager's report dated 15 August 2024 titled 'Council and Committee Workshops' be received.
2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
3. That having considered the Ombudsman's report "Open for Business" and sector legal advice, workshops shall generally continue to be closed to the public, noting Council endorses the workshop approach as follows:
  - a) Topics to be discussed at Council and Committee workshops will be advertised on Council's website.
  - b) Workshop notes shall be included on a public agenda as an attachment to the relevant decision-making report.
  - c) On a case-by-case basis Council will consider whether optioneering workshops shall be open to the public.

#### AMENDMENT

Moved: Cr R Joyce

Seconded: Cr D Thwaites

That recommendations 1, 2, 3b and 3c remain the same and recommendation 3a reads as below:

3. That having considered the Ombudsman's report "Open for Business" and sector legal advice, workshops shall generally continue to be closed to the public, noting Council endorses the workshop approach as follows:

- a) That the date, time, venue and topics to be discussed at Council and Committee workshops will be advertised on Council's website.

The motion was voted on and declared **lost**.

**LOST 3/9**

The **original motion** as follows was **put and carried**.

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### RESOLUTION CL24-6.27

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

1. That the Governance Manager's report dated 15 August 2024 titled 'Council and Committee Workshops' be received.
2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
3. That having considered the Ombudsman's report "Open for Business" and sector legal advice, workshops shall generally continue to be closed to the public, noting Council endorses the workshop approach as follows:
  - a) Topics to be discussed at Council and Committee workshops will be advertised on Council's website.
  - b) Workshop notes shall be included on a public agenda as an attachment to the relevant decision-making report.
  - c) On a case-by-case basis Council will consider whether optioneering workshops shall be open to the public.

**CARRIED**

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### 14 INFORMATION FOR RECEIPT

Nil

### 15 RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION CL24-6.28

Moved: Cr A Sole

Seconded: Cr L Rae

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>15.1 - Confidential Minutes of the Council Meeting held on 23 May 2024</b> | <p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>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</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>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)</p> <p>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p> | <p>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</p> |
| <b>15.2 - Confidential Minutes of the Projects and Monitoring</b>             | <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or</p>   | <p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to</p>  |

|  |  |   |
|--|--|---|
| <p><b>Committee Meeting held on 4 June 2024</b></p>  | <p>disadvantage, commercial activities</p> <p>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)</p> | <p>result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>   |
| <p><b>15.3 - Confidential Minutes of the Audit, Risk and Finance Committee Meeting held on 4 June 2024</b></p> | <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>   | <p>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</p> |
| <p><b>15.4 - Chief Executive 2024/2025 Key Performance Indicators (KPI's)</b></p>                              | <p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>  | <p>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</p> |
| <p><b>CARRIED</b></p>  |  |   |

**The Meeting closed at 3.46pm.**

**Confirmed as a true and correct record at the Council meeting held 26 September 2024.**

.....

Mayor J Denyer

**MAYOR**



**10.2 MINUTES OF THE COUNCIL MEETING HELD ON 2 SEPTEMBER 2024****File Number: A6463249****Author: Pernille Osborne, Senior Governance Advisor****Authoriser: Robyn Garrett, Governance Manager****RECOMMENDATION**

1. That the Minutes of the Council Meeting held on 2 September 2024 be confirmed as a true and correct record and the recommendations therein be adopted.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**ATTACHMENTS**

1. **Minutes of the Council Meeting held on 2 September 2024**

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
COUNCIL MEETING NO. CL24-7  
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA  
ON MONDAY, 2 SEPTEMBER 2024 AT 9.30AM**

## **1 KARAKIA**

Matua R Tuanau opened the hui with a karakia.

The Mayor acknowledged the passing of Kiingi Tuheitia Pootatau Te Wherowhero VII.

*“Moe mai raa e te Kiingi.*

*Pai maarire.”*

## **2 PRESENT**

Mayor J Denyer, Deputy Mayor J Scrimgeour, Cr T Coxhead, Cr G Dally, Cr M Grainger, Cr A Henry, Cr R Joyce, Cr M Murray-Benge, Cr L Rae, Cr A Sole, Cr D Thwaites and Cr A Wichers.

## **3 IN ATTENDANCE**

J Holyoake (Chief Executive), R Davie (Deputy CEO/General Manager Strategy and Community), A Henderson (General Manager Corporate Services), A Curtis (General Manager Regulatory Services), C Nepia (Strategic Kaupapa Māori Manager), E Watton (Strategic Policy and Planning Programme Director), M Leighton (Policy and Planning Manager), L Balvert (Communications Manager), K McGinity (Senior Policy Analyst), R Garrett (Governance Manager), C Gaunt (Kaimahere Matua), B Urbanc (Kaiārahi Hōnonga), G Smith (Kaihōnonga Matua), M Te Amo (Kaihōnonga Matua), H Wi Repa (Governance Systems Advisor), E Logan (Governance Advisor), R Leahy (Senior Governance Advisor) and P Osborne (Senior Governance Advisor).

## **VIA ZOOM**

C Leota (Financial Accountant/Business Partner), E Thiart (Finance Business Partner), J Crummer (Senior Recreation Planner), J Fearn (Chief Financial Officer), K Furniss (Asset Solutions Lead), K Little (Operations Manager), P Labuschagne (Risk and Assurance Manager), S Parker (Cycleways Manager), S Meredith (Revenue Lead), V Dekkerova (Systems Advisor – Policy and Planning) and K Coles (Asset Solutions Analyst).

## **OTHERS IN ATTENDANCE**

One member of the media

#### 4 APOLOGIES

Nil

#### 5 CONSIDERATION OF LATE ITEMS

Nil

#### 6 DECLARATIONS OF INTEREST

Nil

#### 7 PUBLIC EXCLUDED ITEMS

Nil

#### 8 PUBLIC FORUM

##### **Don Brash – Māori Ward Decision**

Mr Brash was in attendance to speak to the Māori Ward Decision that Council was considering, noting the below points:

- He believed every citizen should have equal constitutional rights, with the Crown as sovereign;
- He believed Māori had the same opportunities as others for their voices to be heard, through standing and being elected;
- He urged Council to oppose Māori Wards, as he believed they contradicted where Aotearoa should be heading;
- He noted that by not rescinding the decision to establish Māori Ward/s, Council was obliged to hold a referendum at the 2025 elections, highlighting the outcome of the previous poll in relation to this issue; and
- He believed the referendum incurred an unnecessary cost to ratepayers.

##### **Garry Webber – Māori Ward Decision**

Matua Webber was in attendance to speak to the Māori Ward Decision that Council was considering. He opened his kōrero by acknowledging the passing of Kiingi Tuheitia Pootatau Te Wherowhero VII. The following points were noted by Matua Webber:

- He reminded those in attendance of the history of Aotearoa, including Te Tiriti o Waitangi;
- He encouraged Councillors to turn their minds to the principles of Te Tiriti when considering the decision in front of them;
- Council had recently undertaken pre-consultation on their representation review for the Western Bay of Plenty district;

- He noted that the majority of Council's in Aotearoa had voted to affirm their decision to establish a Māori Ward/s; and
- He urged Council to reaffirm its decision to establish Māori Ward/s, and reminded Councillors to ensure that they were voting to reflect the community they represented rather than their personal views.

### **Anthony Wihapi – Māori Ward Decision**

Matua Wihapi was in attendance to speak to the Māori Ward Decision that Council was considering, noting the below points:

- He asked Council to uphold Te Tiriti by allowing partnership to take place between Māori and Pakeha; and
- Tangata Whenua sought fair and equitable representation around the Council table.

### **Reon Tuanau – Māori Ward Decision**

Matua Tuanau was in attendance to speak to the Māori Ward Decision that Council was considering, noting the below points:

- He acknowledged the relationships and trust that he had with each and every one of the Councillors;
- He highlighted the significance of the kaupapa, noting that many of those who had showed up in support of Māori Wards should have been over with their whānau mourning the loss of Kiingi Tuheitia Pootatau Te Wherowhero VII;
- As the Chairperson of Te Kāhui Mana Whenua o Tauranga Moana and on behalf of Te Ihu o te Waka o Te Arawa, he represented the Forums and the collective stance of Tangata Whenua;
- He quoted some of the kōrero shared by Councillors at the 17 August 2023 hui which saw the establishment of Māori Ward/s;
- "*Nā tō rourou, nā taku rourou, ka ora ai te iwi – with your basket and my basket the people will thrive*". The Forums respected the views of the broader community; however, they believed that establishing Māori Wards was crucial toward providing fair and effective representation for all, and aligned with the principles that all perspectives should be heard, and that better representation led to better governance; and
- Tangata Whenua strongly urged Council to reaffirm its decision to establish Māori Ward/s.

## **9 REPORTS**

### **9.1 DECISION TO RESCIND OR AFFIRM THE ESTABLISHMENT OF MĀORI WARDS**

Council considered a report dated 2 September 2024 from the Strategic Policy and Planning Programme Director. The report was taken as read.

**RESOLUTION CL24-7.1**

Moved: Cr G Dally

Seconded: Cr A Wichers

1. That the Strategic Policy and Planning Programme Director's report dated 2 September 2024 titled 'Decision to rescind or affirm the establishment of Māori wards' be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.

**CARRIED**

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**RESOLUTION CL24-7.2**

Moved: Cr A Wichers

Seconded: Deputy Mayor J Scrimgeour

3. In relation to key decision one and pursuant to clause 29(1) of Part 3, Schedule 1 of the Local Electoral Act 2001 (as inserted by the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024), Council resolves to:
  - (a) affirm its decision dated 17 August 2023 to establish Māori ward(s) for the 2025 and 2028 triennial elections

The motion was put, and a division was called and voted on as below:

For: Cr Wichers, Mayor Denyer, Deputy Mayor Scrimgeour, Cr Rae, Cr Joyce, Cr Henry, Cr Dally and Cr Thwaites.

Against: Cr Murray-Benge, Cr Coxhead, Cr Sole and Cr Grainger.

The motion was declared carried.

**Carried 8/4**

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**10 INFORMATION FOR RECEIPT**

Nil

**11 RESOLUTION TO EXCLUDE THE PUBLIC**

Nil

**The Meeting closed with a waiata by attendees, and karakia by Matua Tuanau at 11.00am.**

**Confirmed as a true and correct record at the Council meeting held 12 September 2024.**

.....

Mayor J Denyer

**CHAIRPERSON / MAYOR**

Unconfirmed

## 11 REPORTS

### 11.1 REPRESENTATION REVIEW 2024 – ADOPTION OF INITIAL PROPOSAL

**File Number:** A6462483

**Author:** Katy McGinity, Senior Policy Analyst

**Authoriser:** Rachael Davie, Deputy CEO/General Manager Strategy and Community

#### EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider adopting an initial proposal for representation arrangements for the 2025 and 2028 local authority elections for community consultation.

#### RECOMMENDATION

1. That the Senior Policy Analyst’s report dated 12 September 2024 titled ‘Representation Review 2024 – Adoption of initial proposal’ be received.
2. That the report relates to an issue that is considered to be of **high** significance in terms of Council’s Significance and Engagement Policy.
3. That pursuant to sections 19H and 19J of the Local Electoral Act 2001, Council adopts the initial proposal for consultation as set out in **(Attachment A – to be replaced by Tabled item 1 (designed version))**, and inclusive of the following key issues as reflected below:
  - i. Western Bay of Plenty District Council to comprise the Mayor elected at large and nine councillors elected under the ward system, specifically eight general ward councillors and one Māori ward councillor;
  - ii. That Western Bay of Plenty District Council be divided into four wards, with the following proposed names, together with the number of councillors representing each ward, the identified community of interest and geographic areas:

| Ward Name and number of councillors | Communities of interest  | Geographic reference                                       |
|-------------------------------------|--|--|
| Katikati-Waihī Beach Ward           | Katikati-Waihī Beach Ward, comprising the area delineated on Plan LG-022-2019-W-2 deposited with the | The Katikati-Waihī Beach Ward proposed boundaries shown at |

|   |   |   |
|---|---|---|
| Two General Ward Councillors                              | Local Government Commission, with the exclusion of a small north-western portion.   | <b>Attachment B and G</b> of this report.   |
| Kaimai Ward<br><br>Three General Ward Councillors         | Kaimai Ward, comprising the area delineated on Plan LG-022-2019- W-2 deposited with the Local Government Commission, with the inclusion of a small north-western portion of the current Katikati-Waihī Beach Ward and the exclusion of a small north-eastern portion. | The Kaimai Ward proposed boundaries shown at <b>Attachment B, G and H</b> of this report.           |
| Maketu-Te Puke Ward<br><br>Three General Ward Councillors | Maketu-Te Puke Ward, comprising the area delineated on Plan LG022-2013-W-4 deposited with the Local Government Commission, with the inclusion of a small north-eastern portion of the current Kaimai Ward.  | The Maketu-Te Puke Ward proposed boundaries shown at <b>Attachment B and H</b> of this report.      |
| WBOP Māori Ward<br><br>One Māori Ward Councillor          | Māori electoral population district - wide  | The entire district – proposed boundaries of which are shown at <b>Attachment C</b> of this report. |

4. That the following population each councillor represents in a ward (based on the population estimates as at 30 June 2023 as provided by Statistics New Zealand) is within the range of 6,694 plus or minus 10% (6,024 to 7,363) in compliance with section 19V(2) of the Local Electoral Act 2001, and the number of Māori Ward members complies with Schedule 1A of the Local Electoral Act 2001:



| <b>Wards</b>              | <b>Electoral population estimate</b> | <b>Number of councilors</b> | <b>Population per councilor</b> |
|---------------------------|--------------------------------------|-----------------------------|---------------------------------|
| Katikati-Waihi Beach Ward | 14,530                               | 2                           | 7,265                           |
| Kaimai Ward               | 20,440                               | 3                           | 6,813                           |
| Maketu-Te Puke Ward       | 18,580                               | 3                           | 6,193                           |
| WBOP Māori Ward           | 7,240                                | 1                           | 7,240                           |

