

**I give notice that
an Ordinary Meeting of Council will be held on:**

Date:	Monday, 20 August 2018
Time:	10.30am
Location:	Council Chamber 107 Heuheu Street Taupō

AGENDA

MEMBERSHIP

Chairperson Mayor David Trewavas

Deputy Chairperson Cr Rosie Harvey

Members

- Cr John Boddy
- Cr Barry Hickling
- Cr Rosanne Jollands
- Cr Tangonui Kingi
- Cr Anna Park
- Cr Christine Rankin
- Cr Maggie Stewart
- Cr Kirsty Trueman
- Cr John Williamson

Quorum 6

Gareth Green
Chief Executive Officer

Order Of Business

- 1 **Apologies**
- 2 **Conflicts of Interest**
- 3 **Confirmation of Minutes**
Nil
- 4 **Policy and Decision Making**
 - 4.1 Representation Review - Hearings and Deliberations3
- 5 **Confidential Business**
Nil

4.1 REPRESENTATION REVIEW - HEARINGS AND DELIBERATIONS

Author: Tina Jakes, Head of Democracy, Governance and Venues

Authorised by: Gareth Green, Chief Executive Officer

PURPOSE

The purpose of this report is to continue to progress the Representation Review as required by the Local Electoral Act 2001 (the Act).

EXECUTIVE SUMMARY

The Local Electoral Act 2001 requires Council to complete an initial proposal for its representation arrangements review (review of members, wards, boundaries etc.) by 31 August 2018, effective for the 2019 triennial elections.

The current representation arrangements are 10 councillors (plus the Mayor) elected from three wards, with one community board (Turangi/Tongariro). The three wards and number of councillors per ward are Taupō-Kaingaroa (7), Turangi-Tongariro (2) and Mangakino-Pouakani (1).

Following consideration of preliminary informal consultation and consideration of six options, Council at its meeting on 29 May 2018 resolved to adopt, as its initial proposal, 11 councillors (plus the Mayor) elected from five wards, with one community board (Turangi-Tongariro). The five wards and number of councillors per ward being Taupō Town (7), Turangi Town (1), Mangakino-Pouakani (1), Kinloch-Oruanui (1) and Southeast Rural (1).

In addition, a South-Eastern community board was proposed with a total of 8 members comprising 3 elected from the Turangi Town Ward, 3 elected from the Southeast Rural Ward, plus 1 councillor representing Turangi Town Ward, and 1 councillor representing Southeast Rural Ward.

Following public notice of the initial proposal and a six week submission period, 28 public submissions were received. Five submitters will be in attendance to present their submissions on Monday, 20 August 2018.

RECOMMENDATION(S)

That Council:

1. Receives the submissions, including the late submission from Omori Kuratau Ratepayers Association.
2. Resolves, in accordance with the provisions of the Local Electoral Act 2001 and following its consideration of the public submissions received to its 2018 review of representation arrangements, to adopt/amend its initial proposal as its final proposal for the 2019 Taupō District Council triennial elections being:
3. Notes that its Final Representation Proposal does/not comply with section 19(V)(2) of the Local Electoral Act 2001 (delete if complies - The proposal must therefore be treated as an appeal under section 19(V)(5) of the Local Electoral Act 2001 and be referred to the Local Government Commission for its determination following the appeal/objection period).
4. Notes that the Final Representation Proposal will be publically notified on 7 September 2018 providing the opportunity for appeals and objections to be lodged in the period 7 September to 7 October 2018.

BACKGROUND

The Local Electoral Act 2001 (LEA) requires every local authority to undertake a review of their representation arrangements at least once every six years. As Council’s last review occurred in 2012, a review must be undertaken in 2018, effective for the 2019 triennial elections

The current representation arrangements are 10 councillors (plus the Mayor) elected from three wards, with one community board (Turangi/Tongariro) being

Ward	Councillors
Taupō-Kaingaroa	7
Turangi-Tongariro	2
Mangakino-Pouakani	1

In undertaking a representation review, the following key principles are required to be considered:

- communities of interest
- effective representation
- fair representation

These principles have been discussed at earlier Council meetings/workshops when considering the initial options.

