

MEETING — AGENDA —

Ngā Take

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Western Bay of Plenty
District Council

COUNCIL

Te Kaunihera



C17
Tuesday, 10 July 2018
Council Chambers
Barkes Corner, Tauranga
1.30pm

Notice of Meeting No C17 Te Karere

Council Te Kaunihera

Tuesday, 10 July 2018
Council Chambers
Barkes Corner
1.30pm

His Worship the Mayor
Deputy Mayor

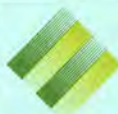
G J Webber (Chairperson)
M Williams

Councillors:

G Dally
M Dean
M Lally
P Mackay
K Marsh
D Marshall
M Murray-Benge
J Palmer
J Scrimgeour
D Thwaites

Media
Staff

Miriam Taris
Chief Executive Officer
Western Bay of Plenty District Council



Western Bay of Plenty
District Council

Te Kaunihera a rohe mai i nga Kuri-a-Whare ki Otamarakau ki te Uru

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Council Delegations Mangai o Te Kaunihera

Quorum:

The quorum for this meeting is six members.

Role:

- To exercise all powers and functions to deal with statutory and procedural matters, to carry out civic duties and responsibilities, and to exercise all non-delegated functions.
- To delegate authorities as appropriate to Council committees and the Chief Executive Officer.
- To delegate any authorities which may be additional to the roles required under the Local Government Act 2002 to Community Boards, and to appoint Councillors to Community Boards.
- To establish Joint Committees of Council, and appoint elected members and/or others to these committees.
- To make all financial decisions not otherwise delegated or included in Council's Long Term Plan and/or Annual Plan.
- To maintain, monitor and direct an overview of Council's finances including but not limited to:
 - The financial progress of major capital works projects including those considered in the Long Term Plan and Annual Plan processes.
 - Implementation of Council's risk management.
 - Approval of new debt and/or new facilities.
 - Receiving exception reports on Council's financial performance at least quarterly.
 - Undertaking all financial monitoring of performance against the Long Term Plan and Annual Plan.
 - Ensuring treasury management within the limitations of the Treasury Policy as set by the Long Term Plan.
 - Allowing for variations from Council's key treasury policy ratios.
- To exercise all non-delegated functions being:
 - (a) The power to make a rate
 - (b) The power to make a bylaw
 - (c) The power to borrow money, purchase, or dispose of assets, other than in accordance with the Long Term Plan
 - (d) The power to adopt a long term plan, annual plan, or annual report
 - (e) The power to appoint a chief executive
 - (f) 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
 - (g) The power to adopt a remuneration and employment policy
 - (h) The power to enter into contracts otherwise than in accordance with the provisions of Section 4 of the Public Bodies Contracts Act 1959
 - (i) The power to initiate any proceedings in the High Court that are not injunctive proceedings
 - (j) The power to remove the Deputy Mayor subject to Schedule 7 (18) of the Local Government Act 2002

- (k) The power to discharge or reconstitute any committee established by the Mayor subject to Schedule 7 (30) of the Local Government Act 2002
- (l) Powers as conferred by the Minister of Conservation under the Reserves Act 1977

Procedural Matters:

- Confirmation of all Standing Committee minutes excluding the District Plan Committee, Regulatory Hearings Committee and District Licensing Committee minutes
- Receipt for information all Community Board minutes
- Receipt for information all District Plan Committee, Regulatory Hearings Committee minutes and District Licensing Committee minutes
- Adoption and amendment of Standing Orders.
- Establishment of and delegations to Joint Committees, Sub Committees and any other governance body that the Council deems necessary.
- Purchase, sell and dispose of Council property other than delegated in accordance with all of the following:
 - the Long Term Plan
 - the Significance Policy
 - Council's Asset Management Plans
 - Council's Reserve Management Plans
 - Committee or appropriate delegations
- Councillor and Council appointments to other organisations.
- Approval of elected member training/conference attendance.

Any other procedural matters as required under the Local Government Act 2002 or any other Act.