5. That Council retains five (5) community boards representing five (5) communities of interest, these being:

| Community Board Name and number of members   | Area of community  |
|--|--|
| Waihi Beach Community Board<br><br>Four elected members and one appointed from the Katikati-Waihi Beach Ward | Comprising the existing Waihi Beach Community Board area comprising the area delineated on SO Plan 58078 deposited with Land Information New Zealand, with no changes proposed through this representation review. |
| Katikati Community Board<br><br>Four elected members and one appointed from the Katikati-Waihi Beach Ward    | Comprising the urban area of Katikati proposed boundaries shown at <b>Attachment D</b> of this report.   |
| Ōmokoroa Community Board<br><br>Four elected members and one appointed from the Kaimai Ward                  | Comprising the existing Ōmokoroa Community Board area comprising the area delineated on SO Plan 382062 deposited with Land Information New Zealand, with no changes proposed through this representation review.   |

|   |  |
|---|--|
| <p>Te Puke Community Board</p> <p>Four elected members and one appointed from the Te Puke-Maketu Ward</p> | <p>Comprising the urban area of Te Puke proposed boundaries shown at <b>Attached E</b> of this report.</p>   |
| <p>Maketu Community Board</p> <p>Four elected members and one appointed from the Te Puke-Maketu Ward</p>  | <p>Comprising the area delineated on SO Plan 58102 deposited with Land Information New Zealand, with the inclusion of a small area south of Maketu to the boundary of State Highway 2 proposed boundaries shown at <b>Attachment F</b> of this report.</p> |

6. That in accordance with section 19K(2) of the Local Electoral Act 2001, resolves that the reasons for the proposed changes to the current representation arrangements are:
- a. To reduce the number of councillors, which will enable both General and Māori ward members to represent approximately the same number of people within the range of +/- 10% of each other. Noting that this is not a requirement under the Local Electoral Act 2001 but will provide more equitable representation of electors.
  - b. To reduce the number of councillors, which may enhance efficient and focused decision making.
  - c. To undertake one minor ward boundary change between Katikati-Waihi Beach and Kaimai Wards to ensure that the representation of these wards fall within the range of +/- 10% in compliance with section 19V (2) of the Local Electoral Act 2001.
  - d. To undertake one minor ward boundary change between Kaimai and Maketu -Te Puke Wards to ensure that the representation of these wards fall within the range of +/- 10% in compliance with section 19V (2) of the Local Electoral Act 2001.
  - e. To undertake a boundary adjustment for the Katikati Community Board to better reflect this community of interest.
  - f. To undertake a boundary adjustment for the Te Puke Community Board to better reflect this community of interest.
  - g. To undertake a boundary adjustment for the Maketu Community Board to better reflect this community of interest.

7. That pursuant to section 19M of the Local Electoral Act 2001, agrees to consult on the Representation Review 2024 Initial Proposal beginning Monday 16 September 2024 and closing at 5pm on Friday 11 October 2024;
8. That the Chief Executive is directed to finalise and approve the public notice and submission form to undertake the consultation referred to in recommendation 7 of this report.

## BACKGROUND

### Legislative context

2. The Local Electoral Act 2001 (LEA) requires local authorities to undertake a review of their representation arrangements at least once every six years to ensure the arrangements provide fair and effective representation for communities. In addition, Local Authorities are also required to undertake a review of their representation arrangement following a decision to establish Māori ward/s.
3. Council's last representation review was in 2018, for the 2019 and 2022 triennial elections, and is therefore required to undertake a review in 2024.
4. Representation reviews require councils to review the number of councillors to be elected, the basis for election of these councillors, the number of wards, including boundaries. Council is also required to review whether there should be community boards in place and if so, the arrangements for those boards.

### Communities of interest

5. As part of the review, Council must identify communities of interest. The Local Government Commission's guidelines recognise a community of interest according to three criteria:
  - (b) *Perceptual*: a sense of belonging to an area or locality. People have things in common with neighbours, feel an affinity with and shared responsibility to people, shared goals or ideas, a shared history, rohe or takiwā of local hapu/iwi, similar demographic, or socio-economic characteristics. Can include distinct physical and topographical features e.g., river, harbour, lakes, beach, mountain that people feel a geographical attachment to.
  - (c) *Functional*: the ability to meet the community's requirements for services includes access to and dependence on daily goods and services e.g., schools, recreation and cultural facilities, parks, shops and shopping centres, public transport links.
  - (d) *Political*: the ability of the elected body to represent the interests and reconcile the conflicts of all its members.
6. Communities of interest can mean different things to different people. They can also change over time, which is why a review is carried out every six years. They

must be able to be mapped and have a geographic boundary that aligns with Statistics New Zealand's mesh blocks.

Effective representation

7. Once communities of interest have been identified Council must determine how these communities can be effectively represented. To do this, Council must consider:
  - (b) whether new communities should be constituted, or existing ones abolished or united with another community;
  - (c) whether the boundaries of existing communities should be altered;
  - (d) whether there should be subdivisions within communities or whether existing subdivisions should continue;
  - (e) whether the boundaries of any subdivisions should be altered; and
  - (f) whether the boundaries of communities should include one or more whole territorial authority wards.

Fair representation

8. Fair representation means that each elected general ward councillor should represent a similar number of people, within plus or minus 10%. This is called the +/- 10% rule. Under the legislation, this rule is not a requirement when comparing general wards to Māori wards.

Process to date

9. Over a period of 18 months Council has been reviewing the representation arrangements in place for the Western Bay of Plenty District. This includes the following steps:

**(a) Resolution on an electoral system**

10. Council resolved in August 2023 that the First Past the Post electoral system will be used for the 2025 and 2028 general elections of the Western Bay of Plenty District Council. Public notice of the right for electors to demand an electoral system poll was given on 6 September 2023, which was required to be delivered to Council no later than 5pm, Monday 11 December 2023. A demand for a poll was not received and therefore Council's resolution stands.

**(b) Establishment of Māori Ward/s**

11. The Local Electoral Act provides for decisions on the establishment of Māori wards to be made apart from, and prior to, the formal review process.
12. Council resolved to establish Māori ward(s) at an extraordinary meeting in August 2023. However, following enactment of the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill in July 2024, Council

was required to make an active decision on whether to affirm or rescind its resolution by 6 September 2024.

13. On 2 September 2024, Council reaffirmed its decision to establish Māori wards. If Council includes the establishment of Māori ward(s) its final proposal following community consultation, then this this will result in a binding poll of ratepayers on whether Māori ward(s) should remain in place, for the 2028 and 2031 trienniums, to be run alongside the 2025 elections.

**c) Pre-engagement period**

14. Council undertook pre-engagement across the district between 15 March – 15 April 2024 to inform its representation review. Community group workshops were also held in all three wards in June 2024.
15. Feedback heard through these processes has informed this initial proposal. The consultation period will be followed by public hearings, the development of the final proposal and, if necessary, a final determination from the Local Government Commission in early 2025.

**ENGAGEMENT, CONSULTATION AND COMMUNICATION**

16. Formal consultation on the Representation Review 2024 – Initial Proposal will take place between Monday 16 September until Friday 11 October 2024.
17. The key objectives for this consultation period are to:
  - a) Promote the key proposals contained within the Initial Proposal and the reasons for them in a way that fosters understanding within the community, and enables informed feedback;
  - b) Enable elected members to feel comfortable that they’ve heard broad community views and reached a significant proportion of the community; and
  - c) Enable qualitative feedback through facilitating more in-depth conversations in a safe environment.

| <b>Interested/Affected Parties</b> | <b>Completed/Planned Engagement/Consultation/Communication</b>   |         |           |
|------------------------------------|--|---------|-----------|
| Name of interested parties/groups  | <ul style="list-style-type: none"> <li>• General community</li> <li>• People affected by ward boundary changes</li> <li>• Youth</li> <li>• Community Boards</li> <li>• Tangata Whenua</li> </ul> | Planned | Completed |
| Tangata Whenua                     | A workshop with Tangata Whenua Partnership Forums to cover the initial proposal, how to give feedback and the timeframes that apply.   |         |           |

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| <p>General Public</p>                           | <p><u>Have your Say Online Platform</u></p> <p>Have Your Say online platform will be live for the duration of the consultation period, providing an online feedback form, as well as access to the initial proposal and other supporting information.</p> <p><u>Postcard</u></p> <p>A postcard will be sent to all properties in the District, and all absentee ratepayers who have a mailing address out of the District. The postcards will raise awareness of the key proposals within the initial proposal and provide information on how to give feedback.</p> <p><u>Focus groups</u></p> <p>Focus groups will be run in each ward in the final week of the consultation period. Anyone can register to take part, and it will be promoted through our key stakeholder notification, as well as with those who attended the pre-engagement focus groups.</p> <p>At this stage, the focus groups will take place in the evenings of 8, 9 and 10 October. Registration to participate will be required so that we can manage logistics on the day.</p> <p>The focus groups will be split into three tables, each focusing on a different topic relating to the initial proposal and facilitated by external people with knowledge/experience in the topic area. There will be discussion points on a flip chart in the centre of each table, and a staff member will capture feedback on a flip chart (attributing feedback to participant registration numbers).</p> <p>The focus groups will enable councillors to speak to a range of community members in a more informal setting, but adding to the qualitative feedback sought.</p> |  |  |
| <p>People affected by ward boundary changes</p> | <p>Letters will be sent to the property owners within the areas affected by the minor ward boundary changes and community board boundary adjustments. These letters will raise awareness of</p>  |  |  |

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|                  | the proposed boundary changes and provide information on how to give feedback.   |  |  |
| Youth            | Engagement to facilitate discussion between youth and elected members are intended to be held towards the end of the consultation period. We will approach the principals of Katikati College and Te Puke High School to participate in a breakfast/workshop/presentation. |  |  |
| Community Boards | A joint community board workshop will be held in the first week of the consultation period. This will provide an overview of the proposal, provide information on how community boards can give feedback and the timeframes that apply.                                    |  |  |

18. Following completion of the formal consultation period, any submitters that register will have the opportunity to speak to their submission by way of hearings held in Council Chambers on Thursday 17 October 2024.

**ISSUES AND OPTIONS ASSESSMENT**

19. The following Issues and Options Assessment relates to the key proposal contained within the initial proposal with the recommended options reflected in the Initial Proposal (**Attachment A**).

**Number of Wards**

|   |   |
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| <b>Option A (Recommended)</b>   |   |
| That Council proposes three general wards to be known as Katikati-Waihi Beach Ward, Kaimai Ward and Maketu-Te Puke Ward and one Māori ward (to be known at this time as WBOP Māori Ward).   |   |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul> | <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• This proposal responds to the majority of submissions received during the pre-engagement period which supported retaining the current general ward structure, as well as those submissions that supported having one Māori ward.</li> <li>• This proposal provides for fair and effective representation of communities of interest across the district.</li> </ul> |

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|   | <ul style="list-style-type: none"> <li>• The ward structure is a familiar concept to our communities and will not require additional education around the subject.</li> <li>• The establishment of a Māori ward allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.</li> <li>• The establishment of a Māori ward is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.</li> <li>• The establishment of a Māori Ward enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Council’s strategic priority of growing authentic Te Tiriti based relationships.</li> <li>• The establishment of a Māori Ward provides for fair and effective representation for Māori.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• The establishment of a Māori Ward may not align with the views and preferences of some of the community.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There is no direct cost associated with this option in relation to the current project.</p>  |
| <p><b>Option B</b><br/>That Council proposes three general wards to be known as Katikati-Waihi Beach Ward, Kaimai Ward and Maketu-Te Puke Ward and two Māori wards</p>  |   |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul> | <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• This proposal responds to the majority of submissions received during the pre-engagement period which supported retaining the current general ward structure, as well as those submissions that supported having two Māori wards.</li> </ul>  |



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|  | <ul style="list-style-type: none"> <li>• This proposal provides for fair and effective representation of communities of interest across the district.</li> <li>• The ward structure is a familiar concept to our communities and will not require additional education around the subject.</li> <li>• The establishment of Māori ward/s allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.</li> <li>• The establishment of Māori wards is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.</li> <li>• The establishment of Māori Ward/s enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Council’s strategic priority of growing authentic Te Tiriti based relationships.</li> <li>• The establishment of two Māori Wards provides for fair and effective representation for Māori, and better reflects the rohe of Tauranga Moana and Te Arawa.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• The establishment of two Māori Ward/s may not align with the views and preference of some of the community.</li> <li>• Establishing two Māori Wards would not allow for general ward and Māori Ward councillors to represent approximately the same amount of people (unless general ward councillor numbers increased).</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p> | <p>There is no direct cost associated with this option in relation to the current project.</p>   |

**Minor ward boundary adjustments**

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| <p><b>Option A (Recommended)</b><br/>                 That Council proposes that two minor ward boundary adjustments are undertaken between Katikati-Waihi Beach and Kaimai Wards AND between Kaimai and Maketu - Te Puke Wards as set out at <b>Attachment G</b> and <b>Attachment H</b> of this report.</p> |  |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>   | <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• The two minor ward boundary adjustments will enable General Ward and Māori Ward members to represent a similar amount of the population, which meets the fair representation requirement (+/- 10% rule). This rule means that all votes are of approximately equal value and is a requirement for general wards. This is not a requirement for general wards against Māori wards, however Councillors representing approximately the same amount of people is a more equitable approach.</li> <li>• The proposed boundary changes are still generally consistent with communities of interest.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Some properties included in the minor ward boundary adjustment between Katikati-Waihi Beach and Kaimai Wards were subject to a previous ward boundary adjustment through the last Representation Review. Consultation on the initial proposal will enable community feedback to be received on this matter and considered before Council adopts its final proposal</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There may be some minor costs incurred to update maps relating to these proposed boundary changes.</p>  |
| <p><b>Option B</b><br/>                 That Council DOES NOT propose that two minor ward boundary adjustments are undertaken between Katikati-Waihi Beach and Kaimai Wards AND between Kaimai</p>  |  |