Communities of interest

The Taupō district consists of many communities of interest, with three prominent ones identified as urban Taupō, Turangi and Mangakino.

Effective Representation

The current number of councillors representing the district is 10. The options considered prior to the formal public submission process included increasing the number to 11 or to remain at 10.

Fair Representation

The requirement that the average number of resident population to councillors cannot exceed +/- 10% must be taken into account when undertaking a representation arrangements review, although legislation does permit some leeway on this under certain circumstances.

These are:

- To provide effective representation of communities of interest within:
 - Island communities
 - Isolated communities
- Where compliance would limit effective representation of communities of interest by:
 - Dividing a community of interest
 - Grouping together communities of interest with few commonalities of interest.

The latest population estimates as at 30 June 2017 confirm that for 10 councillors, the current ward arrangements do not comply with the fair representation criteria:

Ward	Population estimate (at 30/6/17)	Elected Members	Population per councillor	Deviation from average population per councillor	% deviation from average population per councillor

Taupō-Kaingaroa	29,000	7	4,143	462	+12.55
Turangi-Tongariro	4,950	2	2,475	-1206	-32.76
Mangakino-Pouakani	2,860	1	2,860	-821	-22.30
District Total	36,810	10	3,681		

Community Boards

At each representation review, Council is required to consider whether community boards are appropriate to provide fair and effective representation for individuals and communities. If Council decides one or more communities need to be established, then the nature of a community and the structure of a community board needs to be determined. The division of a community board into electoral subdivisions may be appropriate when the community board area is made up of a number of distinct communities of interest and the formation of subdivisions will provide more effective representation of these communities of interest. Should a community board be subdivided, the fair representation requirement (+/- 10% rule) applies to subdivisions of communities, including the exceptions.

Council Workshops

Council held a workshop to consider representation review on 1 March 2018 and reviewed a number of potential options which formed part of the preliminary consultation. This was undertaken during April 2018 as part of the Long-Term Plan consultation and also included a survey.

Thirteen people responded to the survey. In summary:

- 7 wanted a ward system, 2 wanted a mixed system (wards at large), 1 wanted an at large system
- where the ward system was chosen, 5 wanted no changes to current wards, 2 wanted to disestablish wards, and 1 wanted to establish different wards
- 6 wanted Turangi/Tongariro Community Board retained, 3 wanted it disbanded, and 3 wanted other community boards established
- 6 did not believe that the current wards represented their community of interest, 4 thought that it did reflect their community of interest.

Council held a further workshop on 7 May 2018 and reviewed six potential options based on the initial options from the 1 March workshop, consultation with the Turangi/Tongariro Community Board, Mangakino/Pouakani and Kinloch representative groups, and feedback from the pre-consultation. These options were:

- a. At large – councillors are elected by electors of the district as a whole
- b. 10 councillors (plus Mayor) elected from two wards - Taupō-Kaingaroa (8), rural ((2)
- c. 11 councillors (plus Mayor) elected from three wards – Taupō Town (7), Turangi Town (1), Rural (3)
- d. 11 councillors (plus Mayor) elected from four wards – Taupō Town (7), Turangi Town (1), West Rural (1), East Rural (2)
- e. 11 councillors (plus Mayor) elected from five wards - Taupō Town (7), Turangi Town (1), Mangakino-Pouakani (1), Rural North (1), Southern Lake (1)
- f. Mixed Representation with 10 councillors (plus Mayor) with four councillors elected at large, six councillors elected from wards

Initial Proposal

At its meeting on 29 May 2018, Council resolved to adopt, as its initial statement of proposal for consultation, option e. (as above) with a change of names for Rural North to Kinloch-Oruanui and Southern Lake to Southeast Rural (refer to attached resolution TDC201805/14).

