



# **AGENDA** Ordinary Meeting

Tuesday 10 August 2021, 10.30am

## Ordinary Meeting

Venue: Taranaki Regional Council chambers, 47 Cloten Road, Stratford

10 August 2021 10:30 AM

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**Purpose of Local Government**

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option outlined in each report meets the purpose of local government and:

- Promote the social, economic, environmental and cultural well-being of communities in the present and for the future.
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

**Membership of the Ordinary Committee**

Councillor D N MacLeod	<i>(Chairperson)</i>	Councillor M P Joyce	<i>(Deputy Chairperson)</i>
Councillor M J Cloke		Councillor M G Davey	
Councillor D L Lean		Councillor C L Littlewood	
Councillor M J McDonald		Councillor D N McIntyre	
Councillor E D Van Der Leden		Councillor N W Walker	
Councillor C S Williamson			

**Health and Safety**

**Emergency Procedure**

In the event of an emergency, please exit through the emergency door in the committee room by the kitchen.

If you require assistance to exit please see a staff member.

Once you reach the bottom of the stairs make your way to the assembly point at the birdcage.

Staff will guide you to an alternative route if necessary.

**Earthquake**

If there is an earthquake - drop, cover and hold where possible.

Please remain where you are until further instruction is given.



**Date** 10 August 2021

**Subject:** **Confirmation of Minutes - 29 June 2021**

**Approved by:** M J Nield, Director - Corporate Services  
S J Ruru, Chief Executive

**Document:** 2834398

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### **Recommendations**

That the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Ordinary meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 29 June 2021 at 1pm.

### **Matters arising**

### **Appendices/Attachments**

Document 2809050: Minutes Ordinary - 29 June 2021



**Matters arising**

There were no matters arising.

**2. Consent and Regulatory Committee Minutes – 8 June 2021**

**Resolved**

That the Taranaki Regional Council:

- a) receives the minutes of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 8 June 2021 at 9.30am
- b) adopts the recommendations therein.  
Lean/Van Der Leden

**Matters arising**

**2.1 Ahititi Stock Effluent Site**

- An update was provided on the Ahititi Stock Effluent Site. Waka Kotahi is continuing to work to speed up the process of replacing the site. They are currently working with the consents team to have the current site used but not discharging to keep it operational until the new site can be completed.

**3. Policy and Planning Committee Minutes – 8 June 2021**

**Resolved**

That the Taranaki Regional Council:

- a) receives the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 8 June 2021 at 10.30am
- b) adopts the recommendations therein.  
Littlewood/Walker

**Matters arising**

**3.1 Pampas**

- Concerns were raised around Pampas and the Council not including it as a pest plant. It was noted that due to the wide spread of Pampas if it was declared as a pest plant it would put a lot of added pressure on farmers to control it. Officers are still doing a lot of advocacy work around Pampas and continuing to educate the community.

**4. Executive, Audit and Risk Committee Minutes – 21 June 2021**

**Resolved**

That the Taranaki Regional Council:

- a) receives the minutes of the Executive, Audit and Risk Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Monday 21 June 2021 at 10am
- b) adopts the recommendations therein.  
Walker/Littlewood

**Matters arising**

There were no matters arising.

**5. Joint Committee Minutes**

**Resolved**

That the Taranaki Regional Council:

- a) receives the unconfirmed minutes of the Taranaki Solid Waste Management Committee meeting held on Thursday 20 May 2021
- b) receives the unconfirmed minutes of the Taranaki Regional Transport Committee meeting held on Wednesday 2 June 2021
- c) receives the unconfirmed minutes of the Taranaki Civil Defence Emergency Management Group Joint Committee meeting held on Wednesday 3 May 2021.  
McIntyre/Van Der Leden

**Matters arising**

**5.1 Taranaki Solid Waste Management Committee Minutes**

- There have been announcements this week regarding plastics products in New Zealand and banning single use plastics and having products that are recyclable.

**5.2 Regional Transport Committee Minutes**

- Councillor T Cloke and Mr R I'Anson, Waka Kotahi New Zealand Transport Agency, have still not met regarding the prioritisation of SH3 North Improvements.
- The Taranaki Mayoral Forum met with Ms C Crowley, Deputy Chair, and Ms L Stewart, Director Regional Relationships from Waka Kotahi New Zealand Transport Agency. The Forum conveyed to Waka Kotahi that they are not happy with the current State Highway network in Taranaki. An explanation was provided informing that due to COVID-19 lockdown a lot of work in 2020 was delayed. Ms L Stewart noted that she wishes to increase transparency and keep good communication lines open. There is a large programme of works scheduled for this coming summer.

5.3 Taranaki Civil Defence Emergency Management Group Joint Committee Minutes

- The Committee have been very critical about the work of the Advisory Groups. Mr T Velvin, CDEM Regional Manager, has been pushing changes within the structure of these groups to ensure there are better outcomes going forward.

**6. Meeting Dates for July and August**

6.1 The meeting dates for the next round of six weekly meetings were attached.

**7. Change of Waka Kotahi New Zealand Transport Agency Representative on the Regional Transport Committee**

- 7.1 Elected Members were notified that Waka Kotahi New Zealand Transport Agency have appointed a new Director Regional Relationships for Taranaki Manawatū-Whanganui, Hawke's Bay and Gisborne and to approve the change in representative for the Taranaki Regional Transport Committee.
- 7.2 It was noted that since Ms L Stewart was appointed her involvement has been encouraging.

**Resolved**

That the Taranaki Regional Council:

- a) receives the agenda memorandum *Change of Waka Kotahi New Zealand Transport Agency Representative on the Regional Transport Committee*
- b) notes that Linda Stewart has been appointed to the role of Director Regional Relationships
- c) appoints Linda Stewart to the Taranaki Regional Transport Committee as the Representative for Waka Kotahi New Zealand Transport Agency
- d) acknowledges the input to the Committee from Emma Speight over the last year
- e) notes Ross I'Anson will continue in the as alternate representative for Waka Kotahi New Zealand Transport Agency.

Cloke/McIntyre

**8. Approval of the Regional Land Transport Plan for Taranaki 2021-2027**

- 8.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum adopting the *Regional Land Transport Plan for Taranaki 2021/22-2026/27 (RLTP)* prepared by the Regional Transport Committee.
- 8.2 Councillor C L Littlewood declared an interest in relation to the Taranaki Trails Trust.
- 8.3 Acknowledgement was given to Ms F Ritson, Policy Analyst, for the work she has put in to the RLTP in challenging times.



**Resolved**

That the Taranaki Regional Council:

- a) receives and approves the *Regional Land Transport Plan for Taranaki 2021/22-2026/27*
- b) notes that the adopted *Regional Land Transport Plan for Taranaki 2021/22-2026/27* will then be submitted to Waka Kotahi NZ Transport Agency for its consideration.  
Cloke/Van Der Leden

**9. Representation Review for the 2022 Local Authority Elections**

- 9.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to commence the representation review for the 2022 local authority elections per the requirements of the *Local Electoral Act 2001*.