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| <p>and Maketu -Te Puke Wards as set out at <b>Attachment G</b> and <b>Attachment H</b> of this report.</p>  |   |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul> | <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• There will be no impact on properties within the district.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• This option will not enable General Ward and Māori Ward members to represent a similar amount of the population which meets the fair representation requirement (+/- 10% rule). This rule means that all votes are of approximately equal value and is a requirement for general wards.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There is no direct cost associated with this option in relation to the current project.</p>  |

**Number of Councillors**

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| <p><b>Option A (Recommended)</b><br/>                 That Council proposes to reduce the overall number of councillors to 10, made up of eight general ward councillors (2 representing the Katikati-Waihi Beach Ward, 3 representing the Kaimai Ward and 3 representing the Maketu-Te Puke Ward, 1 Māori ward councillor (representing the WBOP Māori ward) and the Mayor (elected 'at large').</p> |   |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>   | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• The current budget for remuneration of Councillors will be divided by a smaller number of Councillors, resulting in them receiving a larger salary and potentially attracting a wider range of candidates.</li> <li>• Reducing the number of councillors may enhance efficient and focused decision-making.</li> <li>• Reducing the number of councillors and undertaking two minor ward boundary adjustments will enable both general ward and Māori ward members to represent a similar amount of the population which meets the fair</li> </ul> |

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|   | <p>representation requirement (+/- 10% rule).</p> <ul style="list-style-type: none"> <li>• The establishment of a Māori ward/s allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.</li> <li>• The establishment of a Māori ward/s is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.</li> <li>• The establishment of Māori Ward/s enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Council’s strategic priority of growing authentic Te Tiriti based relationships.</li> <li>• The establishment of a Māori Ward/s provides for fair and effective representation for Māori.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• Reducing the number of councillors could be perceived by the community as reducing the amount representation available across the district.</li> <li>• Reducing the overall number could potentially increase the workload of councillors.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There is no direct cost associated with this option in relation to the current project.</p>  |
| <p><b>Option B</b><br/>                 That Council proposes to increase the overall number of councillors to 14, made up of 11 general ward councillors (3 representing the Katikati-Waihi Beach Ward, 4 representing the Kaimai Ward and 4 representing the Maketu-Te Puke Ward, 2 Māori ward councillors (representing the WBOP Māori ward) and The Mayor (elected ‘at large’).</p> |   |

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| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul> | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• The option would not require any ward boundary adjustments.</li> <li>• Responds to feedback supporting two Māori Wards and keeping the current number of councillors.</li> <li>• It increases the amount of representation available across the district and potentially decreases the workload of councillors.</li> <li>• The establishment of a Māori ward/s allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.</li> <li>• The establishment of a Māori ward/s is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.</li> <li>• The establishment of Māori Ward/s enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Council's strategic priority of growing authentic Te Tiriti based relationships.</li> <li>• The establishment of a Māori Ward/s provides for fair and effective representation for Māori.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• This option does not enable both general and Māori ward members to represent a similar number of people. Noting that this is not a requirement under the legislation.</li> <li>• The current remuneration budget for councillors (set by the Remuneration Authority) would be divided by a larger number of councillors resulting in them receiving a smaller salary.</li> </ul> |
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| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There is no direct cost associated with this option in relation to the current project.</p>   |
| <p><b>Option C</b><br/>                 That Council proposes to increase the overall number of councillors to 13, made up of 11 general ward councillors (3 representing the Katikati-Waihi Beach Ward, 4 representing the Kaimai Ward and 4 representing the Maketu-Te Puke Ward, 1 Māori ward councillors (representing the WBOP Māori ward) and The Mayor (elected 'at large').</p> |  |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>   | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• This option would not require any ward boundary adjustments.</li> <li>• Responds to feedback supporting one Māori Ward and keeping the current number of councillors.</li> <li>• It increases the amount of representation available across the district and potentially decreases the workload of councillors.</li> <li>• The establishment of a Māori ward/s allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.</li> <li>• The establishment of a Māori ward/s is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.</li> <li>• The establishment of Māori Ward/s enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Council's strategic priority of growing authentic Te Tiriti based relationships.</li> <li>• The establishment of a Māori Ward/s provides for fair and effective representation for Māori.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• This option does not enable both general and Māori ward members to</li> </ul> |

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|  | <p>represent a similar number of people. Noting that this is not a requirement under the legislation.</p> <ul style="list-style-type: none"> <li>The current remuneration budget for councillors (set by the Remuneration Authority) would be divided by a larger number of councillors resulting in them receiving a smaller salary.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p> | <p>There is no direct cost associated with this option in relation to the current project.</p>   |

**Basis of elections**

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| <p><b>Option A (Recommended)</b><br/>That Council proposes to continue with its current basis of elections, that being on a 'by ward' basis.</p>  |  |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li><b>Economic</b></li> <li><b>Social</b></li> <li><b>Cultural</b></li> <li><b>Environmental</b></li> </ul> | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>Responds to the majority of pre-engagement submissions supporting retaining the current election by ward model and provides for effective representation for communities of interest across the district.</li> <li>Election by ward is a familiar concept to the community and will not require additional education around the subject.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There is no direct cost associated with this option in relation to the current project.</p>   |
| <p><b>Option B</b><br/>That Council proposes to change its current basis of elections to an 'at large' model.</p>   |  |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li><b>Economic</b></li> <li><b>Social</b></li> <li><b>Cultural</b></li> <li><b>Environmental</b></li> </ul> | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>Responds to some support received for Councillors to be elected 'at large' through the pre-engagement process.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>This option does not respond to the majority of pre-engagement</li> </ul>   |

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|  | <p>submissions supporting retaining the current elected by ward model.</p> <ul style="list-style-type: none"> <li>Given the size of our district and the different communities of interest across the district, the 'at large' basis of election is less likely to provide for fair and effective representation for all communities of interest across the district compared to a 'by ward' basis of election.</li> <li>Election 'at large' is not a familiar concept to the community and will require additional education around the subject.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p> | <p>There is likely to be some costs incurred relating to this option relating to the education required around a new election method in order for communities to understand the change.</p>  |

**Community Representation**

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| <p><b>Option A (Recommended)</b><br/>                 That Council proposes to continue with its current five Community Boards, being Waihi Beach, Katikati, Ōmokoroa, Te Puke and Maketu Community Boards subject to adjustments to the Katikati, Te Puke and Maketu Community Board boundaries.</p> |   |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li><b>Economic</b></li> <li><b>Social</b></li> <li><b>Cultural</b></li> <li><b>Environmental</b></li> </ul>   | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>Responds to feedback received supporting the existing community board structure.</li> <li>The community board boundary adjustments will enable the Katikati and Te Puke Community Boards to have a stronger mandate to be more focussed on urban issues.</li> <li>The Maketu Community Board boundary extension better reflects the community of interest who align with Maketu.</li> <li>The boundary adjustments will create a more consistent approach across the district responding to feedback that some community boards cover the</li> </ul> |



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|   | <p>whole ward while large areas of other wards are not covered.</p> <ul style="list-style-type: none"> <li>The community board boundary adjustments will continue to provide for effective representation for communities of interest in these areas.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>A reduction in the Katikati and Te Puke Community Board boundaries will reduce the number of properties contained within the community board area of benefit and therefore reduce the overall pool of money available.</li> <li>An extension of the Maketu Community Board boundary means that properties now included will be required to pay a targeted rate toward the board.</li> <li>Does not respond to the concerns around significant areas of the district having no community board representation. While the proposed boundary changes will reduce this inequity, there will still be large parts of the district that are not represented by a community board.</li> <li>Community boards are subject to formal standing orders and require elections and by-elections which cost money.</li> <li>Does not address a perceived inconsistency across community boards in relation to performance and attendance.</li> </ul> |
| <p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>  | <p>There will be some costs incurred to reflect the community board boundary adjustments as well as additional costs to those properties within the extended Maketu Community Board area.</p>   |
| <p><b>Option B</b><br/>That Council proposes to disestablish its current five Community Boards, being Waihi Beach, Katikati, Ōmokoroa, Te Puke and Maketu Community Boards and establish three Ward Committees being the Katikati-Waihi Beach, Kaimai and Maketu-Te Puke Ward</p> |   |

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|---|--|
| <p>Committees with the proposed Terms of Reference as contained at <b>Attachment I</b> of this report.</p>  |  |
| <p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul> | <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• Ward Committees could still provide many of the functions provided by Community Boards including:             <ul style="list-style-type: none"> <li>○ Public forum;</li> <li>○ Administration of grants to the community;</li> <li>○ Providing a ‘training ground’ for members of the community aspiring to become Councillors.</li> <li>○ Administration of the community roading allocation fund (subject to review of this policy).</li> </ul> </li> <li>• Would enable greater representation across the whole district responding to concerns that significant areas of the district are currently excluded by the existing community board arrangements.</li> <li>• Ward Committees are not bound by legislation and enable greater flexibility to respond to and address community challenges and opportunities.</li> <li>• Could provide representation for all resident groups across the district including Ratepayers and Residents Associations, rural groups and community organisations who would have the ability to nominate their own representatives onto the Ward Committee. Council could then appoint these nominees, removing the need for elections and by-elections, and therefore improving efficiency and reducing costs.</li> <li>• Would allow for local knowledge and experience to be utilised across the district, enabling greater representation of localised issues and concerns.</li> </ul> |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>• Provides for greater community voice in defining needs and helping Council to address these.</li> <li>• Would provide effective representation for all communities of interest within each ward.</li> <li>• Would allow for sub-committees to be set up for special projects and targeted recruitment of community members who have the appropriate skill sets needed for special projects who will then be able to step down once the project has been completed.</li> <li>• Could enable greater collaboration amongst existing community groups.</li> <li>• Would provide for ownership of ward issues by all ward Councillors compared to current model, where some ward councillors do not sit on community boards.</li> <li>• Would be a more cost-effective option reducing the need for a targeted rate to be collected from ratepayers with the cost being met through existing Governance budgets funded through the general rate. Members would not be remunerated for their role.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• The concept of Ward Committees may be unfamiliar to our communities.</li> <li>• There may be a perception that this model would reduce the ability for local decision making.</li> <li>• There may be a potential lack of interest from community leaders/groups in participating in the Ward Committee model.</li> <li>• There is a potential loss of current community board members knowledge and experience.</li> </ul> |
|--|---|

|   |  |
|---|--|
| <b>Costs (including present and future costs, direct, indirect and contingent costs).</b> | There is likely to be some costs incurred relating to this option relating to the education required around a new community representation method in order for communities to understand the change. |
|---|--|

### SIGNIFICANCE AND ENGAGEMENT

20. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
21. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
22. In terms of the Significance and Engagement Policy this decision is considered to be of **high** significance because of the following:
  - (a) The impact this proposal has on all residents and ratepayers.
  - (b) The impact this proposal has on the way residents and ratepayers vote for Council and Community Board.
  - (c) The legislative requirement for Council to engage on this topic.
  - (d) The likely high community interest in the decision and decisions relating to this report. It is anticipated (based on previous engagement and poll process) that there will be divided community views on some key issues contained with in the initial proposal. Some members of the community will not support the establishment of a Māori ward/s. This is a different position to that expressed to Council by Tangata Whenua representatives in strong support of the establishment of Māori ward/s























### STATUTORY COMPLIANCE

23. The recommendations in this report meet:
  - (a) The legislative requirements/legal requirements set out in the Local Government Act 2002 and Local Electoral Act 2001, including the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024.
  - (b) Current council plans/policies/bylaws including Council's Community Outcomes and Strategic Priorities.

## FUNDING/BUDGET IMPLICATIONS

| Budget/Funding Information | Relevant Detail   |
|----------------------------|---|
| Representation Review      | Cost of running representation review process and any subsequent costs as a result of decisions made are included in operational budgets for 2024/25. |

## ATTACHMENTS

1. **Attachment A - Draft Representation Review 2024 Initial Proposal**  
2. **Attachment B - Proposed Ward Boundaries District Wide Map**  
3. **Attachment C - Proposed WBOP Maori Ward Map**  
4. **Attachment D - Proposed Katikati Community Board Boundary Reduction**  
5. **Attachment E - Proposed Te Puke Community Board Boundary Reduction**  
6. **Attachment F - Proposed Maketu Community Board Area Extension**  
7. **Attachment G - Proposed Ward Boundary Change - Katikati-Waihi Beach Ward and Kaimai Ward**  
8. **Attachment H - Proposed Ward Boundary Change - Kaimai and Maketu-Te Puke Ward**  
9. **Attachment I - Ward Committee Terms of Reference (Example)**  
10. **Attachment J - Strategy and Policy Committee Workshop Notes - 19 August 2024**  
11. **Attachment K - Strategy and Policy Committee Workshop Notes - 5 September 2024**  

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## Our proposal – at a glance

|                                 | <b>What we are proposing</b>  | <b>The other options we considered</b>  |
|---------------------------------|---|---|
| <b>Number of wards</b>          | 3 general wards and 1 Māori ward  | 3 general wards and 2 Māori wards   |
| <b>Number of Councillors</b>    | 8 general ward councillors + 1 Māori ward councillor + 1 Mayor  | 11 general ward councillors, 1 Māori ward councillor + 1 Mayor<br><br>11 general ward councillors, 2 Māori ward councillors + 1 Mayor |
| <b>Basis of elections</b>       | Elections on a 'by ward' basis  | Elections on a 'at large' basis   |
| <b>Community representation</b> | 5 community boards <ul style="list-style-type: none"> <li>• Waihī Beach</li> <li>• Katikati</li> <li>• Ōmokoroa</li> <li>• Te Puke</li> <li>• Maketu</li> </ul> | Dis-establishing the five community boards and establishing three ward committees that provide for community appointments.            |

**Key changes proposed – at a glance**

- Minor ward boundary adjustment between Katikati-Waihi Beach and Kaimai Wards
- Minor ward boundary adjustment between Kaimai and Maketu-Te Puke Wards
- Introduction of one district wide WBOP Māori Ward
- Reduce the overall number of Councillors from 12 to 10
- Reduction of the Katikati Community Board Boundary

- Reduction of the Te Puke Community Board Boundary
- Extension of the Maketu Community Board Boundary

Introduction

Every three years, our Western Bay of Plenty communities vote for elected members to represent them and make decisions on their behalf. It is important that our representation arrangements fairly and effectively represent these communities. To ensure this we are required to review these arrangements at least once every six years.