In addition, a South-Eastern community board was proposed with a total of 8 members, comprising 3 elected from the Turangi Town Ward, 3 elected from the Southeast Rural Ward, plus 1 councillor representing Turangi Town Ward, and 1 councillor representing Southeast Rural Ward.

Ward	Councillors
Taupō Town	7
Turangi Town	1
Mangakino-Pouakani	1
Kinloch-Oruanui	1
Southeast Rural	1

That initial proposal was publicly notified in newspapers circulations within the district during June and July and was also displayed on the Council’s website. A number of public pop-in sessions were also held in Taupō, Turangi, Mangakino and Kinloch.

The public notice invited submissions on the initial proposal, with submissions closing on 20 July 2018.

At the same time as public notice was given, copies of the draft were also sent to relevant government agencies (including the Local Government Commission) and neighbouring Regional Councils as required by the Act.

Council is now required to hear submissions, deliberate on its final representation arrangements and publicly notify its “final” proposal no later than Friday 7 September 2018.

Any objections, or if the final proposal is non-compliant, will be forwarded to the Local Government Commission with the Commission then determining the final outcome of the representation review no later than 10 April 2019.

DISCUSSION

At the closing date of 20 July 2018, 28 submissions had been received.

The Omori Kuratau Ratepayers Association submission was received after the closing date.

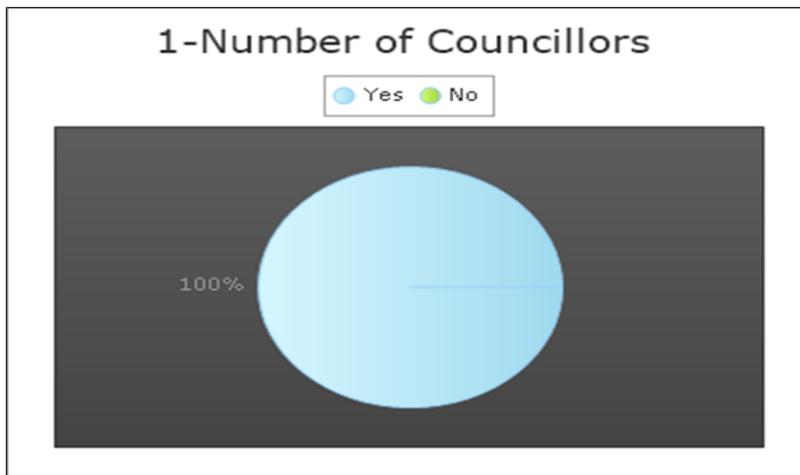
Copies of all submissions are attached, along with a table summarising the key points.

The 28 submissions received include both support for some parts of Council’s proposed representation arrangements, and opposition to other parts, with submitters offering a variety of alternative submission points. There does not appear to be a common theme seeking any one solution. Please note that for the key themes below, that the numbers and percentages are based on submission points and that not all of the questions were answered by the 28 submitters.

Key Themes

Councillors:

There is significant support for 11 Councillors plus the Mayor – 11 or 100%.



Wards:

Submissions were received from submitters that covered all of the proposed new Wards.

	Number of submitters who selected this option	%
Mangakino/Pouakani Ward	2	8%
Kinloch/Oruanui Ward	10	41%
Taupō Town Ward	8	33%
Southeast Rural Ward	1	4%
Turangi Town Ward	3	12%