**Resolved**

That the Taranaki Regional Council:

- a) receives this memorandum on the representation review for the 2022 local authority elections
- b) agrees to establish one Māori constituency, being the Taranaki Māori constituency
- c) agrees to establish four general constituencies, being the New Plymouth, North Taranaki, Stratford and South Taranaki general constituencies
- d) agrees to retain the number of elected members at eleven (11), being:
  - five (5) elected general members for the New Plymouth general constituency
  - two (2) elected general members for the North Taranaki general constituency
  - one (1) elected general member for the Stratford general constituency
  - two (2) elected general members for the South Taranaki general constituency
  - one (1) elected Māori member for the Taranaki Māori constituency
- e) notes the procedural steps and timeline for the representation review process
- f) agrees to publicly notify the representation review proposal within fourteen (14) days to comply with the *Local Electoral Act 2001*, being no later than 13 July 2021
- g) notes that this proposal does not fully comply with the *Local Electoral Act 2001* but that the proposal is considered the most appropriate solution for Taranaki
- h) advises the Local Government Commission of the Stratford general constituency noncompliance with the ±10% rule.
- i) determines that this decision be recognised as significant in terms of section 76 of the *Local Government Act 2002*
- j) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Walker/Littlewood

**9. Public Excluded**

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Ordinary Meeting on Tuesday 15 December 2020 for the following reason/s:

**Item 10 - Public Excluded Consents and Regulatory Committee Minutes - 8 June 2021**

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

**Item 11 - Public Excluded Executive, Audit and Risk Committee Minutes - 21 June 2021**

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Lean/MacLeod

There being no further business, Councillor D N MacLeod, declared the Ordinary Meeting of the Taranaki Regional Council closed at 1.45pm.

**Confirmed**

**Chairperson:** \_\_\_\_\_

**D N MacLeod**  
**10 August 2021**



**Date** 10 August 2021

**Subject:** **Consents and Regulatory Minutes - 20 July 2021**

**Approved by:** M J Nield, Director - Corporate Services  
S J Ruru, Chief Executive

**Document:** 2834415

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### **Recommendations**

That the Taranaki Regional Council:

- a) receives the minutes of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 20 July 2021 at 9.30am
- b) adopts the recommendations therein.

### **Matters arising**

### **Appendices/Attachments**

Document 2823882: Minutes Consents and Regulatory Committee - 20 July 2021



**Date** 20 July 2021, 9.30am  
**Venue:** Taranaki Regional Council chambers, 47 Cloten Road, Stratford  
**Document:** 2823882

<b>Members</b>	Councillors	D L Lean C S Williamson M J Cloke M G Davey C L Littlewood D H McIntyre E D Van Der Leden M P Joyce D N MacLeod	Committee Chairperson Committee Deputy Chairperson     (via zoom) ex officio (via zoom) ex officio
<b>Representative Members</b>	Mr Ms	K Holswich E Bailey	Iwi Representative Iwi Representative (via zoom)
<b>Attending</b>	Mr Mr Ms Mr Mr Ms Mr  Mr  Mr Miss One member of the media.	S J Ruru M J Nield A J Matthews A D McLay B Pope V McKay R Phipps  N Crook  P Ledingham L Davidson	Chief Executive Director – Corporate Services Director - Environment Quality Director – Resource Management Compliance Manager Science Manager – Chemistry Science Manager – Hydrology & Biology Environmental Scientist – Soil & Water Quality Communications Adviser Committee Administrator
<b>Opening Karakia</b>	The meeting opened with a group karakia.		
<b>Apologies</b>	An apology was received from Mitch Ritai, Iwi Representative.		
<b>Notification of Late Items</b>	There were no late items.		

**1. Confirmation of Minutes – 8 June 2021**

**Resolved**

That the Consents and Regulatory Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on 8 June 2021 at 9.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 29 June 2021.

Davey/Cloke

**Matters arising**

- Paragraph 6.4 was removed from the minutes.
- Officers would find out where the effluent from the stock effluent disposal site at Ahititi is being transported to.

**2. Resource Consents Issued Under Delegated Authority and Applications in Progress**

- 2.1 Mr A D McLay, Director – Resource Management, spoke to the memorandum advising the Council of consents granted, consents under application and of consent processing actions since the last meeting.
- 2.2 Councillor D H McIntyre declared an interest in relation to Consent R2/6789-2.0.
- 2.3 Ms E Bailey moved a motion requesting to have a paper prepared for the next meeting outlining additional immediate support council can provide Māori to satisfy Sec.81 of Schedule 10 in the Local Government Act 2002.

**Recommended**

That the Taranaki Regional Council:

- a) prepare a paper for our next meeting outlining additional immediate support council can provide Māori to satisfy Sec.81 of Schedule 10 in the Local Government Act 2002.

Bailey/MacLeod

Withdrawn

- 2.4 Following discussions and at the agreement of the committee, the motion was withdrawn.
- 2.5 It was noted that Te Mana Whakahono o Rohe agreement is very close to being released in draft form.
- 2.6 It was agreed that a report be brought back to this committee at the next meeting providing an update on Te Mana Whakahono o Rohe timelines and progress, and opportunities for providing additional support to Māori moving forward.

*Councillor C S Williamson arrived at 9.45am*

**Recommended**

That the Taranaki Regional Council:

- a) receives the schedule of resource consents granted and other consent processing actions, made under delegated authority.  
Holswich/Williamson

**3. Consent Monitoring Annual Reports**

- 3.1 Ms A J Matthews, Director – Environment Quality, introduced the item and provided an update on the Remediation New Zealand Ltd hearing and process.
- 3.2 Ms V McKay, Science Manager – Chemistry, spoke to the memorandum advising of one tailored compliance monitoring report and answered questions arising.

**Recommended**

That the Taranaki Regional Council:

- a) receives the 20-84 Remediation New Zealand Ltd Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.  
Lean/Williamson

**4. Incident, Compliance Monitoring Non-compliances and Enforcement Summary – 13 May 2021 to 30 June 2021**

- 4.1 Mr B Pope, Compliance Manager, spoke to the memorandum allowing the Committee to consider and receive the summary of incidents, compliance monitoring non-compliances and enforcement for the period 13 May 2021 to 30 June 2021.
- 4.2 It was clarified that all incidents are treated on a case by case basis and that this is explained as part of the memorandum. Officers are required to follow a process in line with legislation. There could be two similar incidents that result in different outcomes. For example, some cases may have a defence and some may not.

**Recommended**

That the Taranaki Regional Council:

- a) receives this memorandum Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 13 May 2021 to 30 June 2021
- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 13 May 2021 to 30 June 2021, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.  
Holswich/McIntyre

**5. Prosecution Sentencing Decision – JT Cottam, RT Cottam and MJ Gray**

- 5.1 Mr A D McLay, Director – Resource Management, spoke to the memorandum updating Members on the prosecution of Jeremy Thomas Cottam, Racheal Teresa Cottam and Maxwell John Gray, for breaches of the Regional Air Quality Plan for Taranaki and Regional Fresh Water Plan for Taranaki. This involved a discharge into

air and onto land from the burning and dumping of demolition material at an old quarry site.

- 5.2 Officers were congratulated for their work on the prosecution.

**Recommended**

That the Taranaki Regional Council:

- a) receives this report and notes the successful outcome of the prosecution of Jeremy Thomas Cottam, Racheal Teresa Cottam and Maxwell John Gray.  
Lean/Williamson

**6. Public Excluded**

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Consents and Regulatory Committee meeting on Tuesday 20 July 2021 for the following reasons:

**Item 7 – Confirmation of Public Excluded Minutes – 8 June 2021**

*THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

McIntyre/Cloke

There being no further business the Committee Chairman, Councillor D L Lean, declared the public meeting of the Consents and Regulatory Committee closed at 10.14am.

**Confirmed**

**Consents and Regulatory**

**Committee Chairperson:** \_\_\_\_\_

**D L Lean**

**31 August 2021**



**Date:** 10 August 2021

**Subject:** **Policy and Planning Committee Minutes - 20 July 2021**

**Approved by:** A D McLay, Director - Resource Management  
S J Ruru, Chief Executive

**Document:** 2834427

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### **Recommendations**

That the Taranaki Regional Council:

- a) receives the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 20 July 2021 at 10.30am
- b) adopts the recommendations therein.