Mayor's Delegation:

Should there be insufficient time for Council to consider approval of elected member training/conference attendance that this be delegated to the Mayor/Deputy Mayor with a report back to Council at the next scheduled meeting.

Should there be insufficient time for Council to consider approval of a final submission to an external body that the signing off of the submission on behalf of Council be delegated to the Mayor/Deputy Mayor provided that the final submission be reported to Council or the relevant Committee at the next available meeting.

Mayor and Councillors' Delegations:

Pursuant to Clause 32(1) of Schedule 7 of the Local Government Act 2002, to each of the Mayor and Councillors, whether individually or collectively, the power to listen to and receive the presentation of views by people pursuant to Section 83(1)(d) of the Local Government Act 2002 in relation to any processes Council undertakes to consult on under the Special Consultative Procedure as required by the Local Government Act 2002 or any other Act.

Agenda for Meeting No. C17

Pages

**Present
In Attendance
Apologies**

Public Forum

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address Council for up to three minutes on items that fall within the delegations of Council provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Mayor by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Mayor has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

C17.1

Initial Proposal - 2018 Representation Review

6-11

Attached is a report from the Customer Relationships Manager dated 29 June 2018.

Western Bay of Plenty District Council

Council

Initial Proposal – 2018 Representation Review

Purpose

To consider and adopt for consultation purposes an initial proposal for representation arrangements for the Western Bay of Plenty District Council in accordance with the review requirements of the Local Electoral Act 2001.

Recommendation

- 1. THAT the Customer Relationships Manager's report dated 29 June 2018 and titled Initial Proposal – 2018 Representation Review 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 resolves to adopt, as its initial proposal for the review of representation arrangements for the 2019 and 2022 triennial elections, the following:**
 - (a) the Western Bay of Plenty District Council to comprise 11 councillors elected under the ward system, plus the mayor elected at large;**
 - (b) the Western Bay of Plenty District Council be divided into three wards, these being:**
 - (i) Katikati-Waihi Beach Ward (three councillors) being the existing ward comprising the area delineated on LGC Plan 022-2013-W-2 deposited with the Local Government Commission with the addition of a small north-western portion of the current Kaimai Ward (westward of the Waipapa River), the boundaries of which are shown on Attachment 1;**
 - (ii) Kaimai Ward (four councillors) being the existing ward comprising the area delineated on LGC Plan 022-2013-W-3 deposited with the Local Government Commission with the exclusion of a small north-western portion (westward of the Waipapa River), the boundaries of which are shown on**

Attachment 1;

- (iii) Maketu–Te Puke Ward (four councillors) being the existing ward comprising the area delineated on LGC Plan 022-2013-W-4 deposited with the Local Government Commission, the boundaries of which are shown on Attachment 1;**
- (c) the five existing community boards of Waihi Beach, Katikati, Omokoroa, Te Puke and Maketu be disestablished and replaced with three ward committees of Council, with membership being the relevant ward councillors and appointed community representatives from identified communities of interest within the relevant ward areas;**
- (d) the reason the total number of councillors is proposed to remain at 11 (plus the mayor) is to provide effective representation to Western Bay of Plenty District residents and ratepayers (ensuring accessibility to a large and diverse area made up of populated towns and villages and sparsely populated areas);**
- (e) the reason for the minor ward boundary alteration is to better reflect identified communities of interest;**
- (f) the reason for disestablishing the existing community boards and replacing these with ward committees is that Council can better achieve fair and effective representation of all of the communities of interest across the District (as opposed to the current representation where 58% of the population reside in current community board boundaries);**
- (g) the above initial proposal be submitted for formal public consultation, including inviting submissions, in the period 24 July 2018 to 24 August 2018.**



Barbara Whitton
Customer Relationships Manager

Approved



Erica Holtsbaum
**Group Manager Technology, Customer
 and Community Services**

1. Background

Council is required by the Local Electoral Act 2001 to review its representation arrangements every six years. The review considers the basis of election (at large, by ward or partly by ward and partly at large), number and nature of community boards, ward boundaries, councillor numbers, electoral voting system and Māori wards.

