

# MEETING — AGENDA —

*Ngā Take*

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Western Bay of Plenty  
District Council

## COUNCIL

*Te Kaunihera*

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**C19**  
**Monday, 3 September 2018**  
**Council Chambers**  
**Barkes Corner, Tauranga**  
**9.30am**  
**and**  
**Thursday, 20 September 2018**  
**Council Chambers**  
**Barkes Corner, Tauranga**  
**On completion of meeting C20**



# Notice of Meeting No C19 Te Karere

## Council Te Kaunihera

**Monday, 3 September 2018**  
**Council Chambers**  
**Barkes Corner**  
**9.30am**  
**and**

**Thursday, 20 September 2018**  
**Council Chambers**  
**Barkes Corner**  
**On completion of meeting C20**

His Worship the Mayor  
Deputy Mayor

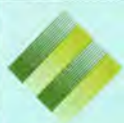
G J Webber (Chairperson)  
M Williams

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*

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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. C19

Pages

**Present  
In Attendance  
Apologies**

**Monday, 3 September 2018**

**Hearing: Initial Proposal for the Representation Review 2019-2022**

C19.1            **Introduction to the Initial Proposal for the Representation Review 2019-2022**            7-22

A copy of the Initial Proposal for the Representation Review, as notified is attached.

The Group Manager Technology, Community and Customer Services will provide an overview.

C19.2            **Hearing of Submissions to the Initial Proposal for the Representation Review 2019-2022**

A Schedule of Submitters to be heard will be circulated separately when available.

An indexed and full copy of written submissions and a summary of submissions received to the Initial Proposal for the Representation Review 2019-2022 will also be circulated separately from this agenda when available.

C19.3            **Receiving Submissions to the Initial Proposal for the Representation Review 2019-2022**

Following the hearing of all submissions to the Initial Proposal for the Representation Review 2019-2022 the Council to consider the following recommendation:

**Recommendation**

*THAT all written and verbal submissions to the Initial Proposal for the Representation Review 2019-2022 be received and submitters thanked for their submissions.*

**Thursday, 20 September 2018**

**Deliberations and Decisions**

C19.4            **Initial Proposal for the Representation Review 2019-2022**

Issues and Options papers and draft responses to comments will be circulated after all submissions are heard.



Initial Proposal



Western Bay of Plenty  
District Council

# Representation Review

*Is there a better way?*

For the 2019 and 2022  
Western Bay of Plenty District Council elections

Consultation booklet

[www.westernbay.govt.nz](http://www.westernbay.govt.nz)

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# Introduction

Under the Local Electoral Act 2001 (the Act) councils must review their electoral arrangements at least once every six years. Western Bay of Plenty District Council last reviewed its arrangements in 2012 for the 2013 and 2016 elections.

# Contents

- 2 Where are we at with the representation review?
- 4 Your feedback helped us develop this initial proposal
- 5 Guiding principles
- 6 How to have your say
- 7 The proposal
- 8 Why we think there's a better way
- 11 Maps
- 13 Submission form