This is done under the Local Electoral Act 2001 through what is referred to as a ‘representation review’. Western Bay of Plenty District Council last reviewed its representation arrangements in 2018 for the 2019 and 2022 elections.

What we have achieved so far

|   |   |                         |
|---|---|-------------------------|
| <p><b>Electoral system</b><br/>Where Council considers the electoral (voting) system to be used.</p>    | <p>Council resolved to retain use of the First Past the Post electoral system on 20 July 2023.</p> <p><i>We decided this was the best option because our communities are familiar with this system, and it is relatively straight forward with each voter casting one vote for each vacancy.</i></p>  | <p><b>Completed</b></p> |
| <p><b>Māori representation</b><br/>Where Council considers whether or not to establish Māori wards.</p> | <p>Council resolved to establish Māori wards on 17 August 2023.</p> <p>Following the enactment of the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill in July 2024 Council was required to make an active decision on whether to affirm or rescind its resolution by 6 September 2024.</p> | <p><b>Completed</b></p> |



|  |   |          |
|--|---|----------|
|  | On 2 September 2024, Council reaffirmed its decision to establish Māori wards for the 2025 local body elections. This will result in a binding poll of ratepayers on whether Māori ward(s) should remain for the 2028 local government term and the poll will be held alongside the 2025 elections.   |          |
| <p><b>Representation arrangements</b><br/> <i>Where Council considers how our communities of interest are best represented</i></p> | <p>Council undertook pre-engagement across the district between 15 March – 15 April 2024 to inform its representation review. Community Group workshops were also held in all three wards in June 2024.</p> <p>Feedback heard through these processes has informed this initial proposal, which is now out for formal consultation. The consultation period will be followed by public hearings, the development of the final proposal and, if necessary, a final determination from the Local Government Commission in early 2025.</p> | Underway |

Timeline

|  |                                       |
|--|---------------------------------------|
| Resolution to retain use of First Past the Post electoral system | 20 July 2023                          |
| Resolution to establish Māori Ward/s                             | 17 August 2023                        |
| Representation review pre-engagement period                      | 15 March – 15 April 2024              |
| Representation review community Group workshops                  | June 2024                             |
| Decision to affirm resolution to establish Māori Wards           | 2 September 2024                      |
| Initial proposal adopted by Council                              | 12 September 2024                     |
| <b>Formal consultation period</b>                                | <b>16 September – 11 October 2024</b> |
| Hearings   | 17 October 2024                       |
| Council adoption of preferred option                             | 21 November 2024                      |

|   |                                       |
|---|---------------------------------------|
| <p>Appeal/Objection period<br/> <i>If any appeals or objections are made on the final proposal, the Council will send these to the Local Government Commission to review along with our representation arrangements. The Local Government Commission then makes the decision on how Western Bay of Plenty District Council will be represented for the 2025 elections. The Local Government's decision must be notified by 11 April 2025.</i></p> | <p>22 November – 22 December 2024</p> |
| <p>Local Government Commission Hearing (if required)</p>  | <p>18 February 2025</p>               |

What is a representation review?

***A representation review aims to ensure fair and effective representation of communities of interest***

When reviewing its representation arrangements, Council must consider the following:

- The number of wards and the boundaries of these wards
- The number of Councilors who represent each area
- The basis on which Councillors are elected to represent each area (by ward or at large)
- Community Boards
  - Council must consider whether community boards are (or would be) appropriate to provide fair and effective representation for individuals and communities in their district as part of their representation review. When carrying out a review, the required decisions are:
    - whether communities and community boards are required;
    - the nature of the community and the structure of the community board; and
    - whether community boards should cover all or only parts of the district, and the rationale for the approach taken.

When considering the above, the following three things must be taken into account by Council:

**Communities of interest**

As part of the review, we must identify communities of interest. A community of interest can be recognised according to the following three criteria:

- *Perceptual*: a sense of belonging to an area or locality. People have things in common with neighbours, feel an affinity with and shared responsibility to people, shared goals or ideas, a shared history, rohe or takiwā of local hapū/iwi, similar

demographic, or socio-economic characteristics. It can include distinct physical and topographical features e.g., river, harbour, lakes, beach, mountain that people feel a geographical attachment to.

- *Functional*: the ability to meet the community's requirements for services includes access to and dependence on daily goods and services e.g., schools, recreation and cultural facilities, parks, shops and shopping centres, public transport links.
- *Political*: the ability of the elected body to represent the interests and reconcile the conflicts of all its members.

***We know that communities of interest can mean different things to different people. They can also change over time, which is why a review is carried out every six years. They must be able to be mapped and have a geographic boundary that aligns with Statistics New Zealand's mesh blocks.***

***Council considers there have been no significant changes to the communities of interest identified and affirmed through the 2018 representation review. Our district is a mix of coastal, urban and rural areas circling Tauranga City and stretching from Waihi Beach in the west to Otamarakau in the east – our three wards represent different communities of interest with both Waihi Beach and Katikati and also Maketu and Te Puke having sufficient commonalities to form respective wards alongside the Kaimai Ward.***

#### **Effective representation of communities of interest**

Once communities of interest have been identified, Council must determine how these communities can be effectively represented. To do this, Council must consider:

- whether new communities should be constituted, or existing ones abolished or united with another community
- whether the boundaries of existing communities should be altered
- whether there should be subdivisions within communities or whether existing subdivisions should continue
- whether the boundaries of any subdivisions should be altered
- whether the boundaries of communities should include one or more whole territorial authority wards.

Effective representation of these communities of interest must be achieved within the following statutory limits:

- between 5 and 29 members (excluding the mayor) for territorial authorities.

*All members, regardless of the area they are elected to represent, make the same declaration on coming into office to act in the best interests of the whole district. In other words, the members under a ward or mixed system have the same obligation to the district as the members elected at large. Therefore, there is no functional difference in the decision-making role of members elected at large and members elected by way of a ward system. Ward and at large members do, however, continue to represent the areas they are elected from at the council table.*

#### **Fair representation of electors**

Fair representation means that each elected general ward councillor should represent a similar number of people, within plus or minus 10%. This is called the +/-10% rule and is required to provide approximate population equality per member. The +/-10% rule also applies to Māori wards in comparison to each other however the Act also allows for regard to the boundaries of any existing Māori electoral district, communities or interest as well as rohe of iwi and hapū.

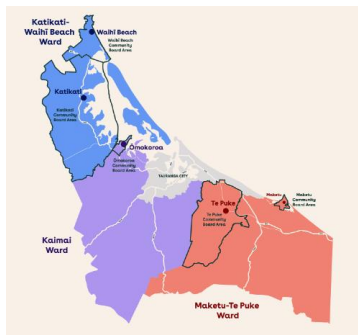
## What are our current arrangements?

Our district is currently divided into three general wards, represented by 11 ward Councillors and one Mayor.

- Katikati-Waihi Beach Ward, represented by three Councillors
- Kaimai Ward, represented by four Councillors
- Maketu-Te Puke Ward, represented by four Councillors

We also have five community boards covering five communities of interest across the district, these are:

- Waihi Beach Community Board
- Katikati Community Board
- Ōmokoroa Community Board
- Te Puke Community Board
- Maketu Community Board



## What are we proposing?

Council has considered multiple options for the different elements of this proposal. The options we are proposing are outlined below, along with the reasons why they are proposed and any potential disadvantages identified for each.

### **Number of wards**

#### **3 general wards and 1 Māori ward**

##### What we are proposing

- We are proposing three general wards, to be known as Katikati-Waihi Beach Ward, Kaimai Ward and Maketu-Te Puke Ward and one Māori ward, to be known at this time as WBOP Māori Ward\*. The WBOP Māori Ward would cover the entire boundary of the Western Bay of Plenty District.

##### Why we are proposing this

- We think this proposal responds to the majority of submissions received during the pre-engagement period which supported retaining the current general ward structure, as well as those submissions that supported having one Māori ward.
- We think this proposal provides for fair and effective representation of communities of interest across the district.
- We think our ward structure is a familiar concept to our communities and will not require additional education around the subject.
- The establishment of a Māori ward allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.

- The establishment of a Māori ward is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.
  - The establishment of a Māori Ward enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Council’s strategic priority of growing authentic Te Tiriti based relationships.
  - The establishment of a Māori Ward provides for fair and effective representation for Māori.
  - The establishment of a Māori Ward/s gives effect to long held aspirations of Tangata Whenua to have a Māori representative elected to Council.
  - The establishment of a Māori Ward is consistent with Council’s previous decision to enable Māori representation through Māori/s and further strengthens the positive relationships that Council has built with tangata whenua.
  - The establishment of a Māori Ward/s recognises Council’s obligation under the Local Government Act 2002 to establishment and maintain opportunities for Māori to participate in decision-making and to recognise the diversity of its communities.
- What are some potential disadvantages for this proposal?
- The establishment of a Māori Ward may not align with the views and preference of some of the community.

*\*WBOP Māori Ward is a temporary name which will change following the gifting of a name from Tangata Whenua following adoption of the representation review final proposal.*

|   |
|---|
| <b>Number of Councillors</b>  |
| <b>8 general ward Councillors + 1 Māori ward Councillor + 1 Mayor</b> |
| <u>What we are proposing</u>  |



- We are proposing to reduce the overall number of number of Councillors to 10, made up of the following:
  - 8 general ward councillors (2 representing the Katikati-Waihi Beach Ward, 3 representing the Kaimai Ward and 3 representing the Maketu-Te Puke Ward)
  - 1 Māori ward councillor (representing the WBOP Māori ward)
  - The Mayor (elected 'at large').
- In order to do this, we are proposing two minor ward boundary adjustments, between Katikati-Waihi Beach and Kaimai Wards and Kaimai Ward and Maketu-Te Puke Wards. This involves the following:
  - Reducing the population of the Katikati-Waihi Beach Ward population by 1220.
  - Increasing the population of the Kaimai Ward population by 690.
  - Increasing the Maketu-Te Puke Ward population by 530.

*For details of these boundary changes please refer to attached maps on pages 17 and 18.*

Why we are proposing this

- The two minor ward boundary adjustments will enable General Ward and Māori Ward elected members to represent a similar number of people which meets the fair representation requirement (+/- 10% rule). This rule means that all votes are of approximately equal value and is a requirement for general wards. While it is not a legal requirement that general ward councillors must represent the same number of people (+/- 10%) as the Māori ward councillor we think it is a more equitable approach that all councillors represent approximately the same amount of people.
- The proposed boundary changes are still generally consistent with communities of interest.
- The current budget for remuneration of councillors will be divided by a smaller number of councillors, resulting in them receiving a larger salary and potentially attracting a wider range of candidates.
- We think reducing the number of councillors will enhance decision-making.

What are some potential disadvantages for this proposal?

- Reducing the number of councillors could be perceived by the community as reducing the amount representation

available across the district.

- Reducing the overall number could potentially increase the workload of councillors.
- Some properties included in the minor ward boundary adjustment between Katikati-Waihi Beach and Kaimai Wards were subject to a previous ward boundary adjustment through the last Representation Review. Consultation on the initial proposal will enable community feedback to be received on this matter and considered before Council adopts its final proposal

| <b>Wards</b>              | <b>Electoral population estimate</b> | <b>Number of councillors</b> | <b>Population per councillor</b> |
|---------------------------|--------------------------------------|------------------------------|----------------------------------|
| Katikati-Waihi Beach Ward | 14,530*                              | 2                            | 7,265                            |
| Kaimai Ward               | 20,440*                              | 3                            | 6,813                            |
| Maketu-Te Puke Ward       | 18,580*                              | 3                            | 6,193                            |
| Sub-total – General wards | <b>53,550</b>                        | <b>8</b>                     |                                  |
| WBOP Māori Ward           | 7,240                                | 1                            | 7,240                            |
| Total                     | <b>60,790</b>                        | <b>9</b>                     |                                  |

**Basis of elections**

**Election ‘by ward’**

What we are proposing

- We are proposing to make no change to the basis on which our communities elect councillors. This will continue to be done on a ‘by ward’ basis for our general ward councillors and Māori ward councillor and ‘at large’ for the Mayor.

Why we are proposing this

- We think this proposal responds to the majority of pre-engagement submissions supporting retention of the current model which elects councillors by ward and provides for effective representation for communities of interest across the district.
- We think this is a familiar concept to the community and will not require additional education.

**Community Representation****Five community boards**What we are proposing?

- We are proposing to make no changes to the number of community boards. However, we are proposing to make several boundary adjustments to the Kaitkati, Te Puke and Maketu Community Board areas in order to better reflect these communities of interest.

*For details of these boundary changes please refer to attached maps on pages 21, 22 and 23.*

Why we are proposing this?

- We think this proposal will enable the Kaitkati and Te Puke Community Boards to have a stronger mandate to be more focussed on urban issues.
- We think the Maketu Community Board boundary extension better reflects the community of interest who aligns with Maketu.
- We think these boundary changes will create a more consistent approach across the district responding to feedback

that some community boards cover the whole ward while large areas of other wards are not.

- We think these changes will provide for effective representation for communities of interest in these areas.

What are some potential disadvantages for this proposal?