### **Matters arising**

### **Appendices/Attachments**

Document 2825409: Minutes Policy and Planning Committee Meeting - 20 July 2021





**Date** 20 July 2021, 10.30am  
**Venue:** Taranaki Regional Council chambers, 47 Cloten Road, Stratford  
**Document:** 2825409

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<b>Members</b>	Councillor	C L Littlewood	Committee Chairperson
	Councillor	N W Walker	Committee Deputy Chairperson
	Councillor	M G Davey	
	Councillor	M J McDonald	
	Councillor	D H McIntyre	
	Councillor	C S Williamson	
	Councillor	E D Van Der Leden	(via zoom)
	Councillor	D N MacLeod	ex officio

**Representative**

<b>Members</b>	Councillor	G Boyde	Stratford District Council
	Councillor	S Hitchcock	New Plymouth District Council
	Councillor	C Young	South Taranaki District Council
	Ms	L Tester	Iwi Representative
	Mr	P Muir	Federated Farmers Representative

<b>Attending</b>	Councillor	D L Lean	
	Mr	S J Ruru	Chief Executive
	Mr	M J Nield	Director - Corporate Services
	Mr	A D McLay	Director - Resource Management
	Ms	A J Matthews	Director - Environment Quality
	Mr	D N Harrison	Director - Operations
	Mr	C Spurdle	Planning Manager
	Mr	R Phipps	Science Manager - Hydrology/Biology
	Ms	V McKay	Science Manager - Chemistry
	Mr	C Wadsworth	Strategy Lead
	Mr	P Ledingham	Communications Officer
	Miss	L Davidson	Committee Administrator
	One member of the media.		

**Apologies** Apologies were received from Councillor M P Joyce, Ms B Bigham, Iwi Representative and Mr P Moeahu, Iwi Representative.

**Notification of Late Items** Government's Farm Plan proposal.

**1. Confirmation of Minutes – 8 June 2021**

**Resolved**

That the Policy and Planning Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Policy and Planning Committee of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on 8 June 2021 at 10.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 29 June 2021.  
MacLeod/Hitchcock

**Matters arising**

There were no matters arising.

**2. Freshwater Programme Update**

- 2.1 Mr C Wadsworth, Strategy Lead, spoke to the memorandum providing an update on the freshwater implementation project.
- 2.2 Committee members raised concerns around the implementation of the Government's freshwater programme, particularly around the definition of a wetland. The sector also had concerns and these were being raised at multiple levels.
- 2.3 It was requested that any changes by the Government be included in the updated programme be reported with the implementation monitoring report.
- 2.4 A submissions on the Government's Farm Plan proposal will be brought to the next meeting.
- 2.5 A communications plan has been developed and covers different methods of communication and different types of messaging, for different communities.
- 2.6 Engagement with tangata whenua is strong and will continue through the consultation programme that includes iwi leaders and Wai Māori group.
- 2.7 Officers were congratulated for the work on this update.

**Recommended**

That the Taranaki Regional Council:

- a) receives the update on Freshwater implementation programme.  
Young/Walker

**3. Taranaki Catchments Communities**

- 3.1 Mr D R Harrison, Director – Operations, spoke to the memorandum informing Members of the Taranaki Catchment Communities (TCC) Sustainable Land Use Project and the contribution the Taranaki Regional Council is making in meeting the objectives of TCC, and introduced Ms D Cram, Chairperson of TCC.
- 3.2 Ms D Cram spoke to the Committee regarding what the TCC has been working on and answered questions arising. The project included more than just environmental management, which complemented what the Council was doing, and includes economic and community elements.

**Recommended**

That the Taranaki Regional Council:

- a) receives this memorandum entitled *Taranaki Catchment Communities*
- b) acknowledges the central government funding provided to assist communities dealing with the major changes that they have initiated
- c) notes that objectives of the TCC align with and complements Council's environmental approaches.

McDonald/Boyde

**4. Update on the Proposed Coastal Plan for Taranaki and Appeals to the Environment Court**

- 4.1 Mr C Spurdle, Policy Manager, spoke to the memorandum updating Members on progress with Environment Court process for appeals to the *Proposed Coastal Plan for Taranaki* (the Proposed Plan). In particular, to inform Members that on 17 May 2021, the Taranaki Regional Council was advised that all matters relating to appeals on the Proposed Plan were resolved, excluding those matters related to oil and gas.
- 4.2 Officers were congratulated for the work undertaken to get to this important point and the input of Ms G Marcroft acknowledged.

**Recommended**

That the Taranaki Regional Council:

- a) receives this memorandum entitled *Update on the Proposed Coastal Plan for Taranaki and Appeals to the Environment Court*
- b) notes that the mediation process for resolving appeals to the Proposed Plan lodged with the Environment Court has largely been successful
- c) notes than a hearing will be required to resolve the three outstanding appeals
- d) notes that officers will prepare an interim version of the *Proposed Coastal Plan Council's Decisions Version*, which incorporates decision from the mediation process.

Walker/Williamson

**5. Key Native Ecosystems Programme Update**

- 5.1 Mr D R Harrison, Director - Operations, spoke to the memorandum presenting for Members' information an update on the identification of eighteen new Key Native Ecosystem (KNE) sites.

**Recommended**

That the Taranaki Regional Council:

- a) receives this memorandum and the attached inventory sheets for Moir Forest and Wetlands, Waiongana Flats Ltd, Waiongana Flats Ltd B, Ryan Forest Remnant, Monk Road Bush, Wells Cross Rd, Wellington Bush, Larcom's Homestead, The Ram Paddock (Larcom), Katikara (TPOL), PARGus & CarLoom Bush Blocks, Tersana, Cathie Native Bush, Makara Farms, Lark's Rest, Te Ngahere o Manu, Raurimu, Kintyre Bush.

- b) notes that the aforementioned sites have indigenous biodiversity values of regional significance and should be identified as Key Native Ecosystems.

Walker/Davey

**6. Submissions to Ministry of Transport and Infrastructure Commission**

6.1 Mr C Wadsworth, Strategy Lead, spoke to the memorandum informing the Committee of two submissions, to enable the Committee to provide feedback. The submissions had been previously circulated to members. The two submissions are:

- Transport Emissions – Pathways to Net Zero by 2050, which was submitted to Ministry of Transport on 26 June 2021
- Infrastructure for a Better Future, which was submitted to the Infrastructure Commission on 2 July 2021.

6.2 No additional feedback on the submissions was provided.

**Recommended**

That the Taranaki Regional Council:

- a) receives this memorandum
- b) adopts the submission on Transport Emissions – Pathways to Net Zero by 2050
- c) adopts the submission on Infrastructure for a Better Future
- d) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- e) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

MacLeod/Williamson

**7. Natural and Built Environments Bill Exposure Draft - Key Themes for Consideration**

7.1 Mr C Wadsworth, Strategy Lead, spoke to the memorandum and provided a presentation advising of the content of the Natural and Built Environments Bill Exposure Draft ("the Exposure Draft") and points of contention. This provided Members an opportunity to provide comment on issues which they would like to see addressed in a Council submission.

7.2 There was considerable lack of detail with the material provided by Government and it was very difficult to establish exactly what the proposal embodied. The devil was in the detail and there wasn't much detail provided to allow proper consideration. Members noted the proposal was moving at pace and that this wasn't prudent for a successful outcome.