## Where are we at with the representation review?

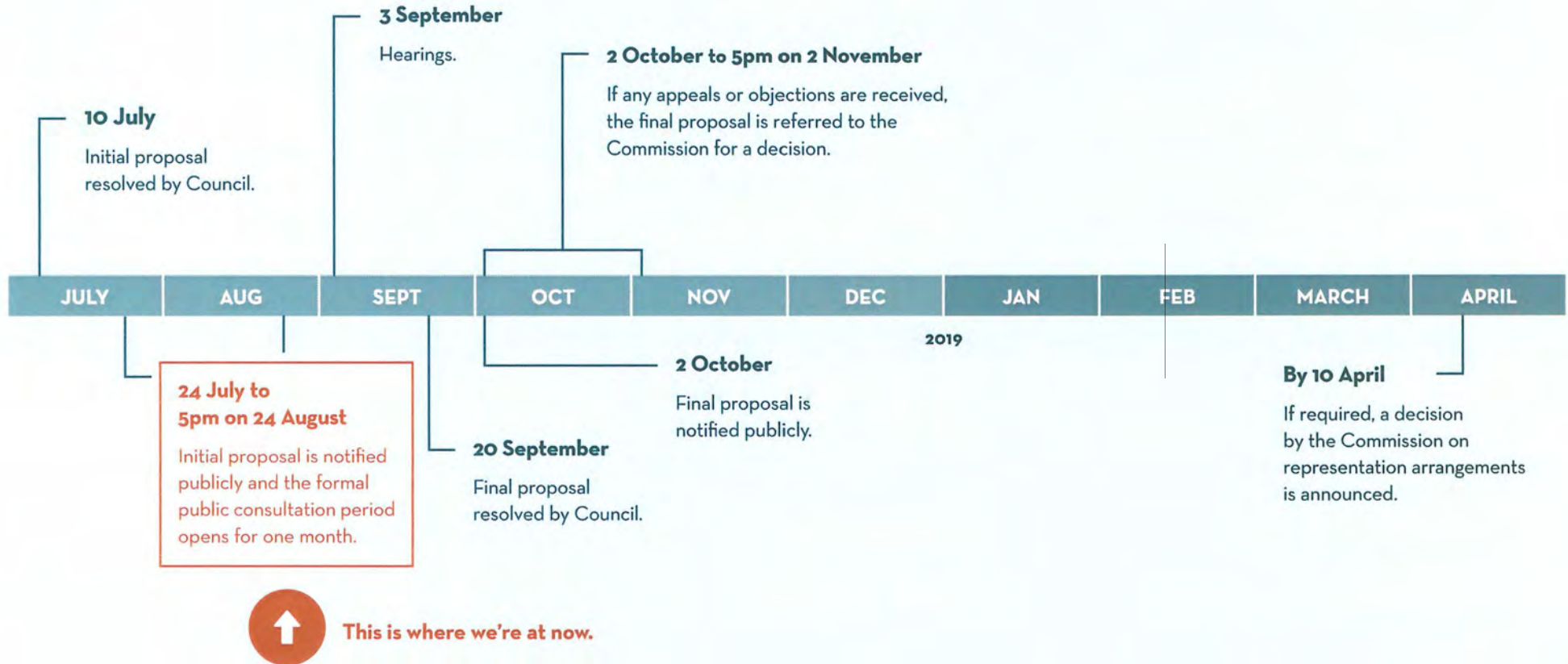
<b>Electoral system</b> <i>Where Council considers the electoral (voting) system to be used.</i>	Council passed a resolution in August 2017 to remain with the First Past the Post (FPP) electoral system.	COMPLETED
<b>Māori representation</b> <i>Where Council considers whether or not to establish Māori wards.</i>	Council passed a resolution in November 2017 to establish Māori Wards. However, as more than five percent of electors (voters) demanded a poll to decide the final outcome, a poll was held in May 2018. The result of the poll is that Māori wards will not be established for the Western Bay for at least the 2019 and 2022 elections.	COMPLETED
<b>Representation arrangements</b> <i>Where Council considers how our communities of interest are best represented.</i>	Council undertook informal public engagement during March-April 2018 asking people to identify their 'communities of interest' and comment on our current representation arrangements. A community of interest is a group of people who express a common geographical, economic, social, historical or other bond. We considered all the feedback received and used this to help form an initial representation proposal which is now out for formal public consultation. The consultation period will be followed by public hearings, the development of the final proposal and, if necessary, a final decision from the Local Government Commission (Commission) by 10 April 2019.	UNDERWAY