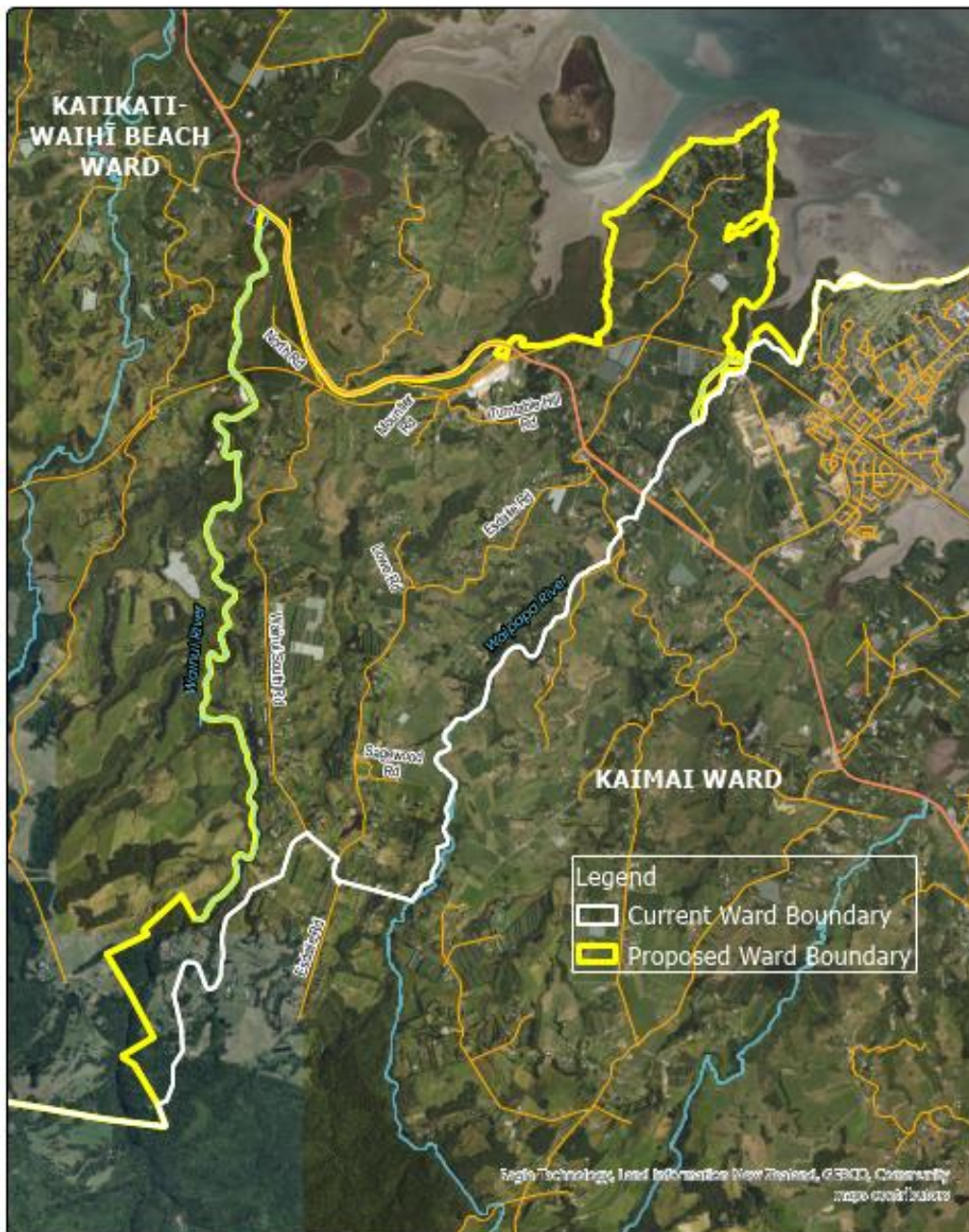
- This proposal does not respond to the concerns around significant areas of the district having no community board representation, and while the proposed boundary changes will reduce this inequity, there will still be large parts of the district who are not represented by a community board.
- Community boards are subject to formal standing orders and require elections and by-elections which cost money.
- This proposal does not address a perceived inconsistency across community boards in relation to performance and attendance.

## Proposed minor ward boundary adjustments

To enable General Ward and Māori Ward members to represent a similar number of people meeting the fair representation requirement (+/- 10% rule) we need to undertake two minor ward boundary adjustments. These minor ward boundary adjustments are:

- Between Katikati-Waihi Beach and Kaimai Wards
- Between Kaimai and Maketu-Te Puke Wards.

Maps detailing the minor ward boundary adjustments are set out below:





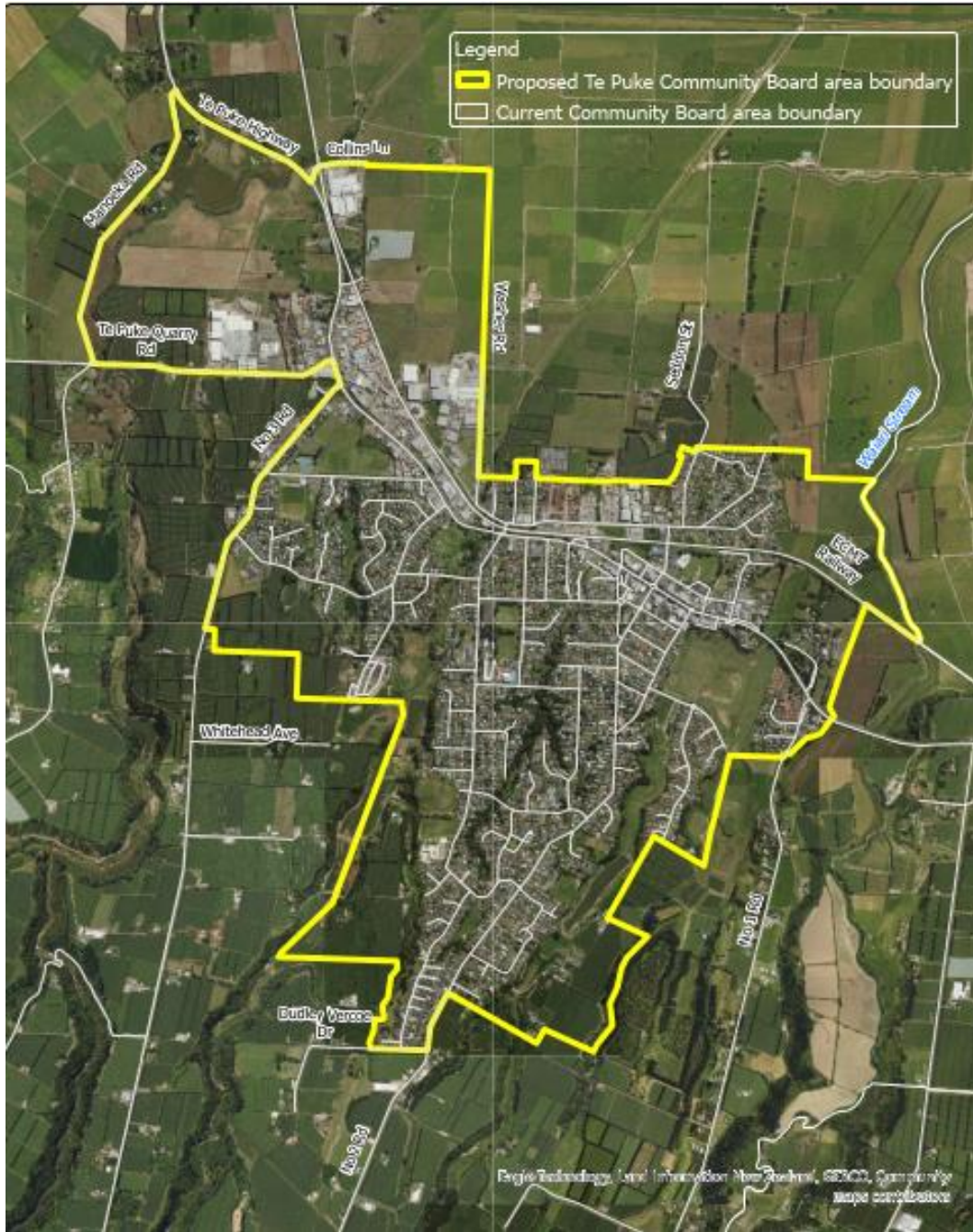
## Proposed community Board boundary adjustments

We are proposing to make several boundary adjustments to the Kaitkati, Te Puke and Maketu Community Board areas in order to better reflect these communities of interest.

Maps detailing the boundary adjustments are set out below:









## What other options did we consider and discard?

Council considered other options relating to different elements of this proposal. These are outlined below, along with the reasons why we considered them and the disadvantages identified for each.

### **Number of wards - Discarded option 1 of 1**

#### **3 general wards and 2 Māori wards**

##### What we considered

- We considered proposing three general wards, to be known as Katikati-Waihi Beach Ward, Kaimai Ward and Maketu-Te Puke Ward and two Māori wards, to be known at this time as WBOP Māori Wards\*.

##### Why we considered this

We considered this option for the following reasons:

- It responded to submissions received during the pre-engagement period which supported retaining the current general ward structure as well as those submissions who supported having two Māori wards. We think it will provide for fair and effective representation of communities of interest across the district.
- We think our ward structure is a familiar concept to our communities and will not require additional education around the subject.
- The establishment of a Māori ward/s allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community would not be affected.
- The establishment of a Māori ward/s is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.
- The establishment of Māori Ward/s enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua

and supports Councils strategic priority of growing authentic Te Tiriti based relationships.

- The establishment of a Māori Ward/s provides for fair and effective representation for Māori.
- The establishment of a Māori Ward/s gives effect to long held aspirations of Tangata Whenua to have a Māori representative elected to Council.
- The establishment of a Māori Ward is consistent with Council's previous decision to enable Māori representation through Māori/s and further strengthens the positive relationships that Council has built with tangata whenua.
- The establishment of a Māori Ward/s recognises Council's obligation under the Local Government Act 2002 to establishment and maintain opportunities for Māori to participate in decision-making and to recognise the diversity of its communities.
- 

Why we did not prefer this option

- Establishing two Māori wards would not have allowed for general ward and Māori ward councillors to represent approximately the same number of people (unless general ward councillor numbers increased).

*\*WBOP Māori Ward is a temporary name which will change following the gifting of a name from Tangata Whenua following adoption of the representation review final proposal.*

**Number of Councillors – Discarded option 1 of 2**

**11 general ward Councillors + 2 Māori ward Councillors + 1 Mayor**

What we considered

We considered keeping the number of general ward councillors the same (11) and introducing two WBOP Māori ward councillors. This would increase the total number of councillors to 14 made up of the following:

- 11 general ward councillors (3 representing the Katikati-Waihi Beach Ward, 4 representing the Kaimai Ward and 4

representing the Maketu-Te Puke Ward)

- 2 Māori ward councillors (representing the WBOP Māori ward)
- The Mayor (elected 'at large').

#### Why we considered this option

We considered this option for the following reasons:

- It would not require any ward boundary adjustments.
- It responded to feedback supporting two Māori Wards and kept the current number of councillors.
- It increased the amount of representation available across the district and potentially decreased the workload of councillors.
- The establishment of a Māori ward/s allows those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community would not be affected.
- The establishment of a Māori ward/s is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.
- The establishment of Māori Ward/s enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Councils strategic priority of growing authentic Te Tiriti based relationships.
- The establishment of a Māori Ward/s provides for fair and effective representation for Māori.
- The establishment of a Māori Ward/s gives effect to long held aspirations of Tangata Whenua to have a Māori representative elected to Council.
- The establishment of a Māori Ward is consistent with Council's previous decision to enable Māori representation through Māori/s and further strengthens the positive relationships that Council has built with tangata whenua.
- The establishment of a Māori Ward/s recognises Council's obligation under the Local Government Act 2002 to establishment and maintain opportunities for Māori to participate in decision-making and to recognise the diversity of its communities.

#### Why we did not prefer this option

- This option did not enable both general and Māori ward members to represent a similar number of people. (Noting however that this is not a requirement under the legislation, but is an important principle)
- The current remuneration budget for councillors (set by the Remuneration Authority) would be divided by a larger number of councillors resulting in them receiving a smaller salary.

**Number of Councillors – Discarded option 2 of 2****11 general ward councillors + 1 Māori ward councillor + 1 Mayor**What we considered

We considered keeping the number of general ward councillors the same (11) and introducing one WBOP Māori ward councillor. This would increase the total number of councillors to 13 made up of the following:

- 11 general ward councillors (3 representing the Katikati-Waihi Beach Ward, 4 representing the Kaimai Ward and 4 representing the Maketu-Te Puke Ward)
- 1 Māori ward councillor (representing the WBOP Māori ward)
- The Mayor (elected 'at large').
- The establishment of a Māori ward would allow those on the Māori electoral roll to vote for a representative on Council. The voting rights of other members of the community will not be affected.
- The establishment of a Māori ward is supported by both Tangata Whenua Partnership Groups, Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana.
- The establishment of a Māori Ward enhances authentic Te Tiriti based relationships as expressed by Tangata Whenua and supports Councils strategic priority of growing authentic Te Tiriti based relationships.
- The establishment of a Māori Ward provides for fair and effective representation for Māori.

Why we considered this option

We considered this option for the following reasons:

- It would not require any ward boundary adjustments.
- It responded to feedback supporting two Māori Wards and kept the current number of councillors.
- It increased the amount of representation available across the district and potentially decrease the workload of councillors.

Why we did not prefer this option

- This option did not enable both general and Māori ward members to represent a similar number of people. (Noting however that this is not a requirement under the legislation but is considered an important principle by Council).
- The current remuneration budget for councillors (set by the Remuneration Authority) would be divided by a larger number of councillors resulting in them receiving a smaller salary.

**Basis of elections – Discarded option 1 of 1****Election ‘at large’**What we considered

We considered changing the basis of elections for all councillors to be elected ‘at large’. This means that voting for councillors would be done on a district-wide basis, instead of only being able to vote for candidates standing in the ward you live in.

Why we considered this

We considered this option for the following reasons:

- There was some support for councillors to be elected ‘at large’ through the pre-engagement process.



Why did we not prefer this option?

- This option did not respond to the majority of pre-engagement submissions supporting retention of the current model which elects councillors by ward.
- Given the size of our district and the different communities of interest across the district we think election 'by ward' provides for more fair and effective representation for all communities of interest across the district.
- We think this is a familiar concept to the community and will not require additional education.

**Community Representation – Discarded option 1 of 1****Three Ward Committees**What we considered

We considered dis-establishing the five community boards and replacing them with three Ward Committees covering the entire district.

Why we considered this

We considered this option for the following reasons:

- Ward Committees could still provide many of the functions provided by Community Boards including:
  - Public forum;
  - Administration of grants to the community;
  - Providing a 'training ground' for members of the community aspiring to become Councillors.
  - Administration of the community roading allocation fund (subject to review of this policy).
- Ward Committees would enable greater representation across the whole district responding to concerns that significant areas of the district are currently excluded by existing community board arrangements.
- Ward Committees are not bound by legislation and enable greater flexibility to respond to and address community

challenges and opportunities.