7.3 It was noted that it would be beneficial for all Councils in the region to work together and agree on matters in support and of concern, given the transformational context of the proposal.

**Recommended**

That the Taranaki Regional Council:

- a) receives this Memorandum
- b) advises of the issues and comments that the Committee wish to see presented in a formal submission to the Government on the Exposure Draft
- c) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- d) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Williamson/Boyd

There being no further business the Committee Chairman, Councillor C L Littlewood, declared the meeting of the Policy and Planning Committee closed at 11.47am. The meeting closed with a karakia.

**Confirmed**

**Policy and Planning**

**Chairperson:** \_\_\_\_\_

**C L Littlewood**

**31 August 2021**



**Date:** 10 August 2021

**Subject:** **Executive, Audit and Risk Committee Minutes - 2 August 2021**

**Approved by:** M J Nield, Director - Corporate Services  
S J Ruru, Chief Executive

**Document:** 2834451

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### **Recommendations**

That the Taranaki Regional Council:

- a) receives the minutes of the Executive, Audit and Risk Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Monday 2 August 2021 at 10am
- b) adopts the recommendations therein.

### **Matters arising**

### **Appendices/Attachments**

Document 2833592: Minutes Executive, Audit and Risk Committee Meeting - 2 August 2021



**Date** 2 August 2021, 10am  
**Venue:** Taranaki Regional Council chambers, 47 Cloten Road, Stratford  
**Document:** 2833592

<b>Members</b>	Councillors	N W Walker	Committee Chairperson
		M J Cloke	
		D L Lean	<i>via zoom</i>
		C L Littlewood	
		M J McDonald	
		M P Joyce	<i>ex officio</i>
<b>Attending</b>	Mr	S J Ruru	Chief Executive
	Mr	M J Nield	Director – Corporate Services
	Ms	R Johnson	Finance Manager
	Ms	S Hiestand	Transport Manager
	Mr	T K Davey	Business Solutions Analyst
	Mr	P Ledingham	Communications Adviser
	Miss	L Davidson	Committee Administrator
	Mr	T Parr	Harbourmaster
		Two members of the media.	

**Apologies** An apology was received from Councillor D N MacLeod. Joyce/Littlewood

**Notification of Late items** There were no late items.

**1. Confirmation of Minutes – 21 June 2021**

**Resolved**

That the Executive, Audit and Risk Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Executive, Audit and Risk Committee held in the Taranaki Regional Council Chambers, 47 Cloten road, Stratford on Monday 21 June 2021 at 10am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 29 June 2021.

Cloke/Littlewood

### **Matters arising**

There were no matters arising.

## **2. Financial and Operational Report**

- 2.1 Mr M J Nield, Director – Corporate Services spoke to the memorandum for the Committee to receive information on the operational and financial performance of the Council.
- 2.2 Committee members were impressed with the level of communications and engagement on the Waitara River stop bank test.

### **Recommended**

That the Taranaki Regional Council:

- a) receives the memorandum *Financial and Operational Report* and the May 2021 monthly Financial Report
- b) notes the digital media update
- c) approves the common seal transactions:
  - 2021/03 – Renewal of Lease – TRC to JMS Holdings Group Ltd, 55 Centennial Drive, New Plymouth
  - 2021-04 – New Lease – TRC to Technix Bitumen Technologies Ltd, 159-175 Centennial Drive, New Plymouth
  - 2021/05 – New Lease – TRC to Technix Bitumen Technologies Ltd, 26-34 Centennial Drive, New Plymouth.Littlewood/McDonald

## **3. Health and Safety Reporting**

- 3.1 Mr M J Nield, Director – Corporate Services spoke to the memorandum for the Committee to receive and consider the report on health and safety performance.

### **Recommended**

That the Taranaki Regional Council:

- a) receives the June 2021 health and safety report.  
Littlewood/Joyce

## **4. Port Taranaki Ltd: Draft Statement of Corporate Intent – 1 July 2021 to 30 June 2024**

- 4.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum for the Committee to receive and comment on Port Taranaki Ltd’s draft Statement of Corporate Intent for the period 1 July 2021 to 30 June 2024.
- 4.2 Councillor C L Littlewood declared an interest.



**Recommended**

That the Taranaki Regional Council:

- a) receives Port Taranaki Ltd's draft Statement of Corporate Intent for the period 1 July 2021 to 30 June 2024
- b) provides any feedback to the Chief Executive on the content of the draft Statement of Corporate Intent.

McDonald/Lean

**5. Adoption of Statements of Intent**

- 5.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum adopting the finalised statements of intent for the Taranaki Stadium Trust and Regional Software Holdings Ltd.

**Recommended**

That the Taranaki Regional Council:

- a) adopts the finalised 2021-2022 Statement of Intent for the Taranaki Stadium Trust
- b) adopts the finalised 2021/2022 Statement of Intent for Regional Software Holdings Ltd.

Lean/Littlewood

**6. 2020/2021 Annual Report Audit Engagement Letter**

- 6.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum for the Committee to receive and consider the Audit Engagement Letter relating to the audit of the *2020/2021 Annual Report*.

**Recommended**

That the Taranaki Regional Council:

- a) receives and approves the Audit Engagement Letter for the audit of the *2020/2021 Annual Report*.

McDonald/Littlewood

**7. Report of the Port Taranaki Harbourmaster 2020/2021**

- 7.1 Mr T Parr, Harbourmaster, spoke to the memorandum for the Committee to receive and consider the 2020/2021 Harbourmaster Report.
- 7.2 The 25-30% increase in the number of vessels is mostly due to logs. Recreationally there has been increased pressure on facilities especially over the summer months. The current bylaws and regulatory regimes that are in place over the harbour are working well and the harbour can continue to maintain good safety records.

**Recommended**

That the Taranaki Regional Council:

- a) receives the 2020/21 Harbourmaster Report
- b) notes the levels of service in the 2018/2028 Long Term Plan have been met.  
Joyce/Littlewood

**8. Proposal and Rezoning of Fare Schedule for Public Transport**

- 8.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum proposing simplification adjustments to the current public transport fare scheduling and improvements to the zoning strategy within Taranaki and introduced Ms S Hiestand, Transport Manager, who answered questions arising.

**Recommended**

That the Taranaki Regional Council:

- a) notes the proposed changes to the fare and ticketing schedules as proposed, and approves the commencement of this project
- b) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- c) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to the decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Lean/McDonald

**9. Public Excluded**

In accordance with section 48(1) of the *Local Government Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Executive, Audit and Risk Committee Meeting on Monday 2 August 2021 for the following reasons:

**Item 10 - Public Excluded Minutes – 21 June 2020**

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

**Item 11- 2020/2021 Audit Planning Report**

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

**Item 12- MyTRC Project**

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

**Item 13 – Yarrow Stadium Update**

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

**Item 14 – Annual report**

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

McDonald/Littlewood

There being no further business, the Committee Chairperson, Councillor N W Walker, declared the open meeting of the Executive, Audit and Risk Committee closed at 10.51am.

**Confirmed**

**Executive, Audit &  
Risk Chairperson:** \_\_\_\_\_

**N W Walker**

**13 September 2021**



**Date** 10 August 2021

**Subject:** **Meeting Dates for August and September 2021**

**Approved by:** M J Nield, Director - Corporate Services  
S J Ruru, Chief Executive

**Document:** 2834560

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### **Purpose**

1. The purpose of this memorandum is to provide notification to members of the meeting dates for the next round of meetings for August and September.