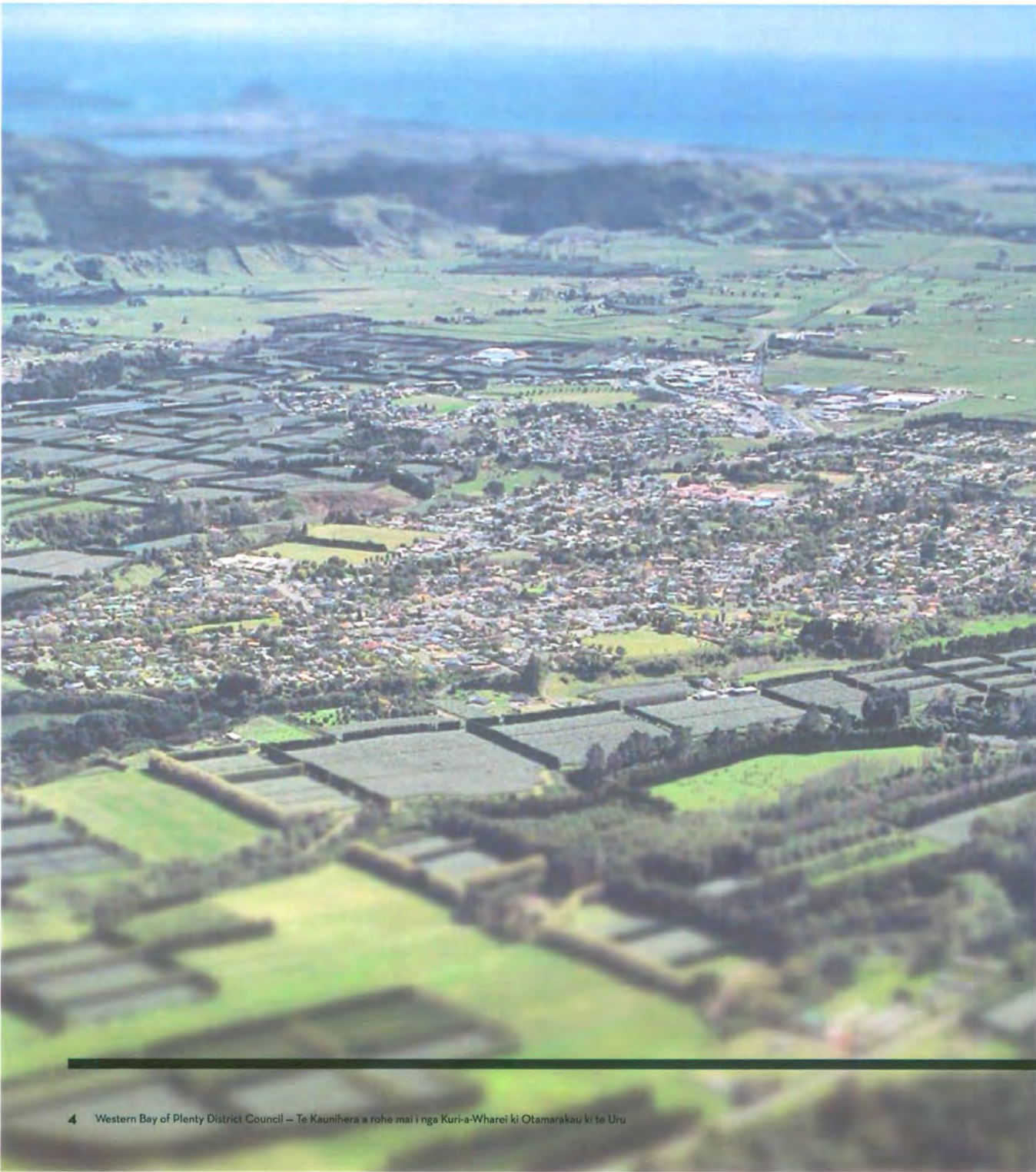


# Representation Review Timetable

(As prescribed by the Local Electoral Act 2001)



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## Your feedback helped Council to develop the initial proposal

Earlier this year Council undertook an engagement process that included community drop-in sessions throughout the District. There were three main areas we wanted feedback on: communities of interest; councillor representation; and community board representation.