- Ward Committees could provide representation for all resident groups across the district including Ratepayers and Residents Associations, rural groups and community organisations who would have the ability to nominate their own representatives onto the Ward Committee. Council could then appoint these nominees, removing the need for elections and by-elections, and therefore improving efficiency and reducing costs.
- Ward Committees would allow for local knowledge and experience to be utilised across the district, enabling greater representation of localised issues and concerns. Provides for greater community voice in defining needs and helping Council to address these
- Ward Committees would provide effective representation for all communities of interest within each ward.
- Ward Committees would allow for sub-committees to be set up for special projects and targeted recruitment of community members who have the appropriate skill sets needed for special projects who will then be able to step down once the project has been completed.
- Ward Committees could enable greater collaboration amongst existing community groups.
- Ward Committees would provide for ownership of ward issues by all ward Councillors compared to current model, where some ward councillors do not sit on community boards.
- Ward Committees would be a more cost effective option reducing the need for a targeted rate to be collected from ratepayers with the cost being met through existing Governance budgets funded through the general rate. Members would not be remunerated for their role.

Why did we not prefer this option?

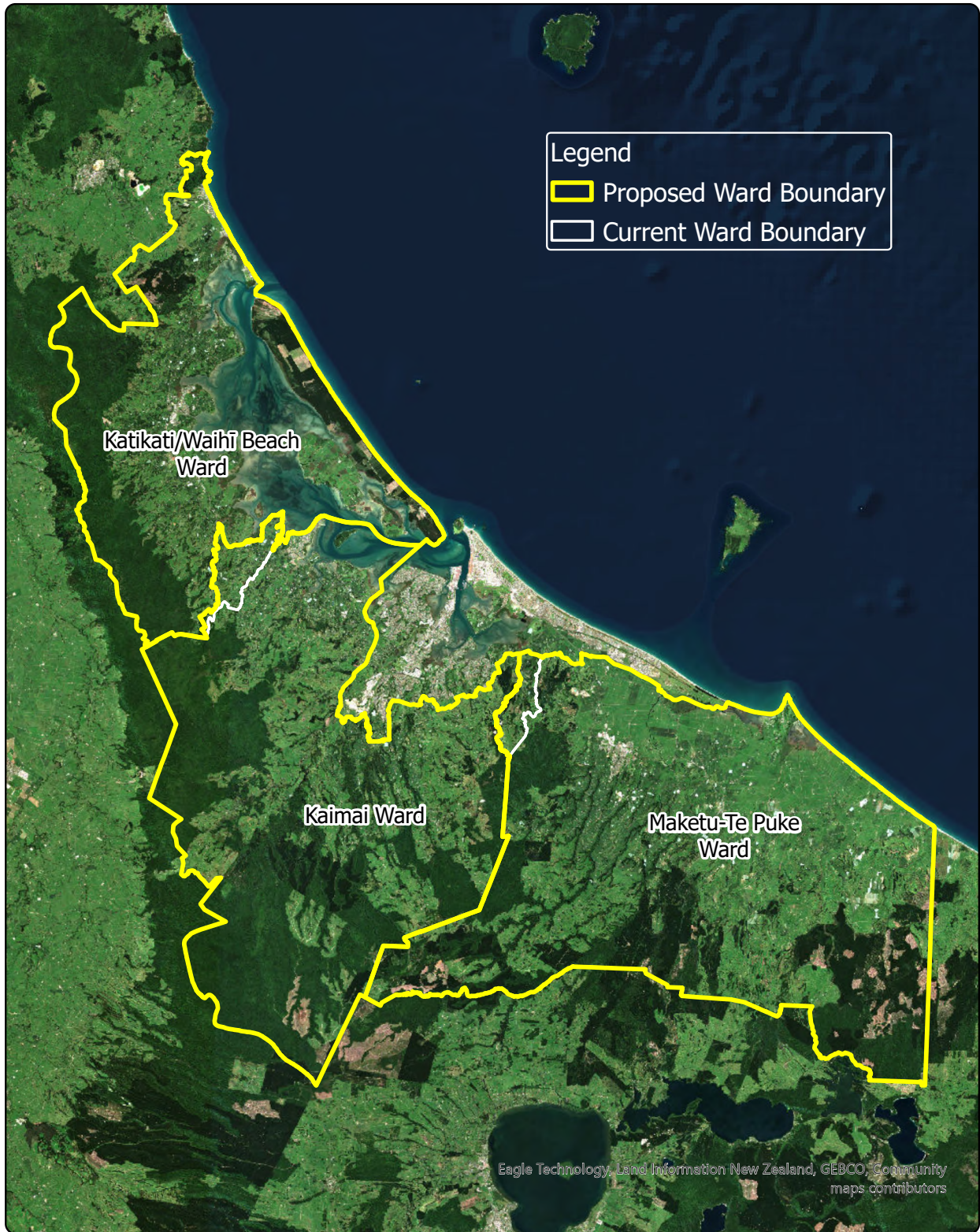
- The concept of Ward Committees may be unfamiliar to our communities.
- There may be a perception that this model would reduce the ability for local decision making.
- There may be a potential lack of interest from community leaders/groups in participating in the Ward Committee model.
- There is a potential loss of current community board members knowledge and experience.

## Next steps and how to have your say

Feedback on this initial proposal closes on **Friday 11 October 2024**.

Feedback can be provided in the following ways:

- Online: [haveyoursay.westernbay.govt.nz/rep-review-24](https://haveyoursay.westernbay.govt.nz/rep-review-24)
- Council Libraries and Service Centres
  - Head Office – Barkes Corner
  - Waihi Beach Library and Office
  - The Centre – Pātuki Manawa
  - Te Puke Library & Office
  - Ōmokoroa Library
- Register to speak to your submission at the hearings on 17 October 2024
- Register to attend one of our focus group sessions (more information on [haveyoursay.westernbay.govt.nz/rep-review-24](https://haveyoursay.westernbay.govt.nz/rep-review-24))

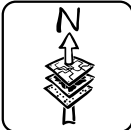


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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz) Scale A4 -1:400,000  
Date: 20/06/2024  
Operator: mlb  
Map: E:\Shape\MLB\2024\Representation Review 2024\Proposed New Ward Boundaries.aprx



ATTACHMENT B - Western Bay of Plenty District Council  
Proposed Ward Boundaries  
Katikati-Waihi Beach Ward/Kaimai Ward/Maketu-Te Puke Ward



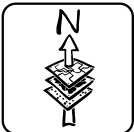


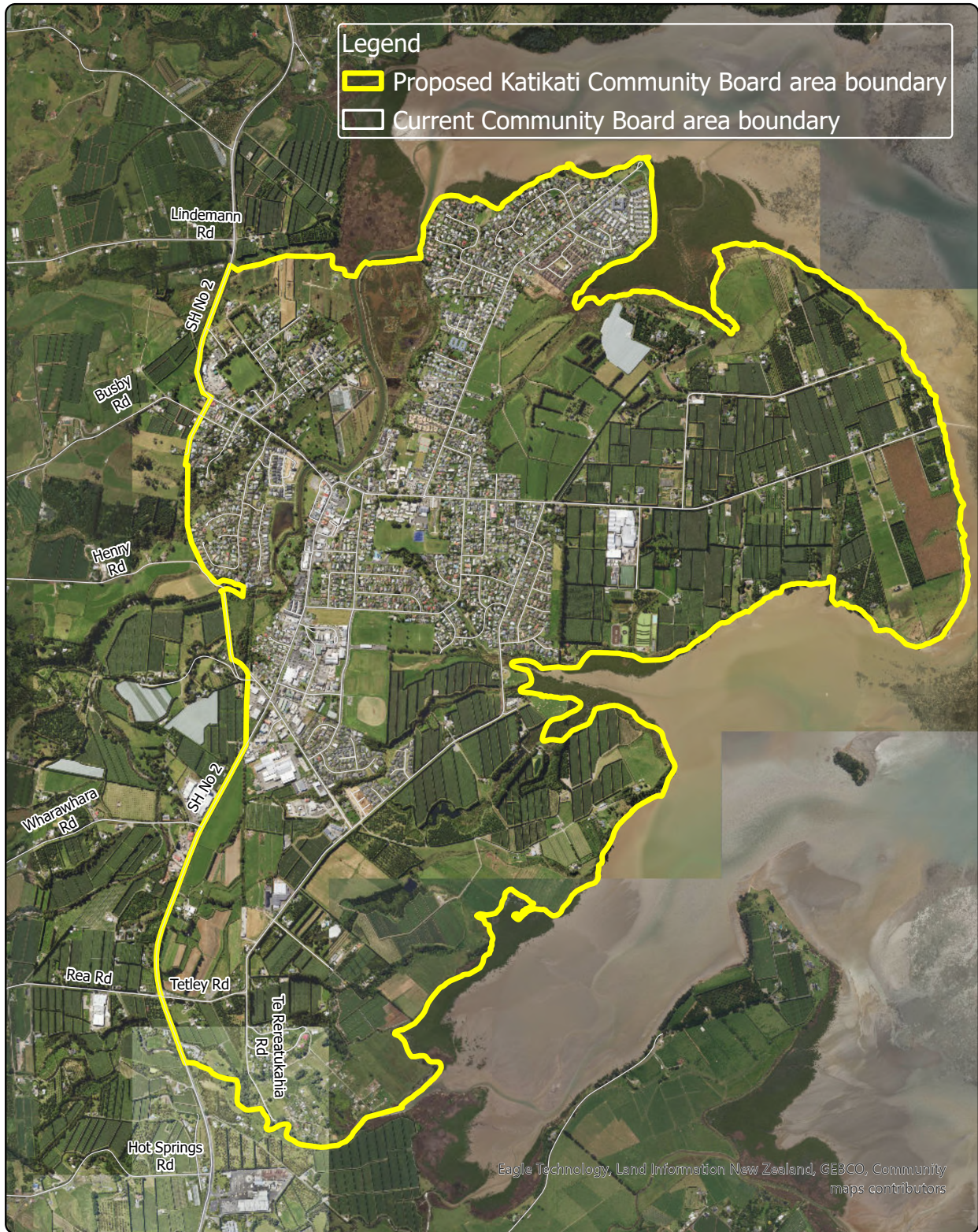
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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz) Scale A4 -1:400,000  
Date: 4/09/2024  
Operator: mlb  
Map: E:\Shape\MLB\2024\Representation Review 2024\Possible Ward Boundary Change.aprx



Attachment C  
Western Bay of Plenty District Council  
Proposed WBOP Māori Ward





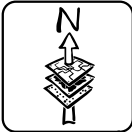
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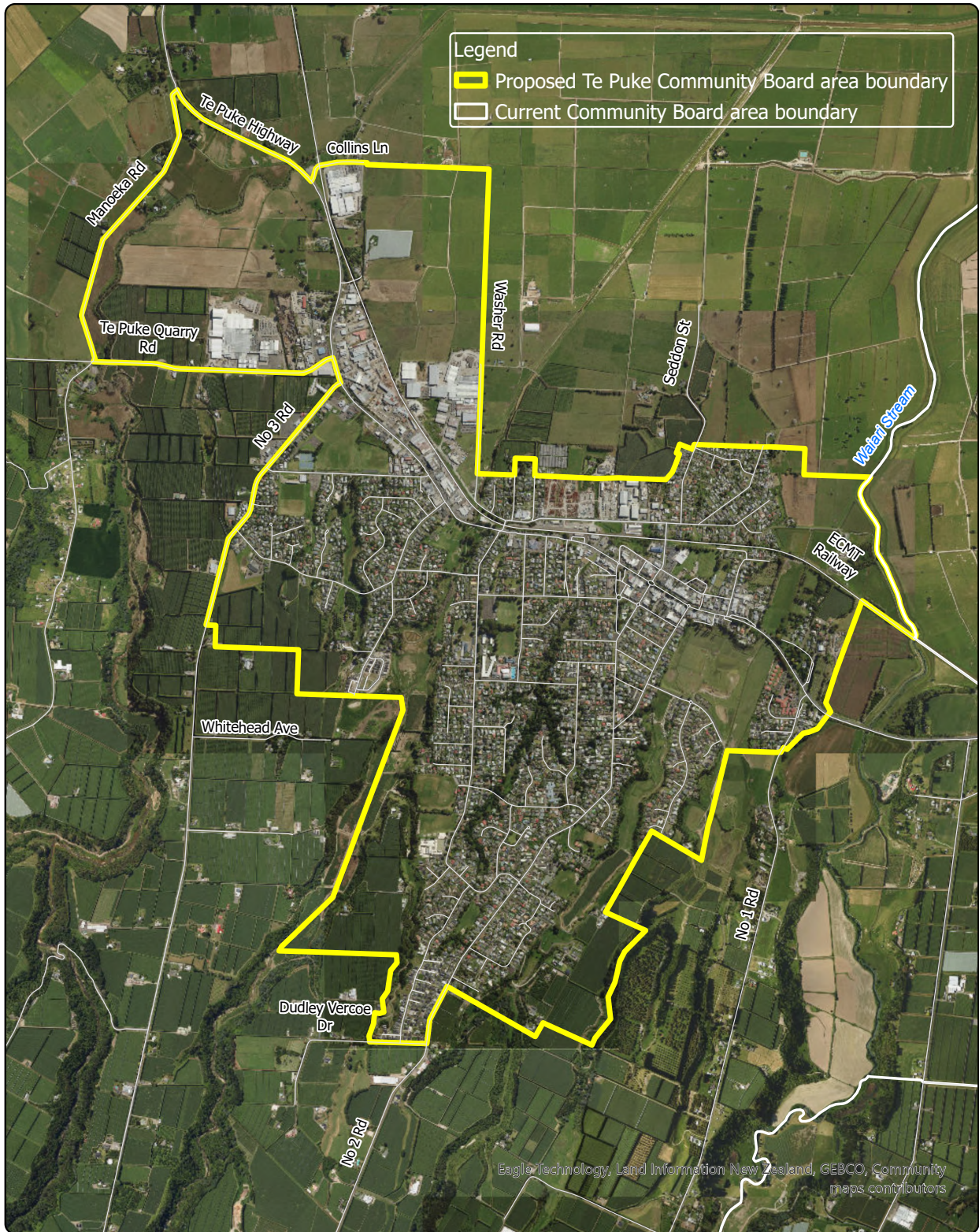
Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz)  
Date: 21/06/2024  
Operator: mlb  
Map: E:\Shape\MLB\2024\Representation Review 2024\Proposed New Community Area