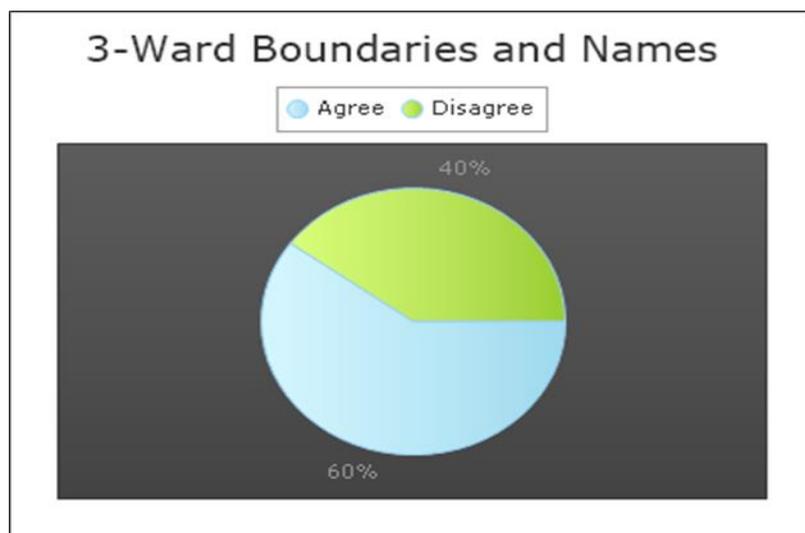
Communities of Interest:

There is support from those submitting for the Council’s proposed wards and that the new wards reflect their community of interest – 12 or 60%.

8 submissions disagree that the initial proposal reflects their community of interest – 40%. The majority of these (5) disagree that Kinloch has a stronger community of interest with Oruanui than it does with Taupō. These submitters felt that there were stronger links with Taupō Town

There were also 3 submitters who agreed with the Kinloch/Oruanui link.

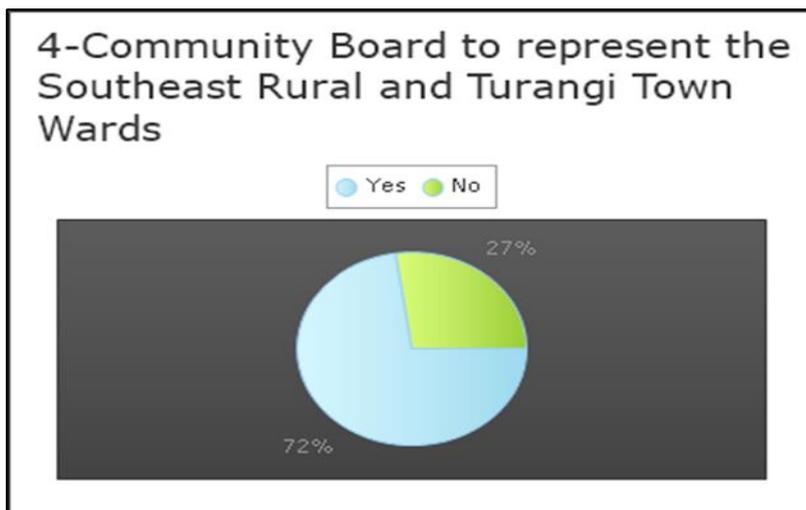
One submitter considered that the South East Ward rural area should be separate from the lakeside settlement whilst another wanted the boundary of this proposed ward to be altered to exclude Motutere south to Turangi.



Community Boards:

8 submissions (72%) agree with the proposal to establish a Turangi and South East community board whilst 3 disagreed and suggested that there be no community board.

One submission suggested that the number of representatives on the community board is reduced from eight to six.



Other issues raised in submissions:

- Establish a representative group for both Taupō Town and South East Rural Wards.
- Retain the existing community board.
- Establish community board for Kinloch/Oruanui, rural and Maori.
- Electoral subdivisions for the community board including a representative from Ngati Turangitukua.
- Establish a holiday home owner’s forum.
- Two councillors for Turangi.
- Taupō Town ward divided into seven wards.
- No more than 50% of councillors elected for each ward and the additional councillors appointed to address any social imbalance.
- Use of population figures only as the basis for review.
- Large geographical area to be covered by the South East Rural councillor.
- Single separate rural ward
- Retain the status quo even if the 10% is exceeded
- Establish Māori wards.