Feedback was received through an online form and a hardcopy version posted out to ratepayers. Information about the engagement was made available on Council's 'Have Your Say Western Bay' site and communicated through various channels such as the Council website, e-News, District Update newsletter, Connect People's Panel update, Facebook and local newspapers.

This engagement process, where nearly 1000 pieces of feedback were received, helped Council develop guiding principles that have been used to form this proposal.



# Guiding principles

In reviewing representation arrangements, councils must take into account three key things:



What are our communities of interest?



What is the most effective representation of our communities of interest (total number of councillors, number of wards and community boards or committees, etc.)



Ensure fair representation of communities of interest (each councillor represents about the same number of people, within plus or minus 10 percent).

These three things are underpinned by a set of guiding principles under the Act. In addition to what's required by law, Council established the following principles to guide the development of the initial proposal for the representation review.

## The principles are that the proposal should:



Cover the entire District



Encourage community leadership



Support strong community relationships



Enable community-informed decision making



Build community capacity and networks



Recognise that technology has changed the way we engage with communities.

Based on these guiding principles and the preferences expressed during the engagement process, Council has resolved this initial proposal for formal public consultation.








# The proposal

## Council No change



The decision was made for no change to the number of councillors and the number of wards:

- To retain 11 councillors elected from the existing three wards
- Plus the Mayor elected District-wide.

Ward	Councillors
Katikati-Waihi Beach	3 
Kaimai	4 
Maketu-Te Puke	4 

**Plus** the Mayor elected District-wide **1** 

## 1. Ward boundaries Minor boundary adjustment



The initial proposal for the 2019 and 2022 local elections is that Council retains the three wards of: Katikati-Waihi Beach; Kaimai; and Maketu-Te Puke. Council is, however, suggesting a minor boundary adjustment to allow communities of interest - identified by the community and Council - to be grouped in a way that better reflects the relationships between those communities and their wards.

The adjustment:

- Involves the boundary between the Katikati-Waihi Beach and Kaimai wards
- Would result in approximately 517 dwellings moving from the Kaimai ward into the Katikati-Waihi Beach ward
- Would mean that the people in the affected area would become part of the ward in which they share common links with educational, shopping, social and other needs.

For details of the boundary change please refer to attached maps on pages 11 and 12.

**What does this mean for you?**  
Have your say: Do you agree with the proposed minor ward boundary adjustment between the Katikati-Waihi Beach and Kaimai wards?

## 2. Local representation Change from community boards to community committees



During the last representation review, Council signalled its intention to review its community boards given the reduction in the number of wards from five to three at that time.

Council is now proposing:

- That our five elected community boards (Waihi Beach, Katikati, Omokoroa, Te Puke and Maketu) are replaced with three appointed community committees, aligned to the three ward boundaries. The three community committee structure will provide for local representation across the entire District and representatives will be drawn from communities of interest that have been identified through community feedback.
- The community committees for Katikati-Waihi Beach and Kaimai wards would include the changes outlined in the boundary adjustment outlined previously.

For details on the differences between community boards and community committees please refer to the information on pages 8, 9 and 10.

**What does this mean for you?**  
Have your say: Do you agree with the proposed local representation changing from community boards to community committees?



## Why we think there's a better way

Our District's communities have changed since 1989. The District has grown, particularly in recent times, and the rural/urban mix has altered, with better transport corridors driving an increase in 'lifestyle' properties. Our community boards' current representation by ward are:

- Katikati-Waihi Beach  
– 100 percent
- Kaimai (the largest ward)  
– 20 percent
- Maketu-Te Puke  
– 67 percent.

Through the current representation review process a number of councils are considering how their communities are represented at the local level. Nationally, previous representation reviews have resulted in a reducing number of community boards.

Western Bay citizens are more mobile and they move between communities while they 'live, work and play'. Many people now choose to live in one community and commute to work in another.