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0 250 500 1,000  
Metres



### Attachment D - Proposed Katikati Community Board Boundary





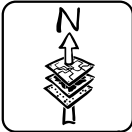
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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz)  
Date: 21/06/2024  
Operator: mlb  
Map: E:\Shape\MLB\2024\Representation Review 2024\Proposed New Community Area

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## Attachment E - Proposed Te Puke Community Board Boundary





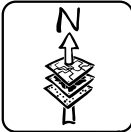
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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz)  
 Date: 23/08/2024  
 Operator: mlb  
 Map: E:\Shape\MLB\2024\Representation Review 2024\Proposed New Community Area

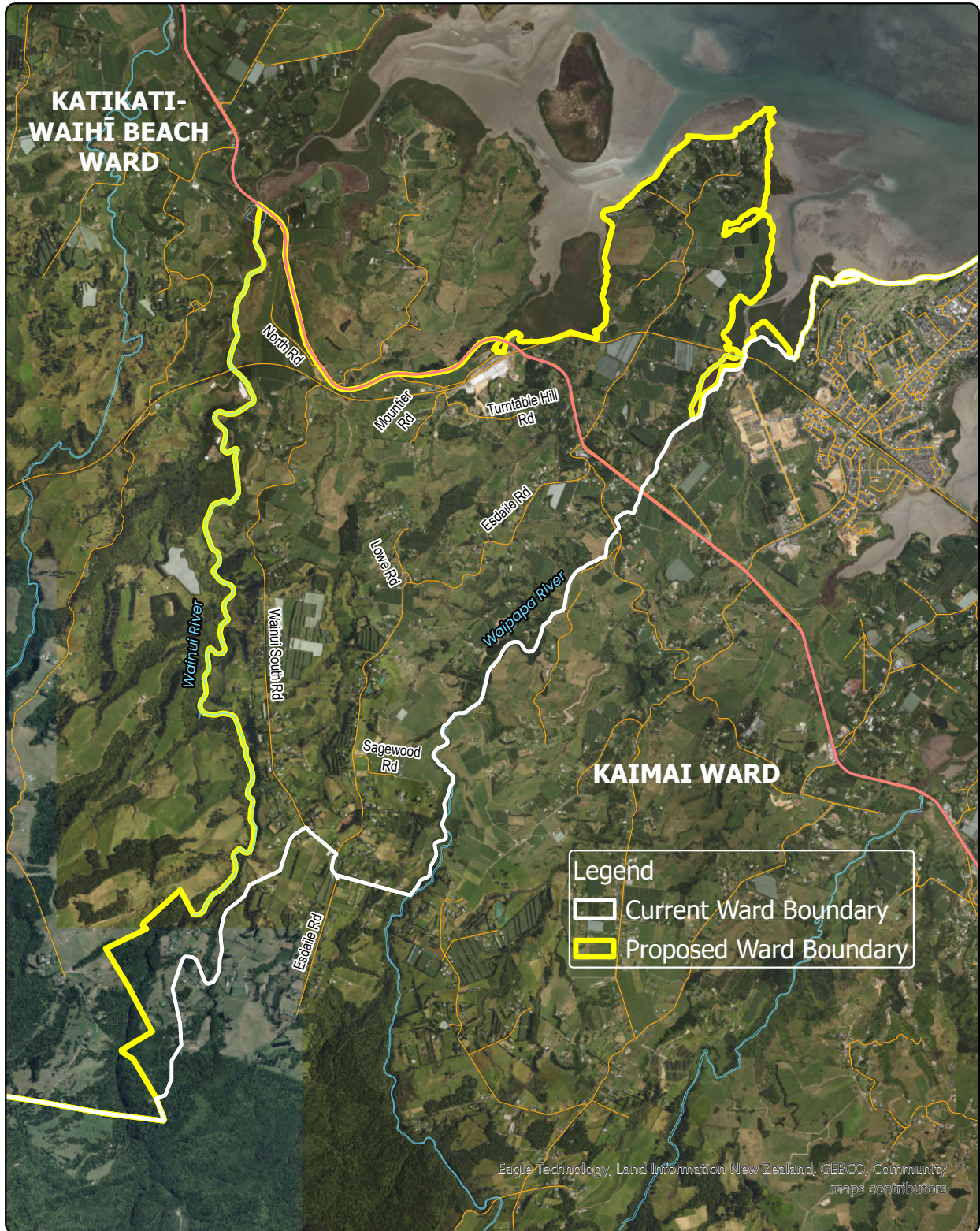
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 0 250 500 1,000 1,500 2,000 Metres



## Attachment F - Proposed Maketu Community Board Area Extension







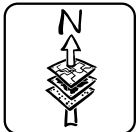
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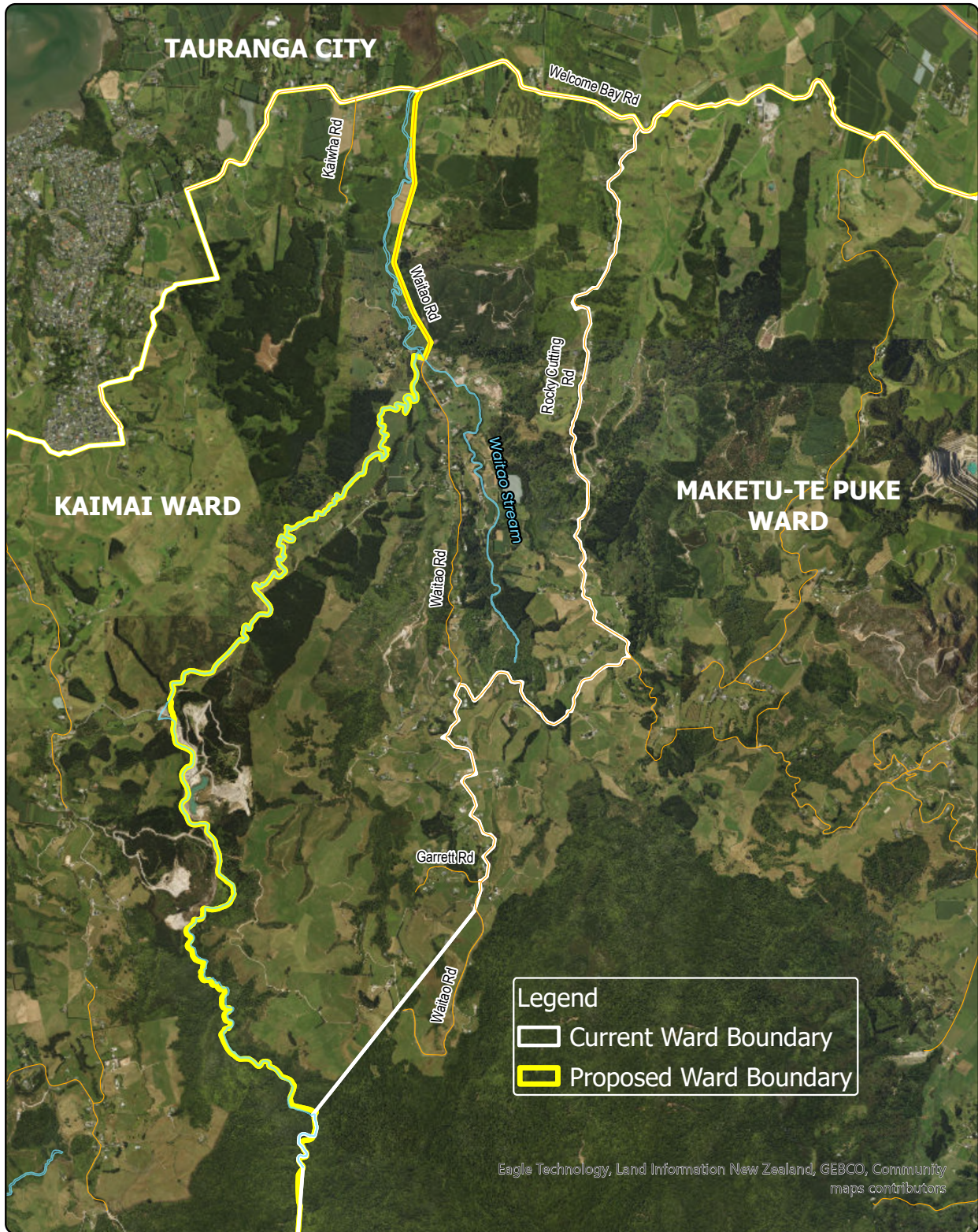
Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz)  
 Date: 20/06/2024  
 Operator: mlb  
 Map: E:\Shape\MLB\2024\Representation Review 2024\Proposed New Ward Boundaries.aprx

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**ATTACHMENT G -**  
**Proposed Ward Boundary Change**  
**Katikati-Waihi Beach Ward/Kaimai Ward**



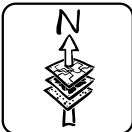


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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz) Scale A4 - 1:40,000  
 Date: 20/06/2024  
 Operator: mlb  
 Map: E:\Shape\MLB\2024\Representation Review 2024\Proposed New Ward Boundaries.aprx



**ATTACHMENT H -  
 PROPOSED WARD BOUNDARY CHANGE -  
 KAIMAI AND MAKETU-TE PUKE WARDS**



**ATTACHMENT I – TERMS OF REFERENCE FOR WARD COMMITTEES (Example)****Purpose**

- To provide a local link and point of contact for Council liaison with the community.
- To also provide for the exchange of information, communication, and to assist with the Council's consultative processes.
- To exercise delegated authority for the annual allocation of [\$XX] for [NAME OF FUND] in line with the guidelines.
- Particularly, to help to ensure that any minor remedial or renewal works are brought to Council's attention through the Request for Service procedure in the appropriate manner through promoting the use of the Request for Service procedure and advising community members on how to use the Request for Service procedure.

**Field of Activity**

Community liaison between the Council and community

**Membership**

- The number of members elected to serve on the Committee shall be a minimum of [XX] and a maximum of [XX].
- Each Committee to comprise one Councillor appointed from [XX Ward]
- The Council will call nominations to each Committee within [XX] days after each triennial local government election.
- Where between [XX] and [XX] nominations are received by the closing date, those people will be declared elected.
- Where more than [XX] nominations are received by the closing date, the Council will call a public meeting and conduct an election by secret ballot.
- Where fewer than [XX] nominations are received by the closing date, the Council will call a public meeting to seek additional nominations. If the total nominations received prior to and at the public meeting

exceed ten, the Council will conduct an election at the public meeting by secret ballot.

- Where fewer than [XX] nominations have been received at the public meeting called to seek additional nominations, the Council will declare the Community Committee unformed for the triennium.
- A minimum of [XX] people are required to be present at any public meeting called to seek further nominations, or to elect members, to form a Community Committee.
- The Committee, once formed, has the power to co-opt additional members provided that the total elected membership does not exceed [XX].
- The Council will publicly notify the results of the call for nominations within [XX] days after the close of nominations and (if applicable) after the public meeting called to form the Committee.
- Procedures for election will generally follow those laid down in the Local Electoral Act 2001. Elections will be the responsibility of the Council's Electoral Official.
- Those nominated for the [XX] triennium Community Committee election must be elected by residents on the most recent District electoral roll and live within the ward that the principal town that the community committee represents.
- Those who are nominated and people nominating them must reside within that area.
- The Chairperson of each Community Committee to be appointed from within the Committee itself by the Committee members.

Committees will generally follow the Terms of Reference as listed below:

- The term of membership of each Committee shall generally coincide with Local Government terms of office, i.e. three years. The Committees shall be disestablished at each triennial election, the same as all other Committees of Council. The Council will call public meetings in each Ward in order to elect Committees as soon as practicable after each general Local Government election.

- Each Committee will have power to co-opt other members, either from the public generally or representatives of specific community interest groups.
- [XX] Councillor(s) is/are to be appointed by the Council to serve on each Committee, in order to provide a formal link with the Council at an elected member level.
- Committees will have sole discretion as to when the Committee meets, how often, and its administrative procedures

**STRATEGY AND POLICY COMMITTEE WORKSHOP**

- DATE:** Monday 19 August 2024 at 9.30am
- HELD:** In Council Chambers and Via Zoom
- TOPICS:** 1. Representation Review
- GENERAL MANAGER RESPONSIBLE:** R Davie (Deputy CEO/General Manager Strategy and Community)
- MEMBERS PRESENT:** Mayor J Denyer (Chairperson), Cr T Coxhead, Cr G Dally, Cr M Grainger, Cr A Henry, Cr M Murray-Benge, Cr L Rae, Deputy Mayor J Scrimgeour, Cr A Sole, Cr D Thwaites, and Cr A Wichers.
- VIA ZOOM:** Cr R Joyce
- STAFF IN ATTENDANCE:** J Holyoake (Chief Executive Officer), R Davie (Deputy CEO/General Manager Strategy and Community), E Watton (Strategic Policy and Programme Director), C Nepia (Strategic Kaupapa Māori Manager), L Balvert (Communications Manager), K McGinity (Senior Policy Analyst), R McLeod (Senior Communications and Engagement Specialist), H Wi Repa (Governance Technical Support) and R Leahy (Senior Governance Advisor).
- VIA ZOOM:** A Curtis (General Manager Regulatory Services) and C Gaunt (Senior Kaupapa Māori Planner)

**INTRODUCTION:**

Deputy CEO/General Manager Strategy and Communities introduced the workshop and provided the following tāpuku.

- Every six years, Council had a legislative obligation to determine the best and most effective representation arrangement for its communities of interest.