### **Meeting Dates**

Taranaki Solid Waste Management Committee	Thursday 12 August 2021	10.30am
Taranaki Civil Defence Co-ordinating Executive Group meeting	Friday 13 August 2021	10.30am
Taranaki Civil Defence Group Joint Committee <i>(to be held at the South Taranaki District Council Chamber, Albion Street, Hāwera)</i>	Thursday 26 August 2021	10.30am
Consents and Regulatory Committee	Tuesday 31 August 2021	9.30am
Policy and Planning Committee	Tuesday 31 August 2021	10.30am
Executive, Audit and Risk Committee	Monday 13 September 2021	10am
Ordinary	Tuesday 21 September 2021	10.30am



**Date:** 10 August 2021

**Subject:** **Consultation on changes to Māori ward and Māori constituency processes**

**Approved by:** M J Nield, Director - Corporate Services  
S J Ruru, Chief Executive

**Document:** 2836794

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### **Purpose**

1. The purpose of this memorandum is to receive and consider a submission to the Department of Internal Affairs on changes to Māori ward and Māori constituency processes.

### **Recommendations**

That the Taranaki Regional Council:

- a) receives the draft submission to the Department of Internal Affairs on changes to Māori ward and Māori constituency processes
- b) advises the Chief Executive of any changes to the draft submission to the Department of Internal Affairs on changes to Māori ward and Māori constituency processes
- c) authorises the Chief Executive to finalise and submit the submission to the Department of Internal Affairs on changes to Māori ward and Māori constituency processes.

### **Background**

2. The Department of Internal Affairs is consulting on how the separate processes for councils to consider Māori constituencies and general constituencies can be better aligned or sequenced. They have invited our views on how this can best be achieved.
3. This is the second stage of changes for Māori ward and constituency processes, following the repeal of the poll provisions earlier this year. In this second stage, the Minister of Local Government has asked the Department to look at six further differences between the current Māori constituency and general constituency processes. These are explained in the attached discussion document Changes to Māori wards and constituencies and on their website: <https://www.dia.govt.nz/maori-wards>.
4. The specific issues being consulted upon are:
  - The requirements to consider Māori constituencies

- The timing of decisions on Māori constituencies
  - Opportunities for public input
  - Decision-making rights and the role of the Local Government Commission
  - Discontinuance process and period in force
  - Types of polls.
5. This consultation is targeted at improving technical processes within the current law. They are not considering questions about whether councils should or should not have Māori constituencies, whether there should be binding polls on Māori constituencies, or whether there are other ways to improve Māori participation in local government.
  6. As such this is a technical process. We have prepared a draft submission – attached.
  7. Regional councils have constituencies and territorial authorities (district, city and unitary councils) have wards.

### **Discussion**

8. The draft submission was prepared on the basis of aligning the processes between considering Māori and general constituencies. The basis of this approach was to normalise the treatment of the different types of constituencies rather than undertaking separate processes. The use of separate processes can place an undue public spotlight on the Māori constituency issue. This can be divisive. In terms of partnership, a separate on-going review of involvement of Māori around the Council table is not helpful.
9. To this end, the draft submission also notes that a wider policy conversation needs to occur to address the participation of Māori in the electoral processes.
10. The draft submission was circulated around the Iwi representatives on the Consents and Regulatory and the Policy and Planning committees. In some areas the feedback from these representatives was different from the position noted in the draft submission.
11. In relation to Issue 3 - Opportunities for public input, the feedback was that the engagement when considering Māori constituencies should not be the same as general constituencies but rather that only iwi/hapū/whanau perspectives should be ascertained. That is, the preferred option for Issue 3A) should be option 2 rather than option 1.
12. This feedback was offered on the basis that consultation should be focused on the people who are affected by the decision. Iwi representatives felt that only the Maori community are affected by the provision not the general electorate, hence limiting consultation to them.
13. Similarly for Issue 3B), the engagement with the wider community was not supported. The supported engagement was Iwi/hapū dialogue.
14. Again, the issue of focusing on the affected community was a factor in this feedback. On that basis, iwi representatives felt that consulting with the broader community imposed a cost on Council for little constructive return.
15. Guidance on the preferred approach to the submission on Issue 3 is required.

### **Financial considerations—LTP/Annual Plan**

16. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### **Policy considerations**

17. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

### **Iwi considerations**

18. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan.
19. Iwi representative feedback has been received and included in this memorandum.

### **Community considerations**

20. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

### **Legal considerations**

21. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

### **Appendices/Attachments**

Document 2836806: Draft Submission to the Department of Internal Affairs

Document 2836932: Discussion document: Changes to Māori ward and constituency processes



## Response form

# Changes to Māori ward and constituency processes

### Privacy statement

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Personal information you provide, including your name, email address, home location and Māori descent status, will be used to analyse submissions by location or Māori descent status and to follow up with you after submissions close.

Your name, home location, Māori descent status and the content of your submission will be published online. Your email address will not be published. It will be retained by the Department of Internal Affairs and used to send you updates about the outcome of the consultation. If you choose not to enter your email address, we'll be unable to follow up after the consultation has finished.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at [localelections@dia.govt.nz](mailto:localelections@dia.govt.nz).

### About you

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Name

I am submitting as

an individual  
on behalf of an organisation

Email address if you wish to hear about the outcome of the consultation

My home city, district or region is

I identify as being of Māori descent





## **Changes to Māori ward and constituency processes**

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### **Issue 1 – Requirement to consider**

**A) Should councils be required to consider Māori wards?**

- Yes, every council (the same as general wards)
- Yes, but only councils that already have Māori wards
- Yes, but only councils that don't already have Māori wards
- No (the same as the current law)

**B) If yes, how often?**

- Every six years (the same as general wards)
- Another frequency

**C) Do you have any other comments about this issue?**

### **Issue 2 – Timing of decisions**

**A) Should Māori ward decision-making continue to take place in two stages?**

- Yes (the same as the current law)
- No – one stage (the same as general wards)

**B) How should the time between 23 November and 1 March be filled?**

- More time for councils to decide about Māori wards
- More time for councils to decide about general wards
- No changes (the same as the current law)

**C) Do you have any other comments about this issue?**



### Issue 3 – Opportunities for public input

**A) Should councils be required to engage with their community when considering Māori wards?**

Yes (the same as general wards)

No, but they must have regard for iwi/hapū/whanau perspectives

No (the same as the current law)

**B) If yes, what type of engagement is best?**

Iwi/hapū dialogue

Targeted consultation with people of Māori descent or on the Māori electoral roll

Wider public consultation with the whole community

Council to decide on a case-by-case basis

**C) If your council considered Māori wards in 2020 or 2021, what type of engagement approach was used and how effective do you think this was?**

**D) Do you have any other comments about this issue?**



#### Issue 4 – Decision-making rights and role for Local Government Commission

**A) What role should the Local Government Commission have in relation to Māori wards?**

People can appeal a council's decision to create / not to create Māori wards, and the Local Government Commission must decide

No role and people cannot appeal a council's decision to create / not to create Māori wards (the same as the current law)

No role but people can appeal a council's decision to create / not to create Māori wards to some other entity

**B) If some other entity, then who should this be?**

**C) Do you have any other comments about this issue?**



## Issue 5 – Discontinuance process and period in force

### A) What should a council be required to do if it wishes to no longer have any Māori wards?

The council should be able to decide this on its own (the same as the current law)

The council must consult with its community (the same as general wards)

### B) How long should council decisions to create Māori wards stay in place?

Until the council decides otherwise, but at least 2 elections

(the same as the current law)

Until the council decides otherwise, but at least 1 election and must be reviewed after 2 elections (the same as general wards)

1 election only

2 elections only

### C) Do you have any other comments about this issue?

## Issue 6 – Types of polls

### A) Should councils retain the ability to initiate binding polls on general wards?

Yes (the same as the current law)

No (the same as Māori wards)

### B) Do you have any other comments about this issue?



## Further comments

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Do you have any further comments you would like to share about how the Māori wards process and general wards process can be brought closer together?