In undertaking its representation review Council has considered a wide range of options and to date has resolved to retain the 'first past the post' electoral voting system and, as the result of a binding poll required by electors, not to establish Māori wards.

Council has also undertaken informal consultation with the community to gain community views on where western bay residents and ratepayers identified their own communities of interest and how they viewed the current representation model in terms of this identification and meeting their needs for fair representation.

From this work Council identified that the current five community board model no longer reflected the different communities which had changed since the Boards' establishment in 1989, through growth and development in different areas across the district.

To address the changing face of the district and to achieve a fairer representation model Council has formulated initial representation arrangements which propose:

- That the number of wards across the District remain at the current three wards of Katikati-Waihi Beach, Kaimai and Maketu-Te Puke with one minor boundary adjustment between the Katikati Waihi Beach and Kaimai wards. This adjustment is proposed to better reflect the links of the affected community to Katikati.
- That the Councillor numbers remain at 11 to achieve fair and effective representation within a three ward model as required by the Local Electoral Act 2001.
- That the current five community boards be disestablished and replaced post election with three Ward Committees with appointed community representation from identified communities of interest within the relevant wards.

2. Significance and Engagement

The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions 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.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

In terms of the Significance and Engagement Policy this decision is considered to be of high significance because it affects the representation options of all electors across the district.

3. Engagement, Consultation and Communication

The following is an outline of the engagement process which will be used in consulting with the community on this proposal:

Online options using Council's website and social media

Have Your Say Western Bay
 Connect People's Panel
 e-News
 Facebook
 Media release
 Neighbourly
 Website
 Direct mail to known Emails/Databases

Hardcopy

Initial Proposal documents and feedback forms available at:

- Barkes Corner
- Katikati Library
- Omokoroa Library
- Te Puke Library
- Waihi Beach Library
- District Update newsletter
- Local and community newsletters
- Local newspapers

Face to Face Meetings

Targeted community events:

- Information only, no presentations
- Drop in over a 2-hour period (weekdays and weekends)
- Where possible, link to events that're already happening (Katikati markets and Oropi social get together) – Kaimai, Katikati, Maketu, Omokoroa, Oropi, Paengaroa, Te Puke, Te Puna, Waihi Beach

Community groups:

Groups have opportunities to meet with staff to find out more information if they wish to during the Special Consultative Process phase

Hearings:

Scheduled for Monday 3 September for those submitters that wish to speak to their submissions.

The Representation Review Consultation Document will be circulated separately when available.

4. Issues and Options Assessment



Boundary adjustments and disestablishment of Community Boards to be replaced with Ward Committees	
Assessment of option for advantages and disadvantages taking a sustainable approach	<p>The ward boundary adjustments better reflect the relationships of the communities of interest as identified by pre-consultation with the community and Councillors review.</p> <p>The establishment of Ward Committees consisting of Ward Councillors and community appointees will better enable fair representation of all the residents in the District.</p>
Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses	<p>Reduction of direct Community Board operational costs. Future costs for the servicing of the three ward committees yet to be established, including the impact on democracy support.</p> <p>The disestablishment of community boards may require a process to be undertaken to re-describe the areas of benefit that were previously linked Community Board areas.</p>