The way Council works has also changed over this time, with councillors and staff spending more time engaging and working directly in our communities. Relationships between communities and their local representatives are more direct than they were 30 years ago and are no longer restricted to formal local structures and processes.

Technology allows our citizens to engage directly with Council on issues that affect them, whether it is to report a concern, to submit through a consultation process or to just 'have your say' informally. Your feedback told us that many of you wish to use technology to have a more direct relationship with your councillors.

Our Council has strong relationships with our local communities, their leaders and networks and these relationships inform Council discussion and decision making both formally and informally. Your feedback on local representation told us that,

for many of you, your sense of community and local representation does not fit the current community board operating model.

Council believes that a change to local representation is necessary in order to be more relevant to all of our local communities, to be more flexible in representation to support changing community needs and to enable a broader membership from community leaders and their networks across the entire District.

### What are community committees?

A community committee is a committee of Council, but members are not elected under the Local Electoral Act. Candidates would be nominated from the community through an expression of interest-style process. Council would make the appointments to the committee to ensure wide community representation. Membership would also include the ward councillors. Community committees' roles and responsibilities would then be determined by Council.



Community committees, as they operate in other territorial authorities, have a range of purposes based on the type of committee, their Terms of Reference (TOR) and delegations. The three ward-based community committees would create opportunities for broader representation at a local level. They would allow residents and ratepayers to have a greater voice in determining the needs of their community and assist Council in its responsibilities to the community. The committees would have a key role to partner with community groups and citizens to act as a point of contact with Council.

Each community committee would have terms of reference that covers their:

- Membership - membership would include the ward councillors and appointed representatives from the community
- Tenure - flexible (e.g. one year or three years to align with election cycle)
- Delegations
- Meeting schedules
- Voting arrangements
- Work programme.

Each community committee's annual work programme would identify projects and priorities,

and be collaboratively developed by the committee and Council through Council's annual plan and long term plan processes. The work programme would be aligned to a community plan where one exists.

### **What are community boards?**

Community boards are elected to represent their communities and have delegated roles and responsibilities according to legislation and Council decisions. They carry out functions and exercise those powers delegated to them by Council such as advocating for the community board area to Long Term Plan and Annual Plan processes.

Our District currently has five elected community boards (Waihi Beach, Katikati, Omokoroa, Te Puke and Maketu) across our three wards. These were created in 1989 with the amalgamation of 850 local counties, boroughs, city councils and various local boards, into the 86 local authorities that exist today.

Each community board currently has four members elected under the Act and two ward councillors appointed by Council.





## Community boards vs community committees

The advantages and disadvantages between community boards and community committees

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### Current arrangement - five elected community boards (Waihi Beach, Katikati, Omokoroa, Te Puke and Maketu)

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#### Advantages

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- Current system
- Members are elected under the Local Electoral Act
- A legislative framework is in place where there are clear expectations and responsibilities under the Act
- Historically, there's reasonably good local support in areas represented by community boards
- Allows utilisation of knowledge and experience on localised issues in those areas represented by boards

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#### Disadvantages

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- The current representation by ward is:
  1. Katikati-Waihi Beach - 100 percent
  2. Kaimai (the largest ward) - 20 percent
  3. Maketu-Te Puke - 67 percent
- Rural residents and smaller communities are largely excluded
- Often challenges filling positions and requires by-elections
- Meeting cycles are bound by Council requirements
- Not all councillors are on a community board
- Community boards, community associations and ratepayers associations have tended to operate independently of each other
- Board communication and engagement processes have at times replicated Council initiatives
- Inconsistent performance across community boards
- No requirements for particular skill sets for those standing for community boards

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### Proposed change - three appointed ward based community committees (Katikati-Waihi Beach, Kaimai and Maketu-Te Puke)