**Te Tari Taiwhenua**  
**Internal Affairs**

**Te Kāwanatanga o Aotearoa**  
New Zealand Government

Discussion document  
**Changes to  
Māori ward and  
constituency  
processes**

## Foreword from the Minister of Local Government

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Our system of local democracy is unique.

Like many other countries, we are a representative democracy. Every three years, everyone gets to vote on who they want to be their advocate and make decisions on behalf of their local community.

The part that is special to Aotearoa New Zealand comes from our founding document, Te Tiriti o Waitangi/the Treaty of Waitangi, which forges a partnership at the heart of our nation. Through Te Tiriti, Māori have the right to be represented in democratic governance as Māori.

We are all used to Māori electorates at Parliament and local government can have Māori seats, too. Māori wards and Māori constituencies are an opt-in provision in the Local Electoral Act 2001 that ensure a guaranteed voice for Māori at the council table. But the rules for how councils consider Māori wards are not the same as the rules for how councils consider general wards.

The Government made a first step to better align the law earlier this year, by removing the poll provisions that unfairly prevented many councils from introducing Māori wards.

Now we are looking to improve the alignment of the Māori wards process and the general wards process. Bringing these processes closer together, and sequencing them where necessary, is important to create more opportunities for Māori to stand for election to local government and raise issues on behalf of Māori communities.

I hope that streamlined processes will also support public understanding and confidence in the local electoral system.

This discussion document asks you about six differences between the two current processes. We want to know whether you think anything needs to be done about them – and if so, what.

Please take the time to understand this kaupapa and share your views. Your feedback will be considered when the Government prepares another Māori wards amendment Bill for Parliament's consideration in 2022.

A handwritten signature in black ink, which appears to be 'N. Mahuta'.

Hon Nanaia Mahuta  
Minister of Local Government



## Introduction

### Māori wards and general wards ensure fair and effective representation of communities

It's important that local government elected members reflect the communities that live in their cities, districts and regions. Many councils use ward structures at their elections to ensure that representatives from different communities can be elected.

The Local Electoral Act 2001 provides councils with two different types of wards. These are commonly known as “Māori wards” and “general wards”.

### Councils consider Māori wards and general wards under separate processes

Councils are required to make decisions about Māori wards and general wards in two different ways, depending on what type of ward they are considering. Having two different processes has caused confusion and has been identified as a barrier for improving Māori representation in local government.

**This document outlines the 6 key differences between the two processes under the following headings:**

1. Any requirement for councils to consider ward systems,
2. Timing of decisions,
3. Opportunities for public input,
4. Decision-making rights and role for Local Government Commission,
5. Discontinuance process and period in force, and
6. Types of polls.

### The Government is bringing the two processes closer together

In 2020 the Government began a two-stage process to align these processes more closely together.

The first stage of the changes was completed on 1 March 2021 with the enactment of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021. These changes were to:

- Remove all mechanisms from the Local Electoral Act 2001 for binding polls to be held on the establishment of Māori wards, and
- Provide councils with a fresh opportunity to make decisions on Māori wards in time for the 2022 local elections.

The second stage of changes is intended to provide an enduring process for councils to consider setting up Māori wards, by bringing even closer together the Māori wards process and general wards process.





## Purpose of this consultation

This document outlines the different issues the Government needs to consider when deciding how to bring together the Māori wards process and general wards process.

We want to know whether you think these issues should be addressed, and if so how. Your feedback will help to determine how the law is improved.

This consultation is not about whether councils should have Māori wards, whether there should be binding polls on Māori wards, or whether there are other ways to improve Māori participation in local government. The Government has already agreed that establishing a Māori ward is a decision for councils to make. The Government now wants to improve how these decisions are made.

## More information

### Legislation

The Local Electoral Act 2001 is the primary legislation which sets the rules for councils to consider ward systems. You can read the Act in detail at [www.legislation.govt.nz/act/public/2001/0035/latest/DLM93301.html](http://www.legislation.govt.nz/act/public/2001/0035/latest/DLM93301.html).

- Section 19Z provides that a council may resolve to “divide the district into 1 or more Māori wards.” This is commonly interpreted as establishing Māori wards. Decisions made under section 19Z are often described as the “initial decision” on Māori wards.
- Sections 19A–19Y set out the process councils must follow when creating general wards and for implementing Māori wards (if agreed under section 19Z). This process is called a representation review.
- Schedule 1A requires a council that has made an initial decision to establish Māori wards to then undertake a representation review.

### Regulatory impact assessment

The Department of Internal Affairs has produced a regulatory impact assessment, which provides a more detailed analysis of the possible options the Government could consider. You can download a copy from the Department’s website at [www.dia.govt.nz/maori-wards](http://www.dia.govt.nz/maori-wards).



## Key terms

Term	Definition
<b>Councils</b>	This term encompasses all local government authorities including district and city councils (also known as territorial authorities) and regional councils.
<b>Wards and constituencies</b>	<p>These terms are the names for local government electoral divisions. The equivalent at Parliament is an “electorate”.</p> <p>District and city councils have “wards”. Regional councils have “constituencies”.</p> <p>In common usage (and in this paper), the term “wards” can refer both to wards and constituencies.</p>
<b>Māori ward or Māori constituency</b>	A Māori ward is a local government electoral division that provides representation for people on the Māori electoral roll.
<b>General ward or general constituency</b>	<p>A general ward is a local government electoral division that provides representation for people on the general electoral roll. If a council has no Māori wards, then general wards also represent people on the Māori electoral roll.</p> <p>In legislation, general wards are only called “general” if it is necessary to contrast them to Māori wards.</p>
<b>Representation review</b>	<p>This term is the process for councils to decide how their communities are represented. Each council must complete a representation review at least every 6 years.</p> <p>Decisions made in a representation review include:</p> <ul style="list-style-type: none"> <li>• The total number of councillors</li> <li>• The names and boundaries of any general wards</li> <li>• If Māori wards were previously agreed, the names and boundaries of any Māori wards</li> <li>• Whether there will be any community boards, and if so the number of members, name and boundaries of each board</li> </ul> <p>Councils must consult with the public on their initial representation proposal and, after hearing feedback, decide their final representation proposal.</p>



Term	Definition
<b>Māori Electoral Population (MEP)</b>	<p>The MEP is a number that reflects how many people are on the Māori electoral roll and how many people of Māori descent who are not enrolled to vote yet but are likely to be on the Māori electoral roll in future (for example, those aged under 18).</p> <p>Each council has its own MEP calculated by Statistics New Zealand.</p> <p>The MEP is used to calculate the number of Māori ward councillor positions available.</p> <p>In contrast, the General Electoral Population (GEP) reflects all other electors. Each council also has its own GEP.</p>
<b>Polls and referendums</b>	<p>These terms describe when a council asks all members of its community to vote on a proposal. Polls and referendums can be binding (the community makes the final decision) or non-binding (the council makes the final decision, guided by community views).</p>
<b>Local Government Commission</b>	<p>This is an independent panel of members appointed by the Minister of Local Government. One member must have a knowledge of tikanga Māori. The role of the Local Government Commission is to hear and decide appeals and objections to councils' representation reviews. It must ensure that representation is fair and effective.</p>

## The current law – Separate processes for Māori and general wards

### General wards process

General wards provide local government representation for electors on the general electoral roll. They might represent specific urban or rural communities within the district, city or region. If a council doesn't have Māori wards, then general wards represent everyone no matter which role they are on.