OPTIONS

Analysis of Options

Option 1 - adopt initial proposal with no changes

Advantages	Disadvantages
<ul style="list-style-type: none"> • There was no clear preferred outcomes sought from the submitters. This provides little direction for amendment. • The proposal is compliant with the ‘fair representation’ rule meaning that if there are no appeals, then the decision made by Council would stand. 	<ul style="list-style-type: none"> • Submitters who raised suggested changes would not feel that they were being listened to.

Option 2 - amend initial proposal based on points raised in submissions

Advantages	Disadvantages
<ul style="list-style-type: none"> The submitters who raised the point/s that were amended would feel that they were listened to. 	<ul style="list-style-type: none"> There was no clear preferred outcomes sought from the submitters. This provides little direction for amendment. Some of the changes sought would result in non-compliance with the 'fair representation review'. This means that the Local Government Commission will end up making the end decision on the representation arrangements for the Taupō district.

Analysis Conclusion:

Resulting from the hearings and deliberations Council may either confirm or amend the draft proposal.

The Council may only amend the draft proposal as a result of issues raised in submissions. Otherwise it must confirm its initial draft proposal.

In assessing the issues raised by submitters, Council should review the following and record detailed reasons for all of the related decisions: a. identify communities of interest

- b. review the number of members and decide what is the appropriate number of members for effective governance of the district
- c. determine fair and effective representation for identified communities of interest, including a review of the ward structure and boundaries
- d. review the need for community boards.

Reasons must be provided for rejection or acceptance of submissions and these reasons need to be included in the resolutions accepting the final proposal.

CONSIDERATIONS

Financial Considerations

The review process is funded from existing budgets.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for.

Legal Considerations

Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality local public services. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the relevant matters for consideration are as follows:

Requirements of the Local Electoral Act 2001, including timelines will need to be met.

Policy Implications

The SOLGM Code of Good Practice and the Local Government Commission's Revised Guidelines have been considered when carrying out the review.

Risks

Two main risks have been identified. One is in relation to conforming with timelines required by the Act. The second relates to objections/appeals lodged with the Local Government Commission after the Council has decided upon its final representation arrangements.

ENGAGEMENT

Taking into consideration the above assessment, that the decision is of a low degree of significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

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A number of Council workshops have been carried out and the Turangi/Tongariro Community Board and Mangakino/Pouakani Representative Group have been spoken to.

COMMUNICATION/MEDIA

Following the Council's final proposal, public notice is required to be given (this to occur on 7 September 2018). If the final proposal is amended from the initial proposal, reasons for the amendments and reasons for the rejection of any submissions must be given in this public notice.

Any person or organisation who lodged a submission to the initial proposal has an opportunity to lodge an appeal to the final proposal and, if the initial proposal has been amended, any person or organisation (whether they lodged a submission or not) has the opportunity to lodge an objection to the final proposal. An objection must identify the matters to which the objection relates.

There will be a one-month appeal/objection period from 7 September 2018 to 7 October 2018.

If any appeals or objections are received, the matter is automatically forwarded to the Local Government Commission for determination. Such a determination must be made by 10 April 2019.

If no appeal or objection is received, the final proposal becomes the basis of election and a further public notice (with no right of appeal) is required.

CONCLUSION

It is recommended that the Council receives all submissions in relation to the Representation Review, hear those submitters wishing to be heard in support of their submission, and then deliberate on its final representation arrangements for the 2019 elections.

Further public notice of the final representation arrangements (initial confirmed or amended) will be given which is then open to objection or appeal during a one month period from the date of the public notice.

Any objections/appeals received will be forwarded to the Local Government Commission with the Commission then determining the final outcome of the representation review no later than 10 April 2019.

ATTACHMENTS

1. Council Resolution on Initial Proposal - 29 May 2018 [↔](#)
2. Summary of Submissions [↔](#)
3. Copy of full submissions [↔](#)