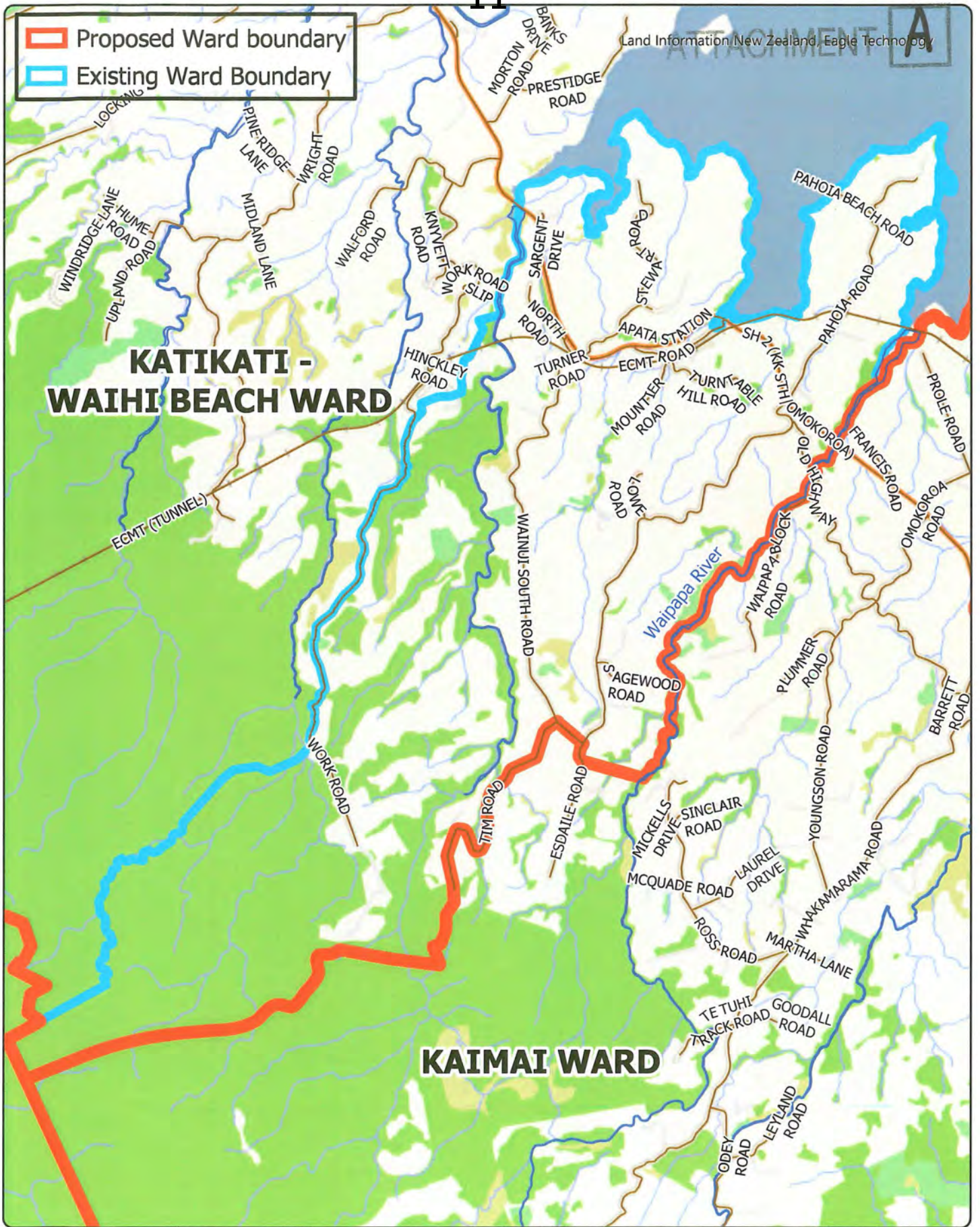
5. Statutory Compliance

The Initial Proposal meets the requirements of the Local Electoral Act 2001.

6. Funding/Budget Implications

Budget Funding Information	Relevant Detail
\$117,899 (Combined community board Chair and member salaries)	The total operational budget cannot be compared to a ward community committee model until final delegations are confirmed. The total remuneration is therefore the only identified saving at this point.

 Proposed Ward boundary
 Existing Ward Boundary



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Email: gis@westernbay.govt.nz
 Date: 7/2/2018
 Operator: mlb
 Map: E:\Shape\MLB\2018\Projects\Proposed Ward Boundary Change - Area involved in

Scale A4 - 1:60,000
 0 0.5 1 2 Kilometers



Western Bay of Plenty District Council
 Proposed Ward Boundary Change
 Area involved in change