Councils consider general wards in a "representation review." They must conduct a representation review at least every 6 years between 1 March and 20 November in the year before the local government elections.

Representation reviews are when councils decide:

- how many councillors will be elected,
- whether any councillors will be elected "at-large" (by everyone),
- whether any councillors will be elected in (general) wards,
- where the boundaries of these wards will be, and
- the names of these wards.

The representation review process is also when councils make decisions about whether there will be any community boards, and if so what the boundaries and names of any community boards will be.

Councils must consult with the public on their initial representation proposal and may amend this following consultation with their community. The initial representation proposal needs to be published by 31 August and the consultation period lasts for at least 1 month.

Councils must consider feedback, then release a final representation proposal within 6 weeks of the consultation period closing, or by 20 November.

Appeals or objections on the final representation proposal can be made by:

- People who submitted on the initial representation proposal, if they feel that matters from their submission were not considered in the final representation proposal, and
- Anyone, if the final representation proposal is different to the initial representation proposal.

The Local Government Commission (an independent panel) determines the outcome of any appeals or objections to the final representation proposal. In addition, the final representation proposal must be referred to the Local Government Commission if the per-councillor population of any ward varies by more than 10% from the average per-councillor population of the whole district, city or region.

The Local Government Commission's decision must be made before 11 April of the following year.



## Māori wards process

Māori wards provide local government representation for electors on the Māori electoral roll. They are similar to the Māori parliamentary electorates. Local government has a responsibility to consider the role of Māori in decision-making. Providing for dedicated representation for Māori through Māori wards is one way to do this.

Councils consider Māori wards in two stages.

First, an initial decision is made by 23 November two years before the local government elections. (As a one-off change for the 2022 local elections, this was extended to 21 May 2021.) There is no requirement to consult with the public on this decision. The council's decision is final and it cannot be appealed to the Local Government Commission.

If a council agrees to have Māori wards at the next election, it must have at least one Māori ward and at least one general ward. The council must conduct a representation review to determine detailed representation arrangements, including:

- how many councillors will be elected,
- whether any councillors will be elected “at-large” (by everyone),
- how many general wards there will be, and the names and boundaries of these,
- how many Māori wards there will be, and the names and boundaries of these, and
- decisions about community boards

The number of councillor positions for Māori wards and general wards is calculated proportionally to the council's Māori electoral population (MEP) and general electoral population (GEP), and also depends on how many councillors will be elected.

A representation review with Māori wards follows the same process as a representation review with only general wards, including:

- Public consultation on the council's initial representation proposal,
- Appeals and objections on the council's final representation proposal, and
- Final decisions made by the Local Government Commission, where necessary.

The decision to have (or not have) Māori wards cannot be changed by the Local Government Commission.

The image on the next page shows the timeline for councils to make decisions about representation.



	General wards	Māori wards
<b>Year after last election</b>		
By 23 November		Initial decision on Māori wards Will there be Māori wards?
<b>Year before next election</b>		
Between 1 March and 31 August	Initial representation proposal released, start of public consultation All general representation decisions	Initial representation proposal released, start of public consultation How will Māori wards be implemented?
6 weeks after consultation closes / by 20 November	Final representation proposal released, taking into account public feedback	Final representation proposal released, taking into account public feedback
4 weeks after final proposal / by 20 December	Last day for appeals or objections on the final representation proposal.	Last day for appeals or objections on the final representation proposal.  No appeals possible on initial decision on Māori wards.
<b>Election year</b>		
By 11 April	Local Government Commission considers any appeals/objections and makes a determination. Can override any council decisions on basis of appeals/objections.	Local Government Commission considers any appeals/objections and makes a determination. Can amend boundaries but not override initial decision on Māori wards.



## Opportunity for change – Bringing the processes closer together

We're seeking your views on how the processes for Māori wards and general wards can be brought closer together.

Bringing the two processes more closely together would most likely make the establishment of Māori wards easier to understand and easier for councils to consider and implement. There would likely be improved community consultation on decisions but less flexibility for councils.

Alternatively, maintaining separate processes would most likely require new decisions to be made about how these processes are sequenced. Councils would have a high degree of flexibility about how they consult and make decisions, but having two separate systems could be confusing and some people could feel like they've been left out of consultation procedures.

There are 6 key differences between the two processes. Read more about these differences below and let us know what you think using the feedback form provided or by visiting the Department of Internal Affairs website [www.dia.govt.nz/maori-wards](http://www.dia.govt.nz/maori-wards).

## Issue 1 – Requirement to consider

Regular reviews of representation help to ensure that representation arrangements reflect current and future communities.

Councils are required to consider general representation arrangements at least every six years as part of their representation reviews. The six-year review period is designed to balance letting people get used to any changes and ensuring that representation arrangements are regularly updated to reflect changes in the city, district or region.

Councils can optionally consider Māori representation at any time. However, some councils are not able to consider Māori wards easily because the number of Māori ward councillor positions available for them might be 0 unless they increase the number of total councillor positions (this would reflect a low Māori Electoral Population or a low total number of councillors in that city, district or region).

**Opportunity:** Councils could be required to regularly consider Māori wards. The appropriate timeframe would need to be determined. A regular review period would ensure that no communities miss out on Māori wards being considered by their council. However, it might add additional bureaucracy for councils that are happy with their current arrangements or not able to easily create Māori wards.

### Questions for discussion

**A) Should councils be required to consider Māori wards?**

- Yes, every council (the same as general wards)
- Yes, but only councils that already have Māori wards
- Yes, but only councils that don't already have Māori wards
- No (the same as the current law)

**B) If yes, how often?**

- Every six years (the same as general wards)
- Another frequency (please state)

**C) Do you have any other comments about this issue?**





## Issue 2 – Timing of decisions

Māori wards decisions are made in two stages, while general wards decisions are made in one stage. The second stage of decisions about Māori wards is aligned to the general wards process already.

Before 2021, councils needed to make an initial decision about Māori wards before decisions about general wards. This was to allow time for citizens-initiated binding polls on Māori wards to be completed. Now that there are no more binding polls, there is a three-month gap between the last day for an initial decision on Māori wards (23 November) and the first day for an initial representation proposal (1 March).

Deciding whether there will be Māori representation before considering how any wards would be implemented gives certainty to the council and its communities of what will be considered in the representation review. This sequencing also means that councils can consider Māori wards in years when they would not be required to otherwise complete a representation review.

However, because the total number of councillors is not decided until after 1 March, the number of Māori ward councillor positions is usually not known when the council's initial decision on Māori representation is made by 23 November. This can cause uncertainty for the council and its communities.

**Opportunity:** The way that councils make decisions about Māori wards could change. Retaining a two-stage process would ensure that the initial Māori ward decision stays separate, may raise the profile of this decision, and may give clarity about the options available in the representation review. Alternatively, making all decisions about Māori wards and general wards at the same time in a single-stage process might be simpler for council administration and clearer for communities to understand.

### Questions for discussion

**A) Should Māori ward decision-making continue to take place in two stages?**

- Yes (the same as the current law)
- No – one stage (the same as general wards)

**B) How should the time between 23 November and 1 March be filled?**

- More time for councils to decide about Māori wards
- More time for councils to decide about general wards
- No changes (the same as the current law)

**C) Do you have any other comments about this issue?**



### Issue 3 – Opportunities for public input

Understanding community views can help to inform council decisions. Sometimes councils have the flexibility to decide how to engage with their community. At other times, councils are required to engage in a certain way and incorporate this feedback into final decisions.