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#### Advantages

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- Able to represent all residents and communities
- Flexible, agile and timely response to community challenges and opportunities
- No need for elections and by-elections, and the associated cost
- Less formal and more flexible meetings
- All ward councillors would be on a community committee
- Enable greater collaboration between ward councillors and community representatives and for councillors to take greater responsibility for their ward and District
- Better alignment to Council work plans and programmes such as Annual Plan, Long Term Plan cycles and based on Community Plans where these are available
- Allows utilisation of knowledge and experience on localised issues across all the communities of interest within each ward
- Allows for targeted recruitment of appropriate skill sets
- Can nominate and appoint members as required and set up sub-committees for special projects
- Greater potential to work collaboratively with, and utilise the skills and experience of, community groups and associations
- Opportunity to establish strong alignment with Council engagement methods - more direct, informal and inclusive

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#### Disadvantages

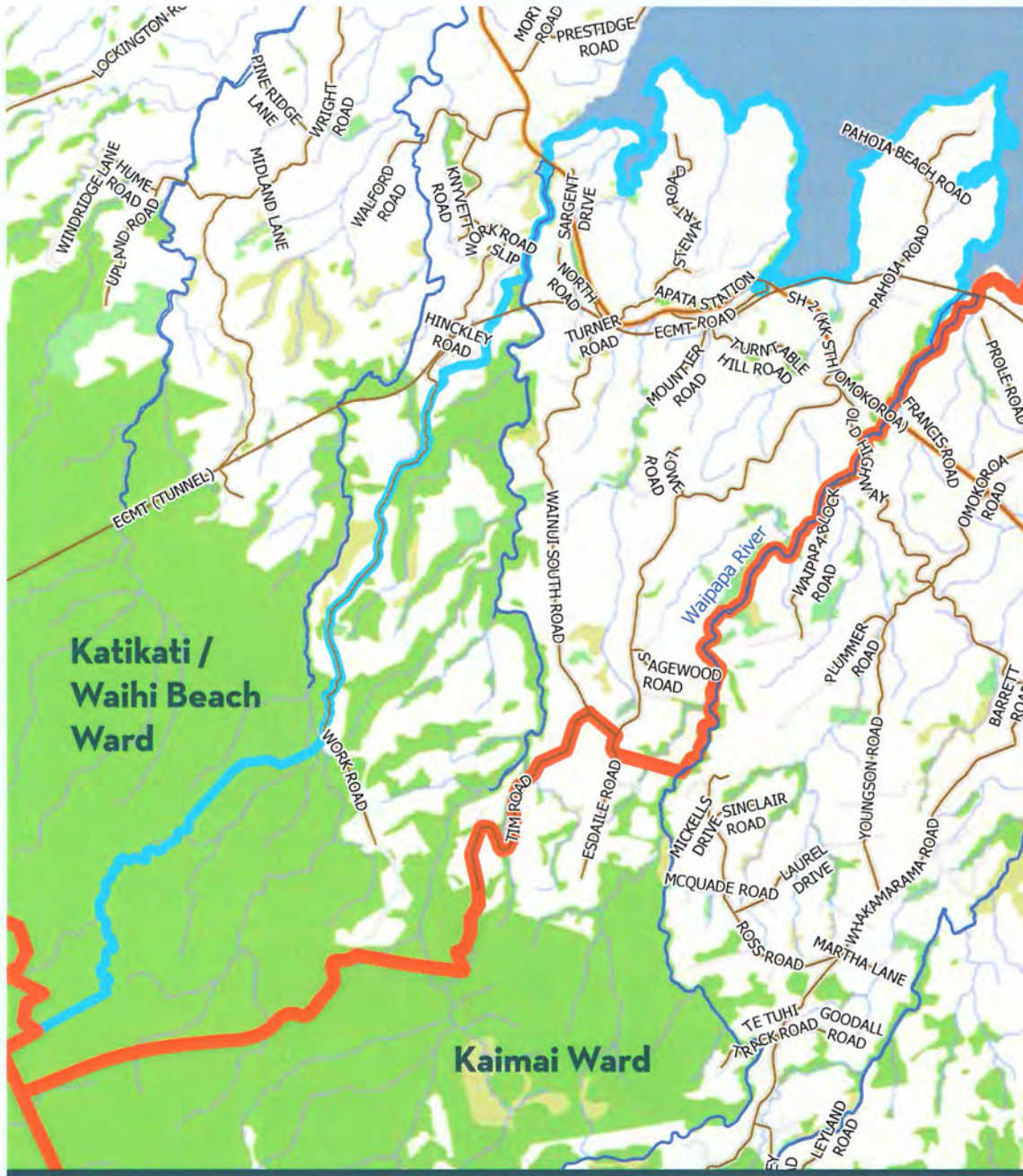
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- A new system so less familiar
- Councillors are the only elected members to community committees
- Appointed community members potentially only interested in their own 'backyard'
- Potential lack of interest from community leaders in participating once appointed as a community committee member
- Potential loss of current community board members' knowledge and experience
- Increase in workload for ward councillors