Strategy and Policy Committee Workshop – 19 August 2024

- Having a Māori ward did not mean that the number of Councillors had to be reduced, it was important divorce the two issues.
- Direction had previously been provided to staff that Council did not want to rescind the decision on Māori Ward/s. This direction was given based on the feedback received by Tangata Whenua stating that they were supportive of Māori Ward/s. Staff had proceeded based on this direction from Council and the initial proposal was taking shape around the direction that the intention was not to rescind.
- It was noted that Legislative reform had caused confusion, and staff encouraged Councillors to reflect on the decision that was made in August 2023 to establish a Māori Ward/s and decide whether that sentiment had changed.

Cr Joyce entered the hui 9.37am.

### **1. Representation Review**

The Strategic Policy and Planning Programme Director and the Senior Policy Analyst spoke to a PowerPoint presentation which outlined the below:

- Representation Review – Initial Proposal Issues and Options
- Recap of journey so far
- Number of Councillors (what is possible)
- Issue 3A: Number of Councillors
- Minor Ward Boundary Adjustments
- Issues and Options for Consideration Today
- Issue 1: Number of General Wards
- Issue 2: Number of Māori Wards
- Issue 4: Basis of Elections
- Issue 5A: Community Representation
- Community Board Targeted Rates
- Community Board Costs

Strategy and Policy Committee Workshop – 19 August 2024

- 
- Issue 5A: Community Representation
  - Proposed Structure and Contents of Draft Initial Proposal
  - Next Steps

The presenter/s responded to pātai as follows:

- The population within some areas of the district would increase and others would decrease as a result of a ward boundary change.
- The figure of 7,240 was made up of the Māori electoral population in totality, which included those on the Māori roll as well as those under 18 and did not include those on the general role. Māori that chose to be on the general role were not counted in the Māori electoral population.
- The status quo option did not require any ward boundary changes.
- The expectation was that the Māori Ward Councillor/s would represent the entire district.
- Staff explained that in the context of the discussion that was held at the time of this workshop, the status quo included a Māori Ward due to the decision made by Council previously.
- Other Councils like Kawerau, Palmerston North and Whakatane held their Representation Review three years ago in 2021, which meant that their choice on Māori Wards was a stand-alone decision.
- Kawerau, and Palmerston North had made the decision to reaffirm Māori Wards, Whakatane had yet to decide.
- There was no interdependency between establishing Māori Wards and maintaining 12 Councillor seats within the district, these would be passed as two separate motions.
- While the legislation remained the same, there would always be a risk that a referendum or binding poll be held on the establishment on Māori Wards, avoiding this debate within communities was no longer an option.
- Prior to the last triennium, this Council had never proposed anything in relation to the boundaries of Community Boards. The message from areas within the district, particularly the Kaimai Ward, was to disestablish Community Boards.
- As part of Councils decision making process, board consultation was carried out through engagement with community groups. The round of engagement with community groups was actioned to enrich the decision-making process and better

Strategy and Policy Committee Workshop – 19 August 2024



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community decision making. The purpose of engaging with community groups was to explore other mechanisms that could provide better community representation, rather than determining whether to have Community Boards or not.

- The introduction of Ward Committees as an alternative option was to provide Council with a sense of a more contemporary option which Councils were opting to use instead of Community Boards.
- Staff had not determined any parameters of how Ward Committees would work if adopted for the Western Bay of Plenty District.

The following tākupu was made by Committee Members:

- A lack of consultation regarding boundary changes would inevitably upset residents. When and if boundaries were changed, it was important that there was some meaning to it.
- It was fundamental to democracy that each Elected Member represented a similar number of constituents.
- There was no desire from the public to increase the number of Councillors across the district, and increasing the number of Councillors around the table would make decision making more difficult. 25 percent of the public had stated that they wanted less Councillors, 16 percent wanted more Councillors, and the remaining percentage wanted the number of Councillors to remain the same.
- There was concern about flip flopping residents between wards every six years, however, it was noted that this was the reality of the rules in which the Council operated in to keep the numbers the same.
- Concern was raised that there were only two options provided with neither of these options being the status quo (with the exclusion of the Māori Wards).
- Rescinding the decision to have Māori Wards would upset a lot of the people within the district that would view this as not respecting the Treaty of Waitangi. It could be perceived that Council had flip flopped on its decision due to high pressure.
- The decision to rescind Māori Wards would silence the short-term noise, however in the long-term, the principles would remain the same.
- Equal representation was an important democratic principle.
- It was suggested that one Māori Ward was not enough to represent the whole of the district. Māori wanted representation but Māori Wards would not necessarily achieve that.

Strategy and Policy Committee Workshop – 19 August 2024

- 
- It was suggested that the Ward boundaries needed to be put to a road.

Workshop adjourned 11.00am

Workshop reconvened 11:22am

Cr Thwaites left workshop 11.26am

- The size of the Katikati Community Board did not make sense, as it was too large. Community Boards had drifted away from the Community Board areas of interest.
- The public have said that they want to keep Community Boards and were happy to pay the costs of Community Boards. Community groups were not representative of the wider community.
- The rural area surrounding Maketu related to the township itself, and it had been requested previously that this area be included in the Community Board area of benefit.
- Community Boards served their purpose, they were drivers of their community plans, and provided a step ladder to members becoming Councillors.
- The informalities of Ward Committees could provide a benefit compared to the formalities of Community Boards. However, there was a strong want from parts of the community to maintain Community Boards.
- Ward Committees could have an option to distribute funding across the Ward in a more equitable manner.
- Small issues that would not make it to the Council table were dealt with by the Community Board. This provided communities with hands on assistance on smaller issues.
- It was suggested that the way some Community Boards operated was not conducive to best practice decision making.
- The Community Board targeted rate of Maketu was not viable for such a small area.

Strategy and Policy Committee Workshop – 19 August 2024

- The large area of the Katikati Community Board acted almost like a lower tier of Local Government which was not the purpose/function of a Community Board. It made more sense for each Community Board to serve a similar population and have similar spends and opportunities.
- The size of the Community Board needed to reflect the community boundaries.
- It was suggested that a key difference between Ward Committees and Community Boards was that Ward Committees were basically controlled by Council, where as Community Boards were much more independent because the members were elected by their communities. One of the frustrations of Community Board members was that they did not have the delegation to do a lot of the work they would like to do.
- It was suggested that shrinking the boundary of the Te Puke Community Board would deprive those rural areas from benefiting from the actions of the Community Board however It was important to be consistent in terms of the approach to the Community Board boundaries across the district.

| Direction for Staff   | Person Responsible    |
|---|-----------------------|
| <ul style="list-style-type: none"> <li>• Staff to investigate the similarities of the current boundary changes compared to those from 2019.</li> </ul>                    | Senior Policy Analyst |
| <ul style="list-style-type: none"> <li>• Include the status quo as an option (with the exclusion of Māori Wards (subject to the decision on 2 September 2024).</li> </ul> | Senior Policy Analyst |
| <ul style="list-style-type: none"> <li>• Option of delaying the Representation Review to be included. (subject to decision on 2 September 2024)</li> </ul>                | Senior Policy Analyst |
| <ul style="list-style-type: none"> <li>• Staff to confirm the number of rate payers within the area of benefit for Maketu</li> </ul>                                      | Senior Policy Analyst |

This workshop discussion finished at 12.33pm

Strategy and Policy Committee Workshop – 19 August 2024

**STRATEGY AND POLICY COMMITTEE WORKSHOP**

- DATE:** Thursday 5 September 2024 at 3.00pm
- HELD:** Council Chambers and via Zoom
- TOPICS:**
  - 1. Representation Review
- GENERAL MANAGER RESPONSIBLE:** R Davie (Deputy CEO/ General Manager Strategy and Community)
- FORUM MEMBERS PRESENT:** Mayor J Denyer, Cr G Dally, Cr M Grainger, Deputy Mayor John Scrimgeour, Cr D Thwaites, Cr M Murray-Benge, Cr M Murray-Benge.
- VIA ZOOM:** Cr T Coxhead, Cr A Henry, Cr R Joyce and Cr A Wichers.
- STAFF IN ATTENDANCE:** J Holyoake (Chief Executive Officer, R Davie (Deputy CEO/GM Strategy and Community), E Watton (Strategic Policy and Planning Programme Director), R Garrett (Governance Manager), L Balvert (Communications Manager), K McGinity (Senior Policy Analyst), H Wi Repa (Governance Systems Advisor) and R Leahy (Senior Governance Advisor)
- VIA ZOOM:** P Osborne (Senior Governance Advisor)

| <b>Representation Review</b>   |
|--|
| <p>The Strategic Policy and Planning Programme Director supported by the Senior Policy Analyst facilitated a discussion regarding the Representation Review:</p> <p>The General Manager Strategy and Community introduced the discussion noting that at a previous workshop Council discussed the opportunity to explore an option to establish Ward Committees. The following workshop, Council indicated that Community Boards would remain with minor boundary adjustments. With direction given to date, the Representation Review would look quite different to</p> |

what had been proposed in previous Representation Reviews. There was an opportunity to stimulate community conversations relating to community representation.

The presenter/s responded to pātai as follows:

- There was very little cost for a by-election if only one candidate stood, if a vote was required than the cost for a by-election for a Community Board was between \$15,000 and \$20,000.
- The pre-engagement period attracted a limited number of submissions which were not necessarily representative of all views. There were deliberate stakeholder engagement events, where staff received mixed views on Community Boards.
- In the previous Representation Review, Council had proposed the disestablishment of Community Boards, and proposing an alternative option through the establishment of Community Committees. The feedback received on the initial proposal was to maintain the status quo, as there was not enough detail on how Community Committees would function.
- The proposal would go to the Local Government Commission if someone who submitted to the initial proposal objected to the final proposal.
- Other Councils formed membership of the Community Committees through nominations by community groups, and final appointments were made by the Council.
- Under the requirements of the Representation Review, Council must define their communities of interest and the rationale as to why. This could consider that Ward Committees were a more holistic representation of that area, noting that this would include rural areas.
- It may be logistically challenging to change the membership of the Ward Committee depending on the topic or location of meeting. The Terms of Reference for other Councils Community Committees enabled members to opt out of the Committee part way through the triennium.
- Council has had to undertake a shortened representation review, as Council deferred the decision on the adoption of the initial proposal. After 31 July 2024, Council was required to undertake the Representation Review within the provisions of the shortened review, which allowed for a minimum of three weeks consultation period.
- The report to adopt the initial proposal would include options that had been considered.
- The Representation Review was the only mechanism for disestablishing Community Boards. Community Board delegations were separate to the Representation Review.
- There was a legislative remit for Community Boards. The Mayor did not have executive power to assign Community Board delegations as it was ultimately a decision for Council.

The following tākupu was made by Committee Members:

- Feedback was received that because Community Board members were in attendance at the community engagement sessions, members of community felt they could not freely express their views on Community Boards.

3.06pm Cr Sole entered the hui.

- The current structure of Community Boards was that they were a representative entity that supported Council, yet they operated in a formal governance structure which was a discrepancy between what they did and how they operated. Council should explore a Community Committee structure which would allow them to be more representative and operate in a more flexible and efficient way.
- Ward Committees would not represent a defined community as the communities in the District were disparate.
- Community Boards were expensive however pre-engagement showed there was still support for them in the community.
- Community Committees could be effective if they were well set up as they were cheaper to run, however, they had to be based on communities of interest.
- As there were already Māori Wards and reducing the number of Councillors included in the initial proposal, it may not be the right time to also propose disestablishing Community Boards.
- There were challenges with populating Community Boards. There was support for Community Boards in the community, however, there was a reluctance within the community to get candidates on to the Board.
- Council should explore an alternative option of community representation through this process instead of remaining with the status quo.
- A Ward Committee would address the issue of underrepresentation in rural areas.
- The current structure allowed chairs of Community Boards to come through as Councillors, which had provided a breadth of information to Council.
- Community Boards were not good value for money for the time and resource invested in them. Council should go out with an initial proposal that was modern and fit for purpose to see what feedback was received.
- There should be a solid legislative framework like Community Boards for community representation.
- Community Boards were useful in terms of providing local knowledge.

- The current and proposed boundaries would not address the issue of ‘patchy’ coverage for community representation across the District.
- A proposal with a slight change to the status quo would not stimulate debate about community representation.
- Council should propose a change to the status quo and consider the feedback that would be received.
- Community Boards should remain, and community interest groups should be encouraged and supported.
- Councillor clinics should be introduced to enable wider discussion on strategic decisions.

| Direction   | Responsible                  |
|---|------------------------------|
| <p>The draft initial proposal for the Representation Review would include:</p> <p><b>Wards</b></p> <ul style="list-style-type: none"> <li>• Three General Wards remaining the same (Katikati-Waihī Beach, Kaimai and Te Puke-Maketu);</li> <li>• One district wide Māori Ward; and</li> <li>• Two minor boundary adjustments to the Kaimai Ward and Katikati-Waihī Beach Ward and the other between the Kaimai Ward and Te Puke-Maketu Ward.</li> </ul> <p><b>Councillors</b></p> <p>The number of Councillors would reduce to enable all Councillors to represent the same number of constituents. This would include:</p> <ul style="list-style-type: none"> <li>• Eight General Ward Councillors (elected on a Ward basis);</li> <li>• One Māori Ward Councillor (elected on a Ward basis); and</li> <li>• The Mayor (elected at large).</li> </ul> <p><b>Community Boards</b></p> <p>The five Community Boards would remain with three minor ward adjustments including:</p> <ul style="list-style-type: none"> <li>• The reduction of the Te Puke Community Board boundary;</li> <li>• The reduction of the Katikati Community Board boundary; and</li> <li>• The extension of the Maketu Community Board boundary.</li> </ul> | <p>Senior Policy Analyst</p> |

**12 INFORMATION FOR RECEIPT****13 RESOLUTION TO EXCLUDE THE PUBLIC****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>13.1 - Confidential Minutes of the Council Meeting held on 15 August 2024</b> | <p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>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</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary</p> | <p>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</p> |



|  |   |  |
|--|---|--|
|  | <p>to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p> |  |
|--|---|--|