For general wards, councils must publicise their initial representation proposal. Members of the public can submit their views on the proposal for at least 1 month. The council must consider these views when it decides its final representation proposal. The final representation proposal must be decided within 6 weeks of public consultation closing.

For Māori wards, the law doesn't require councils to engage with their communities in any particular way. Councils are required to have a Significance and Engagement Policy that sets out what types of decisions require public engagement and how they will engage. This gives them the flexibility to choose the best engagement method on a case-by-case basis. Councils have used a variety of methods to engage with their communities on Māori wards, including:

- Iwi dialogue,
- Targeted consultation with people of Māori descent or on the Māori electoral roll, and
- Wider public consultation with the whole community.

**Opportunity:** Councils could be required to engage with their communities when considering Māori wards, the same as for general wards. There are different options for how councils could engage. Councils could be required to use a specific process, or devise their own. Requiring a specific process would make it clear what councils need to do and how the community can participate. However, some processes might not suit some councils and specific requirements may limit local innovation.

#### Questions for discussion

**A) Should councils be required to engage with their community when considering Māori wards?**

- Yes (the same as general wards)
- No, but they must have regard for iwi/hapū/whanau perspectives
- No (the same as the current law)

**B) If yes, what type of engagement is best?**

- Iwi/hapū dialogue
- Targeted consultation with people of Māori decent or on the Māori electoral roll
- Wider public consultation with the whole community
- Council to decide on a case-by-case basis

**C) If your council considered Māori wards in 2020 or 2021, what type of engagement approach was used and how effective do you think this was?**

**D) Do you have any other comments about this issue?**



## Issue 4 – Decision-making rights and role for Local Government Commission

Councils generally hold all decision-making rights for both Māori wards and general wards. This is because councils are elected to make decisions on behalf of their communities.

At the moment, if a council decides to create (or not create) Māori wards, this decision is final and cannot be appealed.

Members of the public may appeal or object to a council's final representation proposal on limited grounds (for example, if they don't think their submission during public consultation was fairly considered, or they don't like the changes made after public consultation). Members of the public cannot appeal or object to a council's final representation proposal on the grounds that they do not want the council to have Māori wards.

If there are appeals or objections to the final representation proposal, the Local Government Commission must decide what happens. The Local Government Commission has limited powers that can change how Māori wards are implemented, in the same way that it can change how general wards are implemented:

- The Local Government Commission can amend the total number of councillors to make representation more effective. This may change how many Māori ward councillor positions are available.
- The Local Government Commission can amend the names and boundaries of Māori wards where 2 or more Māori ward councillor positions are available.
- The Local Government Commission can require 2 or more Māori ward councillor positions to be elected from a single ward.

The Local Government Commission's decisions can be appealed to the High Court only if there are concerns the process was not followed correctly.

**Opportunity:** People could be allowed to appeal or object to a council's decision to create Māori wards. This could be the Local Government Commission or some other entity. If appeals or objections are allowed, this could provide for a "check and balance" on council decision-making. However, the power for making the final decision would shift away from the council and local community.

### Questions for discussion

#### A) What role should the Local Government Commission have in relation to Māori wards?

- People can appeal a council's decision to create / not to create Māori wards, and the Local Government Commission must decide
- No role and people cannot appeal a council's decision to create / not to create Māori wards (the same as the current law)
- No role but people can appeal a council's decision to create / not to create Māori wards to some other entity

#### B) If some other entity, then who should this be?

#### C) Do you have any other comments about this issue?



## Issue 5 – Discontinuance process and period in force

When representation arrangements change, it can be helpful for these to remain in place for more than one electoral cycle, so the community can get used to the changes over time. However, this means that there is limited ability to make further changes to representation arrangements in the short term even if these would be widely supported.

Representation arrangements might suit a community today, but in the future, the community's needs might change. Clear processes need to be place for representation arrangements to change so that they can reflect how communities evolve over time. Clear processes improve certainty for councils and communities by ensuring that everyone can understand how representation arrangements are decided.

Currently, if a council establishes Māori wards for the first time, the Māori wards will stay in place until the council decides otherwise. The first opportunity for the council to reconsider is two elections after the creation of Māori wards. However, councils have advised that the process to discontinue Māori wards, and return to combined general and Māori representation, is not sufficiently clear.

Councils' general ward representation arrangements stay in place for 2 elections, but councils may optionally change their general ward representation arrangements after every election. There is a clear process for changing between ward-based and at-large representation systems.

**Opportunity:** The Government could make it clearer about how councils change Māori representation arrangements. This would give everyone certainty about how future decisions can be made and enable representation arrangements to reflect future communities. The requirement that Māori wards stay in place for 2 elections could be relaxed so that councils can change their minds after each election. This would enable communities who disagree with the council's decision to advocate for change sooner, but changing the governance structure too often might cause confusion.

### Questions for discussion

**A) What should a council be required to do if it wishes to no longer have any Māori wards?**

- The council should be able to decide this on its own (the same as the current law)
- The council must consult with its community (the same as general wards)

**B) How long should council decisions to create Māori wards stay in place?**

- Until the council decides otherwise, but at least 2 elections (the same as the current law)
- Until the council decides otherwise, but at least 1 election and must be reviewed after 2 elections (the same as general wards)
- 1 election only
- 2 elections only

**C) Do you have any other comments about this issue?**



## Issue 6 – Types of polls

Polls can help to measure community support for a proposal and inform council decisions. However, simple “Yes” / “No” polls can prevent minority voices from being heard. Community engagement can provide for more detailed feedback.

Binding polls on Māori wards have previously been described as an “almost insurmountable barrier” to improving Māori representation at local government. The Government has already decided that there will be no more binding polls on Māori wards. Councils may initiate non-binding polls on Māori wards, just like they can on any other topic relevant to local government.

Binding and non-binding polls can be held on general wards. This means that there is an inconsistency in which types of polls can be held for each type of ward. However, no council has ever held a binding poll on general wards and this ability could be removed to create consistency.

**Opportunity:** The inconsistency about which types of polls can be held for each type of ward could be fixed by removing the ability of councils to hold binding polls on general wards.

### Questions for discussion

**A) Should councils retain the ability to initiate binding polls on general wards?**

- Yes (the same as the current law)
- No (the same as Māori wards)

**B) Do you have any other comments about this issue?**

## Next steps

Your feedback on each issue will determine how the law is improved.

You can download a feedback form from the Department of Internal Affairs website at [www.dia.govt.nz/maori-wards](http://www.dia.govt.nz/maori-wards). You can also email your feedback to [localelections@dia.govt.nz](mailto:localelections@dia.govt.nz).

If you share your email address with us, we can send you updates about the outcome of the consultation including about any future law changes.

If any law changes are to be progressed, it is expected that these will need to be in place by the end of 2022 (in time for the new term of local government).





**Te Tari Taiwhenua**  
**Internal Affairs**



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**Te Kāwanatanga o Aotearoa**  
**New Zealand Government**

## Ordinary Meeting Public Excluded

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Ordinary Meeting on Tuesday 10 August 2021 for the following reason/s:

### Item 10 – Public Excluded Ordinary Minutes – 29 June 2021

*THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

### Item 11 - Public Excluded Consents and Regulatory Committee Minutes – 20 July 2021

*THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

### Item 12 - Public Excluded Executive, Audit and Risk Minutes – 2 August 2021

*THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*