# Western Bay of Plenty District





# Proposed Ward Boundary Change Area

- Existing Ward Boundary
- Proposed Ward Boundary





## Representation Review

SUBMISSION NUMBER - Office use only

## Have your say on the Representation Review: Is there a better way?

Representation Review for the 2019 and 2022  
Western Bay of Plenty District Council elections

SUBMISSION FORM

We appreciate you taking the time to have your say on the Representation Review. Once you've submitted your feedback we will let you know we've received it. Visit [www.haveyoursay.westernbay.govt.nz](http://www.haveyoursay.westernbay.govt.nz) to make a submission online. Otherwise fill out this submission form and drop it off at one of our five offices.

**All written feedback must be received by 5pm Friday, 24 August 2018. \*Submitters must provide details**

*For photocopying purposes, please write clearly using a black pen.*

Name\*: Mr / Mrs / Ms / Miss / Dr

First name

Last name

Organisation (if applicable):

Email or postal address\*:

Signature\*:

Date\*:

### Privacy statement

All the information you provide in your submission form (including your name and contact details) will become public documents. If you wish for your contact details to be removed from public documents, please tick this box

### About this submission form

This form has two sections:

- Section 1 - Your submission details
- Section 2 - Questions about the proposed changes in the initial proposal.

### 1. Section 1 - Your submission details

Which Western Bay of Plenty District ward do you currently live in? \*

- Katikati-Waihi Beach
- Kaimai
- Maketu-Te Puke
- Don't know

\*Please name the community that you live in.

Community

\*Would you like to make an oral submission to Council as part of the hearings process on Monday 3 September?

- Yes
- No

If yes, please give your phone number so that a hearing time can be arranged.

Phone number

**Continued on the reverse of this form**

*Privacy Act 1993: This form and the details of your submission will be publicly available as part of the decision-making process.*









## All feedback must be received by 5pm Friday, 24 August 2018

Details inside on how you can comment  
or give your feedback on the issues raised.

If you require further information or have any questions  
please phone our Customer Relationship Team on **07 571 8008**,  
**0800 926 732** or visit your nearest library and service centre:

### **Council Head Office**

Barkes Corner, 1484 Cameron Road, Greerton  
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143  
P 07 571 8008 • E [customerservice@westernbay.govt.nz](mailto:customerservice@westernbay.govt.nz)

### **Katikati Library & Service Centre**

36 Main Road, Katikati • P 07 571 8008

### **Waihi Beach Library & Service Centre**

Waihi Beach Community Centre, Waihi Beach • P 0800 926 732

### **Omokoroa Library & Service Centre**

McDonnell Street, Omokoroa • P 07 571 8008

### **Te Puke Library & Service Centre**

130 Jellicoe Street, Te Puke • P 07 571 8008

*your*  
**DISTRICT**  
**—COUNCIL—